

Holt Neighbourhood Plan

Pre-submission consultation 11 January – 23 February 2018

Thank you for the opportunity to comment on the emerging Holt Neighbourhood Plan (HNP) during the formal pre submission consultation. The comments below and the attached schedule forms Officers formal comments on the emerging HNP at Regulation 14 stage of the Neighbourhood Planning (General) Regulations 2012 as amended.

General Comments

Comments are made on a number of policies, highlighting that there may not be adequate evidence / justification; potential conformity issues and duplication with the Development Plan process. This is something that is often picked up on by neighbourhood plan examiners, resulting in substantial amendments being required by them in order for the proposed plan to move forward to any referendum. Neighbourhood plans are not freestanding documents and are required to be developed in line with the Local Plan and strategic policies, underpinned with evidence so that they complement the existing policies by being in general conformity with the existing Development Plan, and where necessary add more local distinction. Only plans and policies that meet the legislative tests can go on and form part of the Development Plan for the district. The HNP currently covers many general aspects of policy, in many places on the surface does not seem to bring additional locally specific decision making criteria / policies to the table and repeats the thrust of many existing Development Plan policies, rather than being focused on specific added value opportunities.

The Development Plan consists of: the adopted Core Strategy, the Site allocations Development Plan Document (DPD), and the Proposals Map. Of material consideration are the Design Guide Supplementary Planning Document (SPD) and the Landscape Character Assessment SPD. Consideration needs to also be given to the emerging Local Plan and the refreshed evidence across a number of detailed evidence areas. As part of the Council's support for neighbourhood planning a number of guidance documents, including the identification of strategic and non-strategic policies, check sheets have been produced. These are available on the Council's web site and it is recommended that these are reviewed as part of the next iteration of the HNP. The Council would encourage the steering group to take up its offer of an informal review of policies and supporting evidence / justification ahead of any final submission. This would provide in advance comments on whether the emerging policies are considered likely to meet the Basic Conditions tests and could take the form of offering alternative wording to make a policy stronger and or to align with the emerging Local Plan in order to extend the HNP effectiveness. A copy of the guidance is available at:

<https://www.north-norfolk.gov.uk/tasks/planning-policy/neighbourhood-planning/>

The Government's National Planning Practice Guidance (PPG) – Neighbourhood Planning sets out the requirements for policies in Neighbourhood Plans. This includes:

“How should the policies in a neighbourhood plan be drafted?”

*A policy in a neighbourhood plan should be clear and unambiguous. It should be drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications. It should be concise, precise and **supported by appropriate***

evidence. It should be distinct to reflect and respond to the unique characteristics and planning context of the specific neighbourhood area for which it has been prepared.

Paragraph: 041 Reference ID: 41-041-20140306”

And

“General conformity with the strategic policies contained in the Development Plan

What is meant by ‘general conformity’?

When considering whether a policy is in general conformity a qualifying body, independent examiner, or local planning authority, should consider the following:

- whether the neighbourhood plan policy or development proposal supports and upholds the general principle that the strategic policy is concerned with
- the degree, if any, of conflict between the draft neighbourhood plan policy or development proposal and the strategic policy
- whether the draft neighbourhood plan policy or development proposal provides an additional level of detail and/or a distinct local approach to that set out in the strategic policy without undermining that policy
- the rationale for the approach taken in the draft neighbourhood plan or Order and the evidence to justify that approach

Paragraph: 074 Reference ID: 41-074-20140306.”

The PPG states that a neighbourhood plan should support the strategic development needs set out in the Local Plan and should plan positively to support local development as outlined in para 16 of the National Planning Policy Framework (NPPF) .

Neighbourhoods should:

- develop plans that support the strategic development needs set out in Local Plans, including policies for housing and economic development;
- plan positively to support local development, shaping and directing development in their area that is outside the strategic elements of the Local Plan;

NPPF, 2012 para 16,

Comments are detailed in the schedule below to reflect this guidance and the legislative requirements in order to aid the HNP group in policy development and to refine the plan so that it has the greatest opportunity of meeting the Basic Condition tests and to sit alongside the existing Development Plan (and also prolong its effective life to accord with the emerging Local Plan), with the aim of reducing the risk of further amendments being required by the appointed independent examiner.

A number of policies refer to complying with the requirements of and policies of the HNP and the Development Plan etc. This seems superfluous in all cases, as determination of any planning application must be in accordance with the Development Plan unless material considerations indicate otherwise. This is enshrined in national policy

It is recommended that the policies referred to are reassessed and amended to comply with the PPG (e.g. they provide “an additional level of detail and/or a distinct local approach to that set out in the strategic policy without undermining that initial policy”) or that they are deleted, or that additional evidence / justification is provided. This additional evidence will be required to assist HNP in justifying its approach through the required Basic Conditions Statement at submission stage and examination. In some circumstances it may be appropriate to change a particular policy to supporting explanatory text, or aspirational text.

In order to remain effective and useful in the determination of applications it is recommended that policies are worded so that they can be applied in a mindful way and should contain an operative clause (justified & evidenced). A failure to make a policy specific to a particular requirement will render it ineffective. If a number of policies remain this way collectively there is the potential to make the whole plan ineffective. Any repetition of national and local policies should be removed.

Following this Regulation 14 consultation there is an opportunity for the Neighbourhood Plan group to review and adjust the plan and the opportunity to document specific evidence before submission to the Council under Regulations 15 & 16. It is at this stage that the Council will review the Draft Neighbourhood Plan and submission documentation for conformity to the entire legal framework.

Concerns are raised around the robustness of the undertaking of the Strategic Environmental Assessment, SEA. We have previously advised that the Council will undertake this exercise on behalf of the group and this would reduce the risk at examination. Once the policies have been revised as a result of this consultation we would be pleased to undertake this exercise for you so that the HNP can be satisfied that this part of basic conditions is addressed ahead of examination. Further detailed commentary is included in the schedule below.

The advice contained in the schedule is compiled from across the authority and varying specialist departments. We trust that these comments are helpful and constructive. Should you wish to discuss any issues or require further explanations please contact a member of the policy team.

