



Heacham

Neighbourhood Plan Referendum

16 June 2022

Information Pack

Contents:

- 1. Information Statement**
- 2. Information for Voters** (including general information as to town and country planning and neighbourhood planning)

Appendix 1: Heacham Neighbourhood Plan 2017-2036

Appendix 2: Report of the Independent Examiner on the Heacham Draft Neighbourhood Plan

Appendix 3: Summary of representations received in response to publication of the Draft Plan

Appendix 4: Statement by the local planning authority that the Heacham Neighbourhood Plan meets the basic conditions

Appendix 5: Decision Statement – Decision on examiner's recommendations



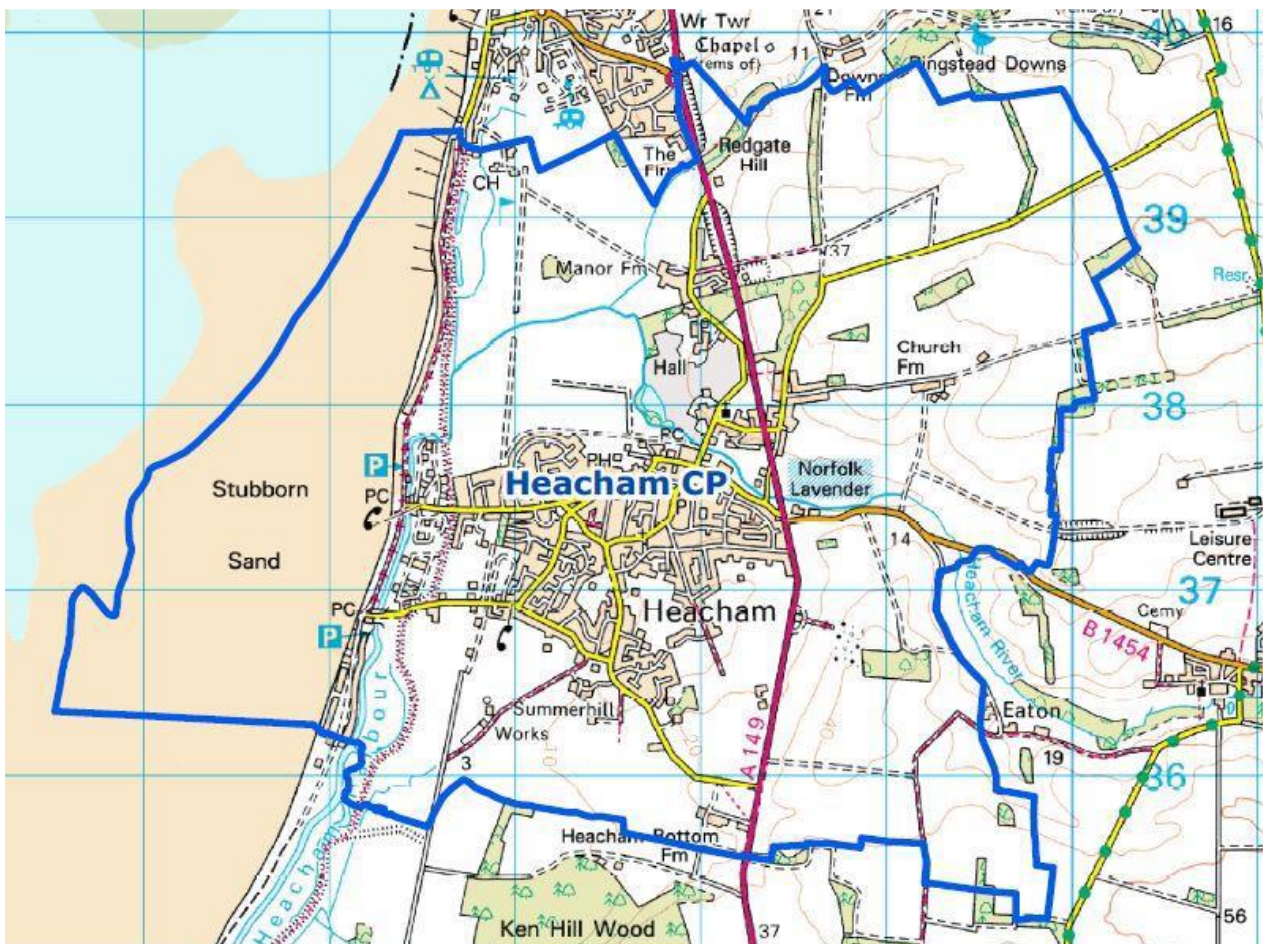
Heacham Neighbourhood Plan Referendum Information Statement

The Borough Council of King's Lynn and West Norfolk hereby gives notice that a Referendum relating to the Heacham Neighbourhood Plan will be held. The Referendum will be held on **Thursday, 16 June 2022** to decide on the question below:

Do you want the Borough Council of King's Lynn and West Norfolk to use the neighbourhood plan for Heacham to help it decide planning applications in the neighbourhood area?

The Referendum area is identical to the area that has been designated as the Heacham Neighbourhood Plan area which covers the Parish of Heacham, as shown on the following map.

Heacham Neighbourhood Area, designated 19 May 2017 [not to scale]



A person is entitled to vote in the Referendum if, on 16 June 2022:

- (a) he/she is entitled to vote in an election of any Councillor of the Heacham Parish Council whose area is in the Referendum area and
- (b) his/her qualifying address for the election is in the Referendum area. A person's qualifying address is, in relation to a person registered in the register of electors, the address in respect of which he or she is entitled to be so registered.

The Referendum expenses limit that will apply in relation to the Referendum is £2,362; plus the number of persons entitled to vote in the Referendum by reference to which that limit has been calculated (691 x 5.9p = £227.74) = **£2,589.74**.

The Referendum will be conducted in accordance with procedures which are similar to those used at local government elections. A number of specified documents may be inspected at:

The Borough Council of King's Lynn and West Norfolk
King's Court
Chapel Street
KING'S LYNN
PE30 1EX

Opening times: 9am-5pm Monday – Thursday
9am-4.45 pm on a Friday.

Tel: 01553 616200

Web: https://www.west-norfolk.gov.uk/info/20127/neighbourhood_plans/885/heacham_neighbourhood_plan

The specified documents are:

- the draft neighbourhood plan or neighbourhood development order;
- the report made by the independent examiner under paragraph 10 of Schedule 4B to the 1990 (in the case of a neighbourhood plan, as applied by section 38A(3) of the 2004 Act);
- a summary of any representations submitted to the independent examiner pursuant to paragraph 9 of Schedule 4B to the 1990 Act;
- a statement in the case of a draft neighbourhood plan, that the local planning authority are satisfied that the draft plan meets those basic conditions and complies with the provision made by, or under,

sections 38A and 38B of the 2004 Act;

- a statement that sets out general information as to town and country planning (including neighbourhood planning) and the referendum, which is prepared having regard to any guidance issued by the Secretary of State.

For further information about the Heacham Neighbourhood Plan, including all background documents, please see our Neighbourhood Planning webpages:

- King's Lynn and West Norfolk Borough Council's Heacham Neighbourhood Plan page: https://www.west-norfolk.gov.uk/info/20127/neighbourhood_plans/885/heacham_neighbourhood_plan
- Heacham Neighbourhood Plan group web page: <http://www.heachamplan.co.uk/>
- How to prepare a Neighbourhood Plan: https://www.west-norfolk.gov.uk/info/20127/neighbourhood_plans/575/how_to_prepare_a_neighbourhood_plan
- Plans being prepared: https://www.west-norfolk.gov.uk/info/20127/neighbourhood_plans/116/plans_being_prepared



Heacham Neighbourhood Planning Referendum

Information for Voters

About this document

On **Thursday, 16 June 2022** there will be a Referendum on a Neighbourhood Plan for your area. This document explains the Referendum that is going to take place and how you can take part in it. It explains:-

- Why there are neighbourhood plans and other development plans
- The Referendum and how you can take part

Referendum on the Neighbourhood Plan

A Referendum asks you to vote yes or no to a question. For this Referendum you will receive a ballot paper with this question:

- Do you want the Borough Council of King's Lynn and West Norfolk to use the Neighbourhood Plan for Heacham to help it decide planning applications in the neighbourhood area?

What does my vote mean?

You show your choice by putting a cross (X) in the 'Yes' or 'No' box on your ballot paper.

Put a cross in only **one** box or your vote will not be counted.

If more people vote 'yes' than 'no' in this Referendum, then the Borough Council of King's Lynn and West Norfolk will use the Neighbourhood Plan to help it decide planning applications in the Parish of Heacham.