Schedule of Comments

Ref. No.	Page and Policy/ Paragraph No	Comment
1	General	<p>In addition to the general comments made above comments are made on a number of policies, highlighting that there may not be adequate evidence / justification or that they duplicate other Development Plan policies. This is something that is often picked up on by Neighbourhood Plan Examiners, with substantial amendments made by them to the proposed Neighbourhood Plan. <u>Neighbourhood plans are not freestanding documents</u> and are required to be developed in line with the Local Plan and strategic policies, underpinned with evidence. The Government’s national Planning Practice Guidance (PPG) – Neighbourhood Planning sets out the requirements for policies in Neighbourhood Plans. This includes:</p> <p>“How should the policies in a neighbourhood plan be drafted? <i>A policy in a neighbourhood plan should be clear and unambiguous. It should</i></p>

		<p><i>be drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications. It should be concise, precise and supported by appropriate evidence. It should be distinct to reflect and respond to the unique characteristics and planning context of the specific neighbourhood area for which it has been prepared.</i></p> <p>Paragraph: 041 Reference ID: 41-041-20140306”</p> <p><i>And</i></p> <p>“General conformity with the strategic policies contained in the Development Plan</p> <p><i>What is meant by ‘general conformity’?</i></p> <p><i>When considering whether a policy is in general conformity a qualifying body, independent examiner, or local planning authority, should consider the following:</i></p> <ul style="list-style-type: none"> • <i>whether the neighbourhood plan policy or development proposal supports and upholds the general principle that the strategic policy is concerned with</i> • <i>the degree, if any, of conflict between the draft neighbourhood plan policy or development proposal and the strategic policy</i> • <i>whether the draft neighbourhood plan policy or development proposal provides an additional level of detail and/or a distinct local approach to that set out in the strategic policy without undermining that policy</i> • <i>the rationale for the approach taken in the draft neighbourhood plan or Order and the evidence to justify that approach</i> <p>Paragraph: 074 Reference ID: 41-074-20140306.”</p> <p>Therefore, it is recommended that the policies referred to are reassessed and amended to comply with the PPG (e.g. they provide “an additional level of detail and /or a distinct local approach to that set out in the strategic policy without undermining that policy”) or that they are deleted, or that additional evidence / justification is provided. In some circumstances it may be appropriate to change the particular policy to supporting explanatory text.</p>
2	General	<p>Despite the supporting text implying otherwise, many of the policies are high level repetitions of national policy and or existing Development Plan policies. It would be reasonable to expect that any additional policy included in the HNP would be to add a flavour of local distinctiveness rather than repetition of existing policies. To make the HNP distinctive and to be effective in the determination of planning applications many of the policies should be revised to give the document more of a bespoke feel and local purpose, adding detail to the Development Plan rather than duplicating its generality. More detail on these issues is provided in the specific policy comments below.</p>
3	General	<p>A number of policies refer to complying with the requirements of and policies of the HNP and Development Plan. This is superfluous in all cases as determination of any planning application must be in accordance with the</p>

		Development Plan unless material considerations indicate otherwise. This is enshrined in national policy and it is likely that any inspector will remove this reference from all policies across the plan.
4	General	It is recognised that it remains important to the NP group to reflect community aspirations however guidance is clear that Neighbourhood Plans do not seek to duplicate existing statutory and non-statutory policies or seek to introduce non land use planning matters. The Council advises that areas of duplication should be reviewed and removed prior to final submission.
5	General	<p>Before including policies on aspirations <u>first</u> it should be checked if there is an appropriate policy response in the Development Plan - this includes national policy approach as well as local policies as detailed above - and <u>secondly</u> that any aspiration is subsequently supported by evidence. Inspectors are increasingly commenting on the lack of evidence to support policy development and such approaches run an increased risk of alteration and deletion by the inspector. To aid in shaping the HNP it is recommended that some of the more recent Norfolk NP examination reports are reviewed.</p> <p>Detailed guidance on this is contained in the PPG published online by DCLG. This builds on the national policy approach outlined throughout the NPPF and in particular Para. 16 which states: neighbourhoods should:</p> <ul style="list-style-type: none"> ●develop plans that support the strategic development needs set out in Local Plans, including policies for housing and economic development; ●plan positively to support local development, shaping and directing development in their area that is outside the strategic elements of the Local Plan;
6	General	In order to remain effective and useful in the determination of applications it is recommended that policies are worded so that they can be applied in a mindful way and should contain an operative clause which should be justified and evidenced. A failure to make a policy specific to a particular requirement will render it ineffective. If a number of policies remain this way collectively there is the potential to make the whole plan ineffective. Any repetition of national and local policies should be removed. Ineffectively constructed policies will be difficult to apply and run the risk of deletion by the inspector.
7	General	<p>Conformity – throughout the plan there are references to the Core Strategy, Local Plan and Development Plan of the district. The neighbourhood plan is being brought forward ahead of the emerging new Local Plan and although the dates roughly align, in order to future proof the NP it is recommended that text is amended throughout the document and in places within specific policies so that the reference is made not only to the Core Strategy but to its subsequent revision (the emerging Local Plan) or simply refer to the Development Plan.</p> <p>To avoid the risk of policies in a NP being superseded by a later Local Plan it is necessary for the two plans to work in a complementary way. In general the emerging Neighbourhood Plan talks about the Local Plan policies contributing to support the NP policies. However, as detailed in the national guidance it is the NP policies that need to align with the Local Plan. It is the NP policies that can bring specific local approaches and detail. Suggest that this is clarified in future iterations of the NP to avoid any misrepresentation and to provide a fuller understanding to the local community.</p>

8	General	As above the NP should reference the 'emerging Local Plan' as well as the adopted Core Strategy / Development Plan. The HNP is being brought forward in advance of the emerging Local Plan and due to this timing there is an increased element of risk. It is the emerging Local Plan that will set the growth targets and strategic direction for the lifetime of the neighbourhood plan.
9	General	<p>Supporting evidence – A NP is required to be 'justified and evidenced'. Although some evidence on local social, economic and environmental conditions and issues is included in the consultation document these are not referenced and no specific evidence based document has been made available on the HTC web site. <u>It is best practice to make all the evidence based documents available for public consultation / reference.</u></p> <p>Plans should be informed by the most up-to-date information. It is considered that large parts of the evidence base developed for the emerging Local Plan is also likely to form part of the evidence base of the neighbourhood plan. As a minimum this evidence base – provided that it has been used - should be referenced and made available on the HTC website along with all the background information / feedback received from any previous consultation. This includes the SA Scoping document which is not available on the web site but was consulted on in the autumn of 2017. In addition the feedback given from all parties in respect of the SA Scoping report should also be publically available. In particular the feedback from the statutory bodies needs to be made available to the Council as it is the council that must satisfy itself that these separate regulations have been adhered to prior to examination.</p>
10	Images – General Point	<p>Several of the maps are blurred and/or stretched. These should be formatted correctly and a scale applied. It may be that they have been copied from published documents rather than the source map requested or reproduced. If re-published the appropriate permissions should be obtained.</p> <p>The map detailing one of the conservation areas that cover the NPA is incorrect and based on out of date information. Specifically this will need to be replaced to reflect the true and most recent extent of the conservation area. If not the map and or policy could be deleted by the inspector as not being founded on the most up to date information and evidence.</p>
11	General	The format of the document is in places misleading and additional clarifying text should be added. For example, the site allocation section, although factually true, i.e. the sites have been allocated through the Core Strategy, planning permission <u>has since been granted</u> on all of the residential sites detailed and work has commenced on some of these and other development sites across the town. It is misleading to imply that the emerging neighbourhood plan could influence development on these sites. Additional text should be used to clarify the wider spatial and strategic planning context and greater reference should be made of the relationship to the future allocations and future growth levels that the NP could influence through specific local policies. Consideration could be given to use this section to detail the future choices / direction of growth which the NP could influence. This information will be detailed in the forthcoming Local Plan consultation but is also publically available. Specific text, along with other matters of advice can be discussed with officers, should you wish to take up the offer of informal review sessions and ongoing discussions.