The Neighbourhood Plan will then become part of the Development Plan. This is a set of documents which sets out planning policies to guide development in the Borough of King's Lynn and West Norfolk.

If more people vote 'no' than 'yes' in this Referendum or there is a tied vote, then planning applications will be decided without reference to the Neighbourhood Plan as part of the Development Plan for the local area.

Neighbourhood Plans

What is a Neighbourhood Plan?

A local community can prepare a neighbourhood plan, developing a shared vision for their neighbourhood and deliver the sustainable development they need through planning policies relating to the

development and use of land.

If it successfully passes all the stages (including being supported by a majority of votes in a referendum) the neighbourhood plan will become part of the Development Plan for the area, along the Borough Council's local plan. It then must be taken into account when the Borough Council, or a planning inspector, is deciding planning applications in the area.

Who can prepare a Neighbourhood Plan?

A neighbourhood plan is prepared by the Qualifying Body, the relevant parish/town council, except in unparished areas (e.g. King's Lynn town centre). In this case a local group must first apply to be designated as a 'neighbourhood forum' before it can prepare a neighbourhood plan.

What can be in a Neighbourhood Plan?

Neighbourhood plans set out policies for the development and use of land. A neighbourhood plan can shape future development in an area, but it cannot stop or promote less development than set out in the Borough's Local Plan.

A neighbourhood plan must:

- support sustainable development
- generally conform to the strategic policies in the local plan
- have regard to national planning policies, and
- comply with relevant legislation; e.g. ensure environmental matters are taken into account, protect certain species and habitats, human rights, etc.
- specify the period it will cover.

While a neighbourhood plan must be in general conformity to the local plan strategic policies for the area (e.g. the overall role of the area, the general scale and type of development planned), it can vary in detail from the local plan. This can involve additional or different allocations of land for development, different development boundaries, different design and other criteria to be applied in the area, etc. Where there is a contradiction between a neighbourhood plan and the local plan, it is the most recent one that counts.

Neighbourhood plans often contain policies to reinforce the local character of the area, to protect local green spaces and other features of particular

local importance, plus measures to address particular local problems or shortages.

There is no set format for a neighbourhood plan. It could be very brief and focused (perhaps just one policy) or very long and complex. Much will depend on what are the agreed local priorities, and what resources, interests and skills are available in the local community who prepare it.

How is a Neighbourhood Plan prepared?

Because neighbourhood plans will affect what may, or may not, receive planning permission they must go through stages of formal consultation to make sure everyone has an opportunity to comment on them, and that they meet tests laid down in legislation. These procedures include examination by an independent expert, to decide whether the plan meets the legal tests mentioned above, and a referendum to gauge the level of local support for the plan.

The Borough Council (as local planning authority) has to administer key parts of this process. The decisions it has to make in this process are not whether the Borough Council agrees with or supports the content of the neighbourhood plan, but whether the plan complies with nationally laid down rules and policies.

It is the local community's plan, and it is they who will have to do most of the work (or commission consultants to do this for them) and make the decisions on what they want in their plan, although the Borough Council will provide advice and assistance.

For further information on neighbourhood plans see:

Borough Council Information:

- Heacham Neighbourhood Plan page: https://www.west-norfolk.gov.uk/info/20127/neighbourhood_plans/885/heacham_neighbourhood_plan
- Heacham Neighbourhood Plan group web page: <http://www.heachamplan.co.uk/>
- How to prepare a Neighbourhood Plan: https://www.west-norfolk.gov.uk/info/20127/neighbourhood_plans/575/how_to_prepare_a_neighbourhood_plan
- Locality: <https://locality.org.uk/>

Background

The town and country planning system exists to protect and promote the public interest in the way land is used and developed. All advanced economies have formal planning systems, though the details of how they operate vary, while simpler societies usually have less formal controls on new building.

The current British planning system was established in 1947, and grew out of concern that uncoordinated development in the 19th and early 20th century had resulted in severe adverse impacts on health, economic efficiency, quality of life and the environment. Owners of property in Britain do not have a right to build or change the use of land as they please, but must obtain planning permission to do so. (Some development, typically minor changes, is 'permitted development'; thus benefits from an automatic permission).

The planning system endeavours to –

- Coordinate the activities of different developers and agencies,
- Protect features and qualities of acknowledged public interest,
- Provide a degree of certainty for investors, landowners, residents and other stakeholders, and
- Coordinate the provision of infrastructure and other facilities.