		On a similar vein the consultation feedback sections could be misconstrued as the only justification for a particular policy approach. Although the plan states that there is some identified community support for the key themes shown, any policy must be founded in evidence and a review undertaken to understand how such an approach aligns with the strategic priorities, before developing a policy approach. This is how the NP will be examined. This is also the first time the general public and the Council have seen the emerging policies.
12	General	Theme 2 and Theme 4 appear to cover much of the same information and review many of the same issues - consideration could be given to combining the sections to reduce repetition As it stands many of the policies do not meet the basic tests outlined in the PPG– Paragraph: 041 Reference ID: 41-041-20140306. See above extract.
13	General – draft plan	It is noted that the PDF version made available on the HTC’s web site is configured so that no section can be copied or comments added. This is acceptable for this stage but your attention is drawn to the NNDC guidance that at submission stage an <u>editable version will be required</u> . This is preferably in Microsoft Word format, but an unlocked PDF may be possible to work with. This reflects the legislative requirement that it is the Council who are required to amend the plan in line with the inspector’s recommendations prior to any referendum. A failure to supply the appropriate document will run the risk of delay and prevent the NP from moving to the next stages. Submission check sheets can be found on https://www.north-norfolk.gov.uk/tasks/planning-policy/neighbourhood-planning/
14	Page 2	Second line – Title - Typo - repetition of the word ‘Council’
15	Page 3	Welcome the reference to future growth for the town.
16	Page 3	Reference to encouraging all residents and stakeholders to respond - it is the steering group’s responsibility for <u>informing and seeking representations from</u> those who may not be residents but nevertheless have an interest in the parish as well as statutory consultees. Not all stakeholders such as land agents, land owners, developers and infrastructure providers live in the parish. Failure to adequately advise of a consultation could increase the risk of challenge at later stages. In any submitted consultation statement you will need to justify / demonstrate how such parties have been offered the opportunity to inform the plan at this stage. As previously advised, information is held by the Council on site ownership and promoters which could assist you in satisfying this requirement.
17	Page 4	Map like others throughout is blurred and/or stretched – this should be amended in the submission. Text should be added that clarify that the neighbourhood plan area is the area that the emerging plan covers and has influence over.
18	Page 6	Section 1.2 – As detailed above the starting point is the identification of key issues from the community. It is recognised that it is important to the NP group to reflect community aspirations, however, should the introductory text explain in more detail that before including policies on such aspirations <u>first</u> it should be checked that there is not an appropriate policy response in the Development Plan - local as well as national as detailed above and <u>secondly</u> that any aspiration and policy approach identified to address the aspiration is subsequently supported by evidence. Inspectors are increasingly commenting on the lack of evidence to support policy development and such

		approaches run an increased risk of alteration and deletion by the inspector if it is not supported by more than just community feedback. This section provides the opportunity to explain how the NP sits with the Development Plan and should not be read as a standalone policy document.
19	Page 6	Section 1.2 – All Development Plans including neighbourhood plans need to be worded in a positive way to influence and facilitate development. Suggest the removal of the word ‘Protect’ - this is restrictive in this context and contrary to the NPPF – other such references should also be reviewed.
20	Page 10	In 2.3.1, 2.3.2 and 2.3.5 ‘The Holt Vision Document’ is referred to as ‘the Vision project’, ‘The Vision’ and ‘the Vision Study’ – could it just be referred to in one way? This is also an evidence document and therefore needs to be made publically available. The Vision Document was undertaken some time ago is it still relevant? Are you able to demonstrate that it remains relevant?
21	Page 11	2.4.3 Typo – ‘processes’ should read ‘process’
22	Page 12	2.5.3 the term ‘excluded development’ should appear in the glossary
23	Page 19	<p>Review your objectives as you progress your plan: The steering group should always keep the Vision and Objectives in mind as the Plan develops; they should act as a marker. The policies should clearly flow from the issues and themes that are identified. This will help in the plans structure and for it to remain focused.</p> <p>As the HNP is developed, new issues may come to light or you may decide to change your priorities. This could be as a result of significant comments received during community consultation or you may find that there is insufficient evidence to justify a particular policy approach. Your objectives (and even the vision) are not set in stone and could require review and amendments to reflect these changes.</p> <p>The views of the wider community and the issues collectively that the steering group and community think the plan should address may not of themselves be sufficient evidence to justify your vision, objectives and policies. As discussed you will need to substantiate them with evidence The study references the objectives as derived by “2012 Vision document” <i>which was formed by town councillors and other partners.</i> (HNP Page 10)</p> <p>Objectives should be deliverable and in the process of plan review these should be revised to remain connected to the emerging policies. –</p> <p>For example</p> <ul style="list-style-type: none"> • There is no objective relating to the natural environment despite there being a policy theme on environment. For that reason the Inspector could reasonably expect to see an objective relating to this theme. • In addition objective three has the potential to conflict with statutory policies around the Council’s allocation policy and should be revised in line with comments on policy 4 below in order to provide the appropriate link through the document and avoid conformity issues through examination. • Objective 1 refers to preserving the character of Holt but surprisingly does not refer to enhancing it. Whilst it does mention improving design, this is not necessarily the same thing. It is therefore suggested