More broadly the system aims to balance the needs and aspirations of the immediate site or locality with those for the wider area and country within which it sits, and to balance current concerns against longer term interests.

Inevitably these different aims and considerations are often in tension, and so there are difficult and controversial decisions to be made in balancing them when considering whether to grant planning permission or include something in a plan. (Planning decisions often seem easy if only one consideration is taken into account).

Local Planning Decisions

The responsibility for making most of these difficult decisions is given by Parliament to the local planning authority which, in this area, is the Borough Council of King's Lynn and West Norfolk.

Planning authorities cannot, however, make a decision any way they may please. Prior public consultation is required in most cases. Decisions on applications must be made in accordance with the adopted development

plan, unless there are proper planning considerations suggesting otherwise.

One of the important considerations which must be taken into account is national (government) planning policy, including the National Planning Policy Framework. This tells local planning authorities which issues they should consider most important, how decisions should be reached, how plans should be prepared and what they should contain, etc.

Decisions are made by elected councillors, advised by specialist planning officers, though routine decisions (e.g. planning applications clearly in accordance with, or contrary to, adopted plans) will usually be delegated by councillors to senior officers; because of the volume of work and pressures of time.

There is provision for the planning decisions of the local planning authority to be challenged and reviewed by an independent planning inspector (or, if the issue is the legality of the decision or the way it was reached, the courts).

Local Plans

The local planning authority is required to produce local plans for the future development of the area. Local plans (previously known as local development frameworks; that is, development plan documents produced by the local planning authority) may consist of one or more separate development plan documents. These would commonly include (as is the case in West Norfolk) a core strategy document setting out the overall scale and broad location of development, and a site allocations document identifying the specific sites and the type and amount of development sought on each area.

Local plans usually look forward at least 15 years, and must provide for enough housing and employment development to meet the anticipated growth in the area over that period, and have to be in general accordance with national planning policy.

Ideas for how this might be done are refined and reconsidered through successive rounds of consultation and discussion, often over a period of several years, but rarely is consensus reached; so the local planning authority must make difficult choices between competing views and proposals. Once the local planning authority has decided the plan it wishes to adopt it is tested against legal requirements and national policy by an independent planning inspector; who will consider the views of those who oppose or support the plan, and decide whether it can be adopted and

brought into force.

Under current national policy if local plans are not successfully brought up-to-date and adopted, or less housing development than needed actually takes place, it will be difficult for the local planning authority to refuse a planning application for housing development unless it seriously contravenes national policy, even if it contravenes the local or neighbourhood plan.

Neighbourhood Planning

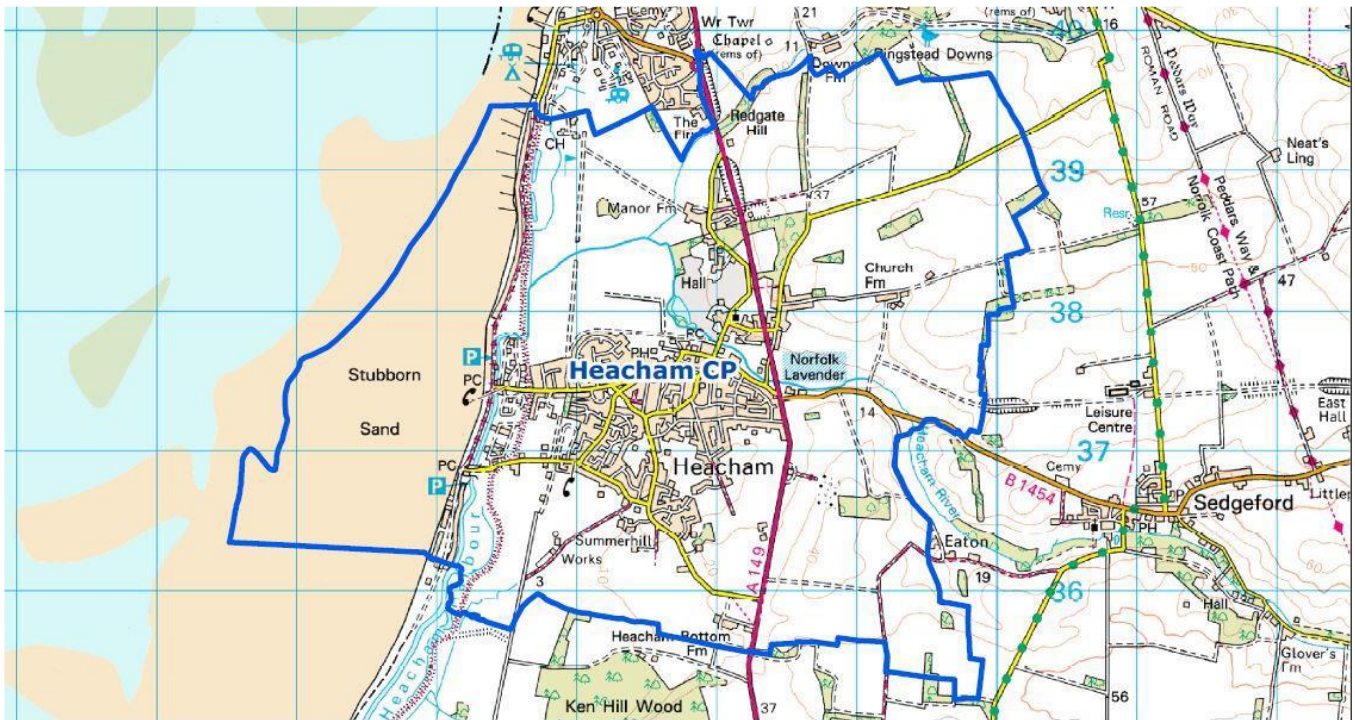
Parish and town councils are statutory consultees for planning applications and local plans. This means they are consulted about these and are able to put forward any views they may have on these.