		that the wording should be expanded to include the positive as well as the neutral. This would then align more closely with the statutory duty under s72 of the Planning (Listed Buildings & Conservation Areas) Act, 1990 as amended, which requires those exercising planning functions within conservation areas to pay special attention to preserving and enhancing. The objective would then align with national policy and avoid potential conformity issues with the inspector - this would need to be carried through to any appropriate policy.
24	Page 21	<p>6.1.1. does not list all the documents that make up the LP – should also include: North Norfolk Proposals Map 2008 And list the North Norfolk Design Guide 2008 SPD & North Norfolk Landscape Character Assessment 2009, SPD as material considerations For clarity and consistency the Core Strategy and the Site Allocations references should have ‘North Norfolk’ as part of the titles.</p> <p>LDF is also old terminology – LDF’s have been replaced by the term Local Plan A simpler way of reference would be the Development Plan of North Norfolk.</p>
25	Page 22	<p>6.3 To remain effective the emerging NP needs to also reflect the emerging Local Plan. Future iterations should detail the emerging spatial priorities. This section should be expanded to cover the emerging preferred overarching housing need and updated spatial strategy. It could and should also provide updates to the future broad areas of identified growth that this NP’s policies will, once part of the Development Plan, influence development proposals. Officers can assist the Steering group should you wish to update this section.</p> <p>As referenced above NP’s are required to plan positively to support local development outside the strategic elements of the Local Plan (NPPF, para 16). Given the fact that the NP is now emerging close to the revised Local Plan it is not unreasonable for any inspector to seek greater conformity or spatial context of the Local Plan contained in the NP.</p>
26	Page 23	6.4.5 – the current status of these sites should be included here. As you are fully aware all these sites have planning permission. It is misleading to imply that the NP will have influence on these sites. Future iterations of the NP offer the opportunity to include this important contextual information.
27	Page 23	<p>6.4.8 – Additional large scale development is also being undertaken on Cromer Road as part of current development in the town. For completeness an illustration/map of this site(s) should be included.</p> <p>To create mapping yourselves, either through your consultant or through the on line mapping available to Parish Councils the facility at http://www.parish-online.co.uk/ could be used.</p>
28	Page 27	7.2 add word previous to results of <i>previous</i> consultation
		Design and Character.
29	Page 28 - 41	General - The Holt Society have undertaken much work in raising awareness of the importance of good Design. In particular, some of their published advice on colour and signage in a Georgian context could have been transcribed into policy and thus given the HNP a more tailored, local feel, and