The 2011 Localism Act gave them (and communities in unparished areas that had successfully applied for designation as a neighbourhood forum) additional new planning powers to produce neighbourhood development plans, or to grant planning permission for specified developments or types of development (neighbourhood development orders and community right to build orders). Of these, neighbourhood plans have been by far the most popular. (For further information on neighbourhood plans, see section above).

Heacham Neighbourhood Plan Referendum Area

The Referendum area is identified on the map below. This is the same as the area of Heacham Parish, and the area covered by the Heacham Neighbourhood Plan 2017-2036.

Heacham Neighbourhood Area, designated 19 May 2017 [not to scale]



Voting in the Referendum

The Referendum area

The Referendum area is identified on the map shown on Page 11 as the parish area of Heacham and is identical to the area which has been designated as the Heacham Neighbourhood Plan area.

Referendum Expenses

The Referendum expenses limit that will apply in relation to the Referendum is £2,362; plus the number of persons entitled to vote in the Referendum by reference to which that limit has been calculated ($691 \times 5.9p = £227.74$) = **£2,589.74**.

Specified Documents

A copy of the specified documents, that is the documents listed below, may be inspected at the following:-

- Borough Council of King's Lynn and West Norfolk, King's Court, Chapel Street, KING'S LYNN, PE30 1EX between the hours of 9.00 am to 5.00 pm Monday to Thursday and 9.00 am to 4.45 pm on a Friday.
- Tel: (01553) 616200 or email elections@west-norfolk.gov.uk.

- Sue Eke, Heacham Parish Clerk
E-mail: heachampc@btinternet.com

The specified documents are:-

- The draft Heacham Neighbourhood Plan
- Report of the Independent Examiner
- Summary of the representations submitted to the Independent Examiner
- Statement by the Local Planning Authority that the Draft Plan meets the basic conditions (the Decision Statement)
- Information Statement and Information for Voters
- A statement that sets out general information as to town and country planning including neighbourhood, the Referendum

All of the above documents can be viewed on the Council's dedicated Heacham Neighbourhood Plan web page: https://www.west-norfolk.gov.uk/info/20127/neighbourhood_plans/885/heacham_neighbourhood_plan

Further information is also available through the Heacham Neighbourhood Plan group web page: <http://www.heachamplan.co.uk/>

Can I Vote?

You can vote in the Referendum if you live in the Parish of Heacham and:-

- You are registered to vote in Local Government Elections, and
- You are 18 years of age or over on **16 June 2022**.
- You have to be registered to vote by **Friday, 27 May 2022** to vote in the Referendum. You can check if you are registered to vote by calling (01553) 616773 or 616200.
- The Referendum will be conducted in accordance with the procedures which are similar to those used at Local Government Elections.

Ways of Voting

There are three ways of voting:-

In person on 16 June 2022

- Most people vote in person at their local polling station. It is easy and the staff on duty will always help if you are not sure what to do.
- In Heacham, the Polling Station is: Heacham Public Hall, Station Road, Heacham. PE31 7HG
- You will receive a poll card telling you that this is your polling

station.

- If you do not receive your poll card you can contact Electoral Services on (01553) 616773 to ensure you are registered.
- The polling station will be open from 7am to 10pm.
- If you are not in the queue for a ballot paper by 10pm you will not be able to vote; so make sure you arrive in plenty of time.

By post

- To vote by post you need to complete an application form and send it to Electoral Services, Borough Council of King's Lynn and West Norfolk, King's Court, Chapel Street, KING'S LYNN. PE30 1EX to arrive by 5pm on **Monday, 30 May 2022**. NB: If you already have a postal vote, there is no need to complete another application form.
- Ballot papers can be sent overseas, but you need to think about whether you will have time to receive and return your ballot papers by 5pm on **Monday, 30 May 2022**.
- You should receive your Postal Vote about a week before polling day. If it does not arrive in time, you can get a replacement up to 5pm on **Friday, 10 June 2022**.

By Proxy

- If you cannot go to the polling station, and do not wish to vote by post, you may be able to vote by proxy. This means allowing somebody you trust to vote on your behalf.
- To vote by proxy, you need to complete an application form and send it to Electoral Services, Borough Council of King's Lynn and West Norfolk, King's Court, Chapel Street, KING'S LYNN. PE30 1EX to arrive by 5pm on **Wednesday, 8 June 2022**.

This is for a new Proxy only. Changes to existing arrangements need to be made by 5pm on **Thursday, 16 June 2022**.

- When you apply for a proxy vote you must say why you cannot vote in person.
- Anyone can be your proxy as long as they are eligible to vote and are willing to vote on your behalf. You will have to tell them how you want to vote.

Postal and proxy vote application forms are available from Electoral Services on (01553) 616773 or by downloading from the Council's website at: www.west-norfolk.gov.uk.

Am I Registered to Vote?

- If you are not registered you will not be able to vote.
- If you are not on the Electoral Register, you will need to complete an Invitation to Register form and send it to Electoral Services, Borough Council of King's Lynn and West Norfolk, King's Court, Chapel Street, KING'S LYNN. PE30 1EX to arrive no later than **Friday, 27 May 2022**, or go online www.gov.uk/registertovote.

Registration forms are available from Electoral Services on (01553) 616773 or alternatively you can register yourself at www.gov.uk/registertovote.

How to find out more

- Further general information on neighbourhood planning is available on the following websites <https://www.gov.uk/government/get-involved/take-part/make-a-neighbourhood-plan> and https://www.west-norfolk.gov.uk/info/20127/neighbourhood_plans
- For queries about planning issues, please contact the Borough Council of King's Lynn and West Norfolk, Planning Policy on (01553) 616200. For queries about the Referendum and voting please contact Borough Council of King's Lynn and West Norfolk, Electoral Services on (01553) 616773 or e-mail: elections@west-norfolk.gov.uk.

Appendix 1:

HEACHAM NEIGHBOURHOOD PLAN 2017-2036

DRAFT NEIGHBOURHOOD PLAN POST EXAMINATION VERSION REGULATION 18

[SEE ACCOMPANYING DOCUMENT]

Appendix 2:

Report of the
Independent Examiner
on the Draft
Neighbourhood Plan
September 2021

[SEE ACCOMPANYING DOCUMENT]

Appendix 3:

Heacham Neighbourhood Plan Summary of the representations submitted to the independent Examiner

The Draft Heacham Neighbourhood Plan was published and consulted on by the Borough Council of King's Lynn and West Norfolk from 6 April – 1 June 2021. 13 representations were received in response to that consultation and provided to the independent Examiner.

Detailed comments were received from the statutory consultation bodies regarding detailed policy wordings and content of the Neighbourhood Plan. Substantive objections to individual policies or proposals were put forward by representatives of landowners; either with reference to site specific proposals or alternative site allocations (omission sites). These were duly considered by the Examiner in preparing the Examiner's Report.