		<p>the Society could be contacted for assistance. As it is, it could be seen by the inspector that some of the content of this policy / section is rather general and repeats some of the existing Development Plan.</p> <ul style="list-style-type: none"> • Whilst the desire to include building for life standards is laudable, these are classed as industry standards for new housing developments as published by the Design Council in January 2015. The Ministerial Statement of March 2015 identified that planning policies should <u>not</u> identify local technical standards or requirements relating to the construction, internal layout or performance of new dwellings. This included policies requiring any level of compliance with the Code for Sustainable Homes and others to be achieved by new development. The use of such standards has been overtaken by national policy. The examination process requires that the Plan is examined against national policy at the time of the examination rather than at the time of its preparation, (2013- 2018). Any requirement is likely to be removed on conformity basis. As can be seen in examiners reports for previous examinations of NP's across Norfolk the inspector has recommended deletion of any such policy requirements. However, the deletion of the policy does not in itself prevent the construction of dwellings to standards above the Building Regulations in general, or to Building for Life 12 standards in particular. This will be a matter for commercial judgement but cannot be enforced through a policy. It is recommended that clarifying text is added to section 8.7 so that the public are not mislead as to the level of influence of the NP and that policy 1, 1st sentence is amended appropriately (Page 38). This could form part of an aspiration outside the policy. A failure to accept this national policy compliance could result in the proposed approach being deleted by the inspector. • General comment regarding the structure of the chapter. It usefully begins by talking about the importance of good design, however, at 8.12 it then jumps into the world of demographics and social issues before briefly returning to design at 8.34. Whilst some of these issues obviously do have an influence on design, their intervention here does not help the flow and continuity of the document. Would they not merit a separate chapter? The demography and other local issues could be usefully documented in a spatial portrait of Holt in the early chapters rather than intertwined with the aim of justification to each approach. • Bullet point 1 - This is a duplication of CS Policy EN4 and, as currently worded, is not required in the NP. See first General Comment, above. • Bullet 2 policy 1 – This is a duplication of CS Policy EN8 and, as currently worded, is not required in the NP. See first General Comment, above. Irrespective a supporting reference to the Conservation Area (CA) should be added into this Theme's justification text. As written a supporting reference does not appear until much later in the document (at 9.15 in Key Theme 2). Even here, however, there is no explanation as to what a CA is or what it means in practice. There is also no mention / any recognition within the document of the Glaven Valley CA to the west of the town and which covers large parts of the HNP area not covered by the Holt CA. The Glaven Valley CA abuts the Holt CA and <u>should also be shown on a plan in the NP</u>. Whilst admittedly this designation is slightly unusual and currently under review it does have significant implications for any
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		<p>design and character considerations in the parish and should be detailed in the plan. The Council’s conservation officer will be able to assist the steering group more specifically if assistance is required.</p> <ul style="list-style-type: none"> • Bullet point 1 policy 1 – whilst the recommendation that schemes should include one and two bedroom properties is welcomed, the Development Plan policy H01 already includes this requirement and sets a percentage. Part of this policy is identified as strategic and the NP approach potentially raises conformity issues for the inspector. The proposed policy requirement in the NP has no percentage requirement and could be met by providing 1 x 1 bed + 1 x 2 Bed property in a scheme of any size followed by the remaining dwellings being larger. This bullet point should therefore be removed and a reference to the Council’s relevant planning policy should be included in the NP supporting text. In addition it is likely that the emerging Local Plan will develop a new strategic policy on tenure in line with wider issues of need and viability. It will be important to keep this policy approach under review as the LP evidence is updated. The risk being that the policy requirement will be superseded by the LP. • It is unclear why the paragraphs on waste disposal close out the supporting text here - might they not be more usefully be included under the infrastructure theme? • 4th bullet, although this can happen (e.g. Alysham), there is no known evidence to suggest that a policy is required in Holt or that it has been raised as an issue. How will the policy requirement be applied in areas of the parish where there is no main sewage system and septic tanks are the only available means? Suggest the word ‘mains’ is removed from the sentence. It may be appropriate for a new mains sewerage station to be provided, e.g. If development occurs in the more rural parts of the parish, such as through barn conversions. In these instances there may not be a mains sewerage system in the vicinity. Note the appropriate solution may be a package treatment plant or a septic tank or in rare cases a cess pit – this is determined by the submission of a foul drainage assessment with any application where applicants propose not to connect to mains – applicants have to be able to provide evidence as to why connection to a mains sewer is not feasible. The Environment Agency as the statutory consultee will provide statutory advice on any application and such advice would potentially be given more weight in any determination of an application. • 5th bullet this is not a design requirement, other than the requirement that affordable housing is tenure blind • Bullet point 7 – this is not a design or character requirement. The Council would not support the proposed approach which is more restrictive than the approach already in use and so the proposed approach could have an unintended negative impact. In Section 106 agreements the Council stipulates that it will use its best endeavours to spend financial contributions for affordable housing in the parish from which they were received <u>but will use them in an adjoining parish</u> if it is not possible to spend in the host parish or ultimately in any parish in North Norfolk. This approach ensures that the monies, which are time limited by law, can be spent and will not be required to be returned to the planning applicant if it is not possible (due to a lack of sites or the cost of purchasing an existing dwelling) to spend the monies in the host parish in the specified period.
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		<p>This approach is particularly important when small sums are received. The policy could also be seen as restrictive. The policy wording should be amended as a minimum to include adjoining parishes and should reference the Council’s strategic housing allocation policy.</p> <ul style="list-style-type: none"> • Bullet 8 – ref garage. This policy could restrict the provision for garages in flats and other affordable housing products as well as market housing. E.g. where a terrace of housing is proposed. Is such a requirement sufficiently evidenced? • Bullet point 11 - It should be acknowledged that developments may contain some private roads within them. It would be unreasonable to expect no sections of private road within a development (e.g. cul-de-sacs for a small group of houses). Suggest that this is un-workable and unreasonable and should be re-drafted. • Policies 2, 3 and 4 are not design policies and it would be useful to sit under a <u>housing and community theme</u> whose principal focus is on social issues. Such a structure would better reflect the issues the HNP is trying to cover and make the HNP more reflective of local issues rather than what appears to be a generic template used by some other NPs produced in Norfolk. • Policy 2 – as above with regard to standards – the incorporation of dementia friendly principles being supported into a design policy does not lead to an effective policy. As above it could be seen as more of an aspiration outside the policy. Nowhere in the document does it set out what the <u>‘principles’ are</u>. These need to be made clear. Developers and decision makers would need to be clear as to what is being encouraged. Should this only apply to certain types of development? Adding the wording “have regard to the principles”may be acceptable or a requirement for developers to submit a statement demonstrating how any proposal will have regard to the principles and how the proposal would / could (subject to viability) incorporate the principles could be a way around this issue. However it should be noted an inconsequential effect may be that all development needs to reflect the policy, what if the application is for one dwelling or designed for the younger generation e.g. 1 or 2 bed flats? • Policy 3 - Residential Care Accommodation - This is more a restatement of other policies than actually supporting the provision of <u>more</u> appropriate accommodation and confuses residential homes and supported housing. Housing with Care (sometimes known as extra care) is separate from retirement housing and separate from residential care properties. Not clear what is meant by a requirement to show a local need – how will this be evidenced or justified? It is unclear why this policy is needed and what it adds or how it could be applied. • Policy 4 - The pre-amble to this policy states that only affordable homes to rent would be subject to this policy and it would apply to initial and all subsequent lets and suggests that it is designed to allow younger people to remain in Holt; a) the wording is not carried through to the policy, b) the proposed policy will not achieve this requirement of keeping younger people in Holt. • It is not clear what the rationale for up to 25% of affordable homes being subject to these criteria is and why this percentage was chosen – any requirement needs to be supported by evidence and a reasoned
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		<p>justification on what the policy aims to achieve and how it is therefore relevant.</p> <p>The policy as it stands raises significant conformity issues with the Development Plan and the Council’s statutory duties for the operation of the Housing Allocations Scheme through which affordable housing in North Norfolk is allocated. The statutory guidance on allocations schemes states that “local lettings arrangements must not be used in such a way that there will be a failure to meet the requirement to give reasonable preference to statutorily specified groups”, removing up to 25% of affordable homes to rent (and especially if some types of properties which are especially needed in Holt are bound by the policy) is expected to negatively impact on the Council’s ability to ensure it is able to provide reasonable preference to those that are entitled to it. The Council has carefully designed the Housing Allocation Scheme so that affordable housing provided on Exception Housing Schemes are subject to the Local Allocations Agreement which provides priority to applicants who have strong local connections to the parish in which a scheme is located and the adjoining parishes. In addition, the Two Stage Allocation Process, allows all properties not on Exception Housing Schemes or subject to the transfer quota, which are not needed to house an applicant entitled to reasonable preference, to be allocated to an applicant with a local connection in accordance with the Local Allocations Agreement. This approach is already used for all vacancies of affordable housing in Holt and will continue. The inspector is likely to rule that such an approach if left in is in conflict with the Development Plan and undermines the national legislative requirement of the Council. Furthermore if the policy is not amended it is likely that it will also be queried how the decision is made as to which of the affordable homes are subject to this policy and who makes the decision? The selection of properties for being subject to this policy could increase the negative impact of the policy on the Council’s ability to meet housing need as it could remove those properties which are most needed to meet the housing need in Holt. The Council identifies what affordable housing in terms of the size and type of homes are needed to meet housing need in Holt and address existing shortfalls in provision.</p> <p>The implementation of the policy would be complex with affordable homes to rent on the same scheme having different allocation criteria, this is likely to cause confusion which could lead to incorrect allocations being made, especially as the proposed local lettings cascade is out of step with the Local Allocations Agreement which is built into the Council’s Housing Allocations Scheme and which provides a consistent approach to local housing need allocations.</p> <p>If the policy is retained the Council’s Housing specialist advises the following changes are needed:</p> <ul style="list-style-type: none"> • The policy refers to up to 25% of affordable housing to be made available to people on the Council’s ‘Housing Register’ – if this policy is retained this should refer to the ‘Housing List’. • Clarification of the minimum percentage or number of homes which should be captured by the policy is needed. The wording of up to 25% creates uncertainty, would a scheme delivering 1% such local homes be
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		<p>acceptable? Who would make the decision as to whether the proposed percentage is acceptable?</p> <ul style="list-style-type: none"> Clarification of the local connection criteria is required. For example to have the highest priority how long do you need to have lived in Holt? Is this a day, a year, 2 years? Criteria v) and vi) should be deleted as they are outside the scope of the intention for this policy. People with family connections to Holt should also be eligible. <p>This however does not negate the principle of how the inspector will review the policy approach in the first case. Nor remove the conformity issue.</p> <p>An alternative local policy suitable for a NP policy would be to have a permissive policy for provision of further Exception Housing Schemes on sites outside the existing settlement boundary of Holt which could then be subject to a local lettings requirement and it is suggested that the Council's Local Allocations Agreement is used to determine local connection and the degree of priority based on strength of local connection. This would also create consistency for any new Exception Housing Scheme with the existing Exception Housing Scheme which serves Holt and the adjoining parishes.</p> <p>The NP has in its powers the ability to allocate such sites in addition to the strategic sites allocation process that is being brought forward through the Local Plan review.</p> <p>As above the council can assist in the development of such a policy.</p>
30	Page 30	8.12 The table 'figure 1' needs a date for when the figures pertain to
31	Page 32	8.16 Provides a figure of '86% increase'. It is unclear what this means in terms of number of people i.e. how many to how many?
32	Page 32	8.20 Refers to the 'principles' of dementia friendly communities. It would be helpful to list what the principles are. A copy of the Document should also be made available as part of the evidence base and / or web link provided.
33	Page 34	<p>8.26 Policy H02 of the adopted Development Plan requires 45% affordable housing, subject to viability and the reference to viability needs to be added to this paragraph.</p> <p>The policy also is aligned to national policy on 10 or more dwellings - the para needs to be amended to reflect the Development Plan policy H02 correctly.</p> <p>Please note specific viability evidence has been commissioned to inform the Local Plan review of this policy.</p>
34	Page 34	8.28 - delete reference to 'reasonable preference criteria' in wording about the Housing Options Register
35	Page 34	8.24 Typo line 4 remove 'the' from '...scale in <u>the</u> locating...'
36	Page 34	8.28 –the SHMA reference needs to include the year it was produced and should detail the time line the figure refers to. It is different from the HNP time line and differs between versions. The figure quoted is from an older version and is not the most up-to-date evidence – update to reflect the 2017 SHMA - the OAN is 8,581 not 10,067 which is a longer time period and reported in an earlier draft. Additional text should be added that the Council