Supporting representations were received from the following bodies, in some cases also offering advice and guidance; e.g. regarding best practice, relevant legislation or other relevant policies/ considerations:

- Historic England
- National Grid
- Natural England
- Highways England
- Maine Management Organisation
- Norfolk Gardens Trust
- Water Management Alliance

Representations containing objections regarding individual policies and/ or the content of the Plan were received from the following parties:

Respondent	Details
Bidwells on behalf of Broadland Housing Association	Objections re policies: <ul style="list-style-type: none">• 2 and 17 – too restrictive/ contrary to strategic policies• 3 – housing mix needs to meet local needs

Respondent	Details
Borough Council of Kings Lynn and West Norfolk (officer comments)	Officer comments regarding effectiveness of individual policies (clarity, evidence base, justification and/ or whether these can be implemented in practice): <ul style="list-style-type: none"> • Policies 2, 3, 4, 5, 6, 7, 8, 11, 12, 14, 15, 17, 18, 19
Ken Hill Estates (Rural Solutions)	Proposed amendment to Policy 11, to ensure this is in accordance with strategic Local Plan policies
Searles (Camping Ground) Limited, Heacham Holiday Parks Limited and M.T. McDonnell & Company	Objections regarding: <ul style="list-style-type: none"> • Policy 11 – existing tourist areas need to be defined/ make provision for appropriate expansion • Policy 17 – settlement breaks inappropriate, as includes existing built up areas
RSPB East of England	Overall concerns regarding impacts of development (including existing commitments) on protected species. Scope of Plan – need to take account of SAC/ Ramsar site designations
Norfolk County Council (Planning and Transportation)	Overall support, but need to ensure robust evidence base re latest SFRA/ role of green spaces in delivering SuDS

These representations were provided to the independent examiner to inform the examination of the Neighbourhood Plan. They are available for inspections on the Borough Council's website via the following link: <https://west-norfolk-consult.objective.co.uk/kse/event/36111/peoplesubmissions/section/>

The Borough Council and Heacham Parish Council (Qualifying Body) did not accept the Examiner's recommendations regarding certain detailed matters relating to policies 11, 15 and 17. Accordingly, the Borough Council undertook a further focused consultation upon proposals to depart from the Examiner's recommendations regarding these Neighbourhood Plan policies. This took place over a 6-week period, from 29 October – 10 December 2021. Responses were received from the following parties with majority agreement and further recommendations to deviate from the Examiner's recommendations regarding policies 11, 15 and 17:

- Ken Hill Estates

- Bidwells on behalf of Broadland Housing Association
- RSPB
- Natural England

Supporting representations were received from Ken Hill Estates and Natural England in respect of the amended policies 11, 15 and 17.

The RSPB suggested further amendments to the amended policy 11, while Bidwells maintained an objection to the suggested departure from the Examiner's modification at Paragraph 13.5 of the Submission Version of the Plan.

These outstanding objections were considered by the Borough Council, but neither was deemed sufficient to delay progression of the Heacham Neighbourhood Plan to referendum. Therefore, the conclusion of the focused consultation allowed the Borough Council to sign off the Heacham Neighbourhood Plan and take this forward to referendum.

Appendix 4:

Heacham Neighbourhood Plan

Statement by the local planning authority that the Heacham Neighbourhood Plan meets the basic conditions.

The draft Heacham Neighbourhood Plan was considered by the Borough Council of King's Lynn & West Norfolk. On behalf of the Borough Council, on 5 April 2022 it was agreed by Geoff Hall the Executive Director (Environment and Planning) in consultation with the Portfolio Holder Cllr Richard Blunt, that the amended Hunstanton Neighbourhood Plan, incorporating the Examiner's recommendations meets the basic conditions, and that, so modified, it should proceed to a local referendum covering the area of Heacham Parish.

The Borough Council Decision Statement in full can be read on the following page: https://www.west-norfolk.gov.uk/info/20127/neighbourhood_plans/885/heacham_neighbourhood_plan

The Draft Neighbourhood Plan has now been so amended, and thus the Borough Council is satisfied that the Draft Neighbourhood Plan being presented in the referendum meets the basic conditions set out in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990 (as amended).

**Cllr Richard Blunt, Cabinet Member for Development and Regeneration
Borough Council of King's Lynn and West Norfolk**

**Geoff Hall, Executive Director (Environment and Planning)
Borough Council of King's Lynn and West Norfolk**



Appendix 5:

Decision on examiner's recommendations April 2022

[SEE ACCOMPANYING DOCUMENT]