		<p>will use this to inform the setting of a housing target which may be higher.</p> <p>Note the Government have consulted on a revised housing needs methodology and it is expected that once published the required methodology could result in a higher OAN being identified.</p> <p>8.28 Typo – full stop required at end of last sentence.</p>
37	Page 35	8.30 – text would need to be amended to reflect the required policy review
38	Page 35	8.31 – reference to ‘some people’ – what does this mean – is there a better way of saying this?
39	Page 37	<p>8.38 Lists 13 documents which it states ‘support’ Policies 1, 2, 3 & 4. Use of the word ‘Support’ is misleading. Perhaps could use ‘inform’</p> <p>Some of the titles of the listed documents are not provided in full and / or do not state the year of publication. As above, quotes used have been incorrectly referenced. The documents and the necessary facts used in the NP should be checked.</p> <p>There is no indication given of where people can view these documents. At least 2 of these are not available using a google search.</p> <p>As stated above, all supporting documents used should be made available to the public through the HNP website or links added to where they can be found. These inform the plan so it is reasonable to allow those commenting on it to judge if the evidence is being used correctly and for the NP group to provide transparency in the plan making process</p> <p>This matter is repeated on pages 49 (9.28), 56 (10.19), 63 (11.20) & 68 (12.20)</p>
40	Page 39 and every policy	<p>8.40 ‘Core Spatial Planning Core Aims’ not sure what this is meant to refer to – possibly should say ‘North Norfolk Core Strategy Core Aims and Objectives’ – This wording is used after each policy and will need to be amended accordingly. Such a statement here is also not required and is superfluous. At any submission stage there is a requirement to demonstrate in the Basic Conditions Statement how each policy is seen to be in conformity. The correct document to refer to and to use in formulating the HNP policies is the conformity guidance note published on the NNDC website – link provided earlier in this review.</p>
		ENVIRONMENT
41	Page 43	9.6 Typo line 3 insert ‘and’ after ‘pine’
42	Page 44	<p>9.11 Typo line 1 ‘north Norfolk’ should read ‘North Norfolk’</p> <p>Consider rewording as it is unclear how new footpaths and cycleways ‘aid wildlife movement’. Green corridors, which would allow for the movement of wildlife as well as people, may include footpaths/cycleways but should also incorporate other green infrastructure (e.g. trees, hedgerows, grassland etc.)</p>
43	Page 45	9.12 repeats paragraph 9.2
44	Page 46	Typo line 2 ‘hall’ should read ‘Hall’
45	Page 46	The Holt Conservation Area Map under 9.17 is out of date and does not reflect the boundary revisions made as part of the review concluded in 2010; i.e. three areas were removed from the boundary at this time. In order to prevent the inspector from removing superseded information this map will need to be updated and reflect the current position.

47	Page 48	Important open space. For planning purposes, it is important to undertake a review of the open space to determine their special / important qualities. What is the underlying evidence supporting table 1? How has the list of important open spaces been determined and qualified? The starting point is no doubt consultation feedback but the sites then need to be assessed.
48	Page 50	Policy 6 This is duplication of CS Policy CT1 and, as currently worded, is not required in the NP. See first General Comment on duplication above. If the NP wishes to include a policy on Open space then it should be locally specific and not duplicate the existing policy. For example It is not clear what ' <i>demonstrated that the benefit to the local community outweighs the loss</i> ' means. The policy instead could list the, criteria that should be used by an applicant to measure this? And be locally specific.
49	Page 51	Policy 7 – section 66 of the Planning (Listed Buildings & Conservation Areas) Act, 1990 as amended requires heritage assets to be preserved not protected. Change policy heading – delete protection and replace with preservation (to accord with legislation and NPPF). As worded the policy focusses quite narrowly on listed buildings. Heritage is much broader than this and covers all traditional properties within the area (whether they be listed, locally listed or not listed). It also is inextricably linked to conservation areas which are covered under the previous theme. Due to this narrowness the policy issue is already covered in the existing Development Plan policy EN8, it is also in part a duplication of HNP policy 1 and is not necessary on both counts (as it is duplication). The Council advise that areas of duplication should be reviewed and removed prior to submission. Areas of duplication are one of the examiners tests and it is highly likely that such as policy will be deleted. Holt benefits from a distinctive commercial offer which comprises small scale retail outlets and gallery spaces. This aligns quite nicely with the Georgian architecture and the general ambience and thus helps set the town apart from some of its competitors. It would therefore be reasonable to expect that any additional policy on heritage is tailored specifically to the Local identity of Holt. It is recommended that these unnecessary policies are rewritten to specifically value and preserve/enhance these qualities - again giving the document more of a bespoke feel and local purpose.
		Tourism and employment
50	Page 52	10.2 line 2 – Typo 'north Norfolk' should read 'North Norfolk'
51	Page 55	10.15 The text <i>new employment in the countryside will be supported where it can be demonstrated it would make a positive contribution to the conservation area?</i> What is meant by this – the conservation area covers the town, it reads like a policy but is not a policy as it is in the body of the document. The supporting text goes on to require applications to be assessed against criteria set out for the protection of the character and appearance of Holt. However, no such criteria are detailed. Any policy should be written to include an action and in this case require a proposal to demonstrate the potential amount of impact on the town centre. This then raises the acceptable amount of impacts. Any acceptable level will need to be in line with the NPPF and be backed by appropriate evidence. Overall this approach runs the risk of being considered unreasonable.

52	Page 54	<p>10.9 The referenced study requires the year to be included in order to accurately identify it. The study, as part of the evidence, should be made available on the HNP web site or at least a link provided to the NNDC web site where it is published.</p> <p>Clarification – although the Aldi store has not come forward there is an extant planning permission for retail development on the site. The section should be updated to reflect that rather than the specific end user.</p>
53	Page 57	<p>Policy 8 - This policy appears to duplicate existing Development Plan policies EN4, EN9, EN13, EC1, EC3 and conflicts with SS2 and EC2 – it does not add any local distinctiveness to the Development Plan policies. As such it is likely that the inspector will delete such duplication.</p> <p>The first part of the policy (the intro) which details the requirement to comply with the HNP and Development Plan is again superfluous as determination of any planning application must be in accordance with the Development Plan unless material considerations indicate otherwise.</p> <p>The use of ‘unacceptable’ is difficult to measure. Would suggest this is changed to ‘significant’.</p> <p>It is not clear what would constitute a ‘negative effect’ or how this would be measured. It should be clearer on what is expected of developers and how the policy should be interpreted; as written it will be ineffective as it details no specific operational or measurable criteria.</p> <p>National guidance states that “<i>A policy in a neighbourhood plan should be clear and unambiguous. It should be drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications. It should be concise, precise and supported by appropriate evidence. It should be distinct to reflect and respond to the unique characteristics and planning context of the specific neighbourhood area for which it has been prepared.</i>”</p> <p>Paragraph: 041 Reference ID: 41-041-20140306”</p> <p>As it stands there is a distinct risk that the policy will be deleted by any inspector.</p>
54	Page 58	<p>Policy 9 - again a duplication of a strategic policy – a NP needs to reflect the published guidance sheet on strategic conformity in line with the PPG guidance issued by DCLG. The existing Development Plan details the acceptable locations of tourism development in the principle settlements through policy EC 7 and requires a sequential assessment of sites in the countryside. Policy 9 does not add any local distinctiveness to this policy and will be ineffective. Consider deletion, re wording or the identification of a specific suitable and available site for allocation.</p>
		Leisure and Tourism
55	Page 59	<p>Figure 4 requires a date for when the data relates to and would benefit from adding the source link.</p>
56	Page 60	<p>11.5 line 4 – Typo remove ‘a’ from after ‘of’</p> <p>11.9 confusion here with earlier section on open space</p>
57	Page 63	<p>Policy 10 - The policy has no operational element that would require</p>

		<p>additional facilities to be provided and is therefore ineffective. As worded it is an aspiration and contains no policy mechanism to achieve it. Policy CT3 of the Development Plan supports provision of community facilities and is aligned with the NPPF para 70. This policy is therefore seen as duplication.</p> <p>In order to add local distinctiveness the policy could be revised to include specific community facilities that could be provided / supported in light of growth; i.e. the evidence should include a review of existing facilities and the requirement for additional facilities in line with a national methodology. The policy could also add local detail through focussing on what to do in the event of a loss of any facilities through a specific proposal; e.g. alternative facilities of better quality, improved access etc. should be provided. However care will be needed not to duplicate existing Development Plan policies.</p>
		Infrastructure
58	Page 65	<p>12.2 – delete ‘and via a S106 agreement / S278 agreement’ as ‘through planning obligations’ already covers this. - Typo – delete ‘a’ after ‘of’ in line 3</p>
59	Page 66	12.14 – Typo line 4 – insert ‘are’ before ‘currently’
60	Page 68	<p>Policy 12 - The aspiration is welcomed, however caution is advised – as reads as if such applications came forward that all such application would be supported regardless of any impacts and location - is this what is intended? What if an application came forward for the next generation of mobile technology 5G? These use higher frequency radio bands which travel less well than existing 4G and will require further booster stations to ensure adequate coverage. Should the policy review where and how such infrastructure could be located? E.g. it could comment on appropriate issues in the conservation area. What is meant by ‘superfast broadband’?</p> <p>Note as a requirement of building regulations (as of 1st January 2017) there is a requirement for new buildings to have physical infrastructure to support high speed broadband (>30Mbps). However, it remains that there is no requirement to provide external or site wide infrastructure beyond the access point. Improving broadband is often a commercial decision, however the HNP could explore ways in which site wide infrastructure is provided at the time of development in order to bring improvements and to align with the objective and ensure new development is provided with high speed connections at occupation.</p>
61	Page 69	<p>Policy 13 - As worded the policy does contain some local distinctions from the existing Development Plan policy CT5 in that it requires some enhancement of existing networks and does add some local flavour. However, there are other areas that the policy seems to add no value or local distinction and could be considered as disproportionate.</p> <p>The NPPF however, stipulates that proposals cannot be refused on transport grounds unless the residual cumulative impacts of development are severe. The NPPF states that a Transport Statement or Transport Assessment is required where a development will generate significant amounts of movement. Any policy needs to identify which type of submission is required. It is questioned how and why the threshold of 11 or more dwellings and all commercial development has been arrived at. Is this supported by evidence? And has the Highway authority been involved in the development of such an</p>

		<p>approach.</p> <p>The adopted NNDC validation list currently includes the requirement to provide a transport statement as between 50 -100 dwellings and a full transport assessment for proposals over 100 residential units. There are also varying thresholds for different amounts of types of commercial development and of commercial floor space. Any policy should align to these requirements which are informed by NCC as the Highways statutory body and form part of the Councils adopted policy.</p> <p>If all new development needs to comply with this policy then, as currently worded, even a development of one dwelling would be required to provide a footpath/cycleway or public transport improvement; this is not reasonable and disproportionate. Is it what is intended?</p> <p>Similarly there are large variations in Use Class and scale of commercial development which could be located throughout the district under the banner of commercial development. Requiring “all commercial development” to contribute / provide various assessments is unrealistic and disproportionate.</p> <p>Once the assessment is undertaken, how is the assessment to be used in the determination of planning applications. The NPPF only requires refusal where it is proven the cumulative effects are severe. It is therefor considered the requirement is potentially onerous and disproportionate and runs the risk of failing the Basic Condition tests.</p> <p>The policy calls for any such assessment to include surrounding parishes. The neighbourhood plan jurisdiction is confined to the defined NP area and any requirement to apply a policy outside is beyond the jurisdiction of the plan and runs the risk of deletion.</p> <p>Overall and on balance it is considered that this policy is not a justified or effective policy and should be deleted or converted into supporting / aspirational text. The assessment of traffic is part of the process in determining a planning application. Any such assessment is provided by the statutory highway body as part of the normal process in line with national policy.</p>
62	Page 69	<p>Policy 14 is not a policy as currently worded, it is an aspiration; there is no mechanism to be applied. A general policy encouraging community facilities is not necessary as this would be dealt with under existing Development Plan policies. The inspector is likely to find it is not required.</p> <p>If it is intended to give further encouragement specifically to healthcare and educational facilities then a different policy approach would be needed, e.g. setting out the reasons for exception to the general policies. Specific justification would be needed for this.</p> <p>FYI the identification and provision of additional healthcare and associated health infrastructure is the responsibility of Health service providers. In conjunction with the CCG / NHS England the local health practice identify growth requirements in order to support residential growth. The Council have</p>

		signed up to a Norfolk Wide Health Protocol along with NHS England and the North Norfolk CCG. Applications are consulted on with the relevant healthcare providers. A s106 contribution has been collected for health care improvements in association with recent larger scale planning permissions in Holt as requested by the local providers. It is an ongoing commitment and part of the Development Plan. However it remains up to the health providers to identify the need and decide how the monies are spent.
63	General	Infrastructure section General – given the aspirational nature and duplication of most elements of policies in this section would it not be better to undertake a full review of the existing Development Plan policies and seek to provide one NP policy covering local aspects which can add some meaningful value to the existing policies rather than seeking to duplicate the general existing policies?
		Delivery , implementation and Monitoring
64	Page 71	13.15 line 2 – Typo – amend ‘maybe’ to ‘may be’
65	Page 73	Description of ‘Broadband’ explains speeds of broadband. – This should be in the policy. Could include description ‘a high-capacity transmission technique using a wide range of frequencies, which enables a large number of messages to be communicated simultaneously’.
66	Page 74	Description of ‘Brownfield land or Previously Developed Land’ only cites part of the definition from the NPPF. Amend text to include the whole definition so that it is understood what land is excluded.
67	Page 76	Description of ‘greenfield land’ – states ‘does not include residential garden land’ – this is not entirely correct. Amend text to reflect actual situation.
68	Page 76	Description of ‘Listed Building’ In line 1 second sentence; the correct order of importance for the grades is ‘I, II* or II’ rather than ‘I, II or II*’
69	Page 77	Description of ‘Permitted Development’ – correct citation of the legislation is ‘The Town and Country Planning (General Permitted Development) (England) Order 2015’ – amend the text
70	Page 78	Definition for settlement boundary - is poor and should be amended. A settlement boundary is a line that is drawn on a plan around a settlement, which reflects its built form, it is a policy tool reflecting the area where a set of plan policies are to be applied. This could include policies within your Neighbourhood Development Plan. In general, there is a presumption in favour of development within the settlement boundary. Any land and buildings outside of the boundary line are usually considered to be open countryside where development would be regulated through other policies of the Development Plan
71	Page 79	‘SPD’ – update definition - it is a document that adds further detail to the policies in the “Local Plan”. SPD’s can be used to provide further guidance for development specific issues; they are a material consideration in planning decisions.
Sustainability Appraisal		
72		It has been previously advised that the production of an SA is not a requirement of the neighbourhood plan process, as detailed in the PPG, and can confirm that given the general content of the emerging plan the production of an SA has limited value. Through the Basic Conditions Statement there is requirement to demonstrate how the HNP contributes to sustainable development, although an SA can sometimes assist in this case,

		<p>given the generality of the policies it is seen as disproportionate and an obvious and unnecessary onerous task. The SA document is not an examination document itself and although it contains a number of serious errors and omissions, given that the examination will focus on the Basic Condition tests and not the SA, it is considered that a full critique does not warrant the resource necessary, especially as previous detailed commentary has been given.</p> <p>That said as the steering group have decided to continue in the production of an SA and given that the legislation requires that it is iterative and used to inform plan development, the SA should be kept up-to-date and re published at each consultation stage. The previous comments on the scoping report provide a starting point. Going forward the document should be updated to incorporate the information previously supplied. It would also be expected that the comments supplied at the time of previous consultation are in any case detailed along with the other statutory bodies' replies and a response justified in the required Consultation Statement at any submission stage.</p> <p>If the intention is to use the SA report to demonstrate that the HNP contributes to sustainable development, <u>as a minimum the SA objectives need to be expanded to include the full 16 SA objectives of the Local Plan</u> - otherwise how can it be used? These have previously been sent to the steering group / consultant tasked with the production of the HNP but should you require an additional copy please get in touch.</p> <p>As advised in correspondence on the 17.11.17 an alternative approach would be to use the full framework but to develop a simpler matrix SA rather than a full blown appraisal of all the policies. It is considered that this would be a much more cost effective, proportionate and simpler approach and considerably less work and broadly acceptable in demonstrating sustainability objectives. The matrix could then help address one of the basic conditions tests without repeating the inaccuracies contained in the SA as well as keeping down the town council's costs.</p>
Compliance with the SEA Directive.		
73		<p>As previously advised and to avoid any ambiguity it is the Council as the Local Planning Authority and as the responsible body under regulation 9 of the Environmental Assessment of Plans and Programmes Regulations 2004, that has to satisfy itself that the regulations have been adhered to. It was agreed that as part of the support offered to HNP at the meeting on the 08.11.17 that a screening opinion would be requested from the Council once the policies of the plan had become known. This would be done through the submission of a screening report detailing the environmental considerations such as the locations, type and characteristics of the relevant European designated sites. E.g. Holt Lows SSSI, Holt Lows and Valley Fens SAC, County Wildlife Sites, country parks, ancient woodlands, Public Right of Ways, priority habitats etc. Much of this information can be obtained from Natural England and "magic maps". The Council as the responsible body will review the information provided and consult on its determination and the provided evidence with the statutory bodies.</p> <p>The SA report includes an attempt at a screening determination which</p>

		<p>appears to be the same version consulted on at the time of the SA scoping documents (as detailed in text page 29 of the SA). This was undertaken prior to developing any of the HNP policies and the detailing of any of the known environmental considerations that need to be taken into account. Furthermore the responses of the three bodies listed, plus the County Council and NNDC, have not been provided in order for HNP to demonstrate to NNDC as the responsible body that the regulations have been applied and adhered to. At this stage the Council remains to be convinced that the screening determination is robust or based on any knowledge of the relevant considerations and is not satisfied that the regulations have been fulfilled.</p> <p>The legislative requirement placed upon the Council to satisfy itself that the SEA has been complied with and the NP regulations at submission stage of a neighbourhood plan require that the Council's must satisfy itself that the required documents have been provided, are in the correct format and contain the level of detail to enable publication, public participation and examination.</p> <p>In order for both HNP and the Council to meet the respective legislative requirements and obligations it is considered that the steering group submit the required screening report and request an up to date and robust screening opinion from the Council, as previously agreed. The screening opinion is an examination document and will be required in order to proceed. It is suggested that given the potential for significant amendments to the emerging plan that this request is received following further work on the policies but prior to final submission of the NP.</p>
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