

18.01.2022

Mrs G Harrison
Parish Clerk
Cley,

Our Ref: Policy/12/01/12-1.

RE: Application to Designate a Neighbourhood Planning Area

Dear Gemma,

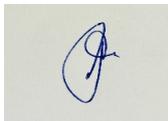
Thank you for your application and supporting statement on behalf of Cley parish council to designate the parished area of Cley as an area in which to undertake neighbourhood planning. This was successfully validated on 18/01/2022.

In accordance with The Neighbourhood Planning (General) and Development Management Procedure (Amendment) Regulations 2016 through delegated authority to the Planning Portfolio holder in conjunction with the Planning Policy Manager it is resolved to **approve** the designation of the proposed Neighbourhood Plan as detailed in your statement.

The map showing the designated area, application form and supporting statement will shortly be published on the Council's web site:

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

Clr John Toye - Planning Portfolio Holder, NNDC



A small, square image containing a handwritten signature in blue ink, which appears to be 'J Toye'.

Mark Ashwell - Planning Policy Manager, NNDC



A handwritten signature in black ink that reads 'Mark Ashwell'.

Attached: NP Designation: Standard General Advice Note v1

Neighbourhood Plan Designation: Standard General Advice Note v1

The attached designation letter is your formal notification that the parish area is now designated as a Neighbourhood Plan Area, NPA. Please keep this for your records. We will publish this along with a map showing the designated area and other formal correspondence as your Plan progresses on our dedicated neighbourhood planning website, see link below.

Officer Support

During the development of your neighbourhood plan you will have access to and support from the qualified professional officers in the policy team here at NNDC. We can assist in many ways from informal sounding board, provide a general steer through the process, impartial planning advice, policy formation, evidence base, technical support and the statutory/ legislative matters and informal review. As your Plan progresses officers also take on a more formal role and will be required to formally review and comment at the required legislative stages. We would encourage you to make full use of the available officer resource and encourage continued informal dialogue throughout the production of your NP, especially now that video conferencing is facilitated and accepted as the norm. We would encourage you to seek advice on individual areas as the plan, use us as a sounding board for policy approaches especially around the potential options and existing approaches so that you can genuinely add value or local considerations to policy that will help meet your objectives. Not least due to the complexity of planning it is advisable not to get too far down the production of a NP without sharing / discussing policy options with officers. In addition I would ask that I am kept informed on the overall progress and intended time lines as and overall project Plan. I would be pleased to set up an initial discussion to help set out the initial stages and set the process off on a sound footing. As detailed below there are guidance notes available from Locality and NNDC on many aspects of neighbourhood planning including how best to engage, the use of evidence to justify approaches as well as specific guidance on individual policy areas and process.

I draw your attention to a number of specific local guidance notes and check sheets which have been produced, please check regularly for updates. These are available at:

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

In addition, the growing evidence base of the emerging Local Plan is available in the document library <https://www.north-norfolk.gov.uk/tasks/planning-policy/document-library>

Officers may also be able to assist in helping to identify other suitable supporting evidence in addition to the published documents and would encourage early and continued discussion throughout the development of your neighbourhood plan.

We recommend that those that are to be involved in the NP read and become familiar with the **relevant national guidance contained in the neighbourhood planning section of the national Planning Practice Guidance**

<https://www.gov.uk/government/collections/planning-practice-guidance>. This is the national guidance that sits behind the National Planning Policy Framework (NPPF). It provides detailed implementation guidance on many subjects which a NP could include, such as: how to go about establishing housing need, what to address in relation to flooding, and explains how the neighbourhood planning system works what should be considered and the requirements to

justify approaches through evidence. It also details the stages of neighbourhood planning, links to the legislation and informs all, of the detail and responsibilities throughout the production of a NP. In essence it sets the parameters and is essential reading, including what is expected from evidence and from the LPA.

Further less formal guidance can be obtained from **Locality** which is the community organisation that provides support for Neighbourhood Planning nationally. Along with those produced specifically for North Norfolk by officers there are extensive guides and best practice examples at: <https://neighbourhoodplanning.org>. Locality has also published a **road map** and other useful guidance documents which will help get you well-grounded from the start and provide information on how to cover specific subject matters such as design coding, site allocations etc. Locality are also the organisation that administers the Government's Neighbourhood Planning support and grant requirements.

Local Plan & Conformity

As you will be aware the Council is in the final stages of producing a new Local Plan. To date many Neighbourhood Plans across North Norfolk have sought to include policies covering a wide range of policy areas, many have been general in nature, repeated criteria set out in the strategic policies of the District and in many cases have been in conflict or not probably justified, as a result many NP groups have had raised expectations and been ultimately disappointed. One of the basic conditions tests for Neighbourhood Planning is that Plans need to be in general conformity with the strategic policies of the District. Policies that seek to duplicate or repeat existing Development Plan policies and or national policy run the risk of falling foul of such conformity rules and will run the strong risk of deletion at examination if left in. Our advice is that a Neighbourhood Plan should be focused on what additional benefit, including justified growth it can bring to the NPA and any Plan should not seek to repeat existing local or national policy, but add justified further considerations. A neighbourhood plan can be comprehensive and or focused on a few matters it should not however try replicate the Local Plan. We would therefore advise that the starting point of any Neighbourhood Plan is a review of the existing and emerging Development Plan and policy base, in relation to the chosen policy areas to see what additional considerations could be added and what evidence would be needed to justify such an approach. Officers will be able to assist in helping you identify appropriate approaches and evidence and provide a formal neighbourhood planning group with the emerging Local Plan. Our top tip is to keep it simple and focused. In doing so clear objectives and aims need to be set out from the start and appropriate evidence detailed to justify the chosen approaches. At the end of the day when a NP is adopted it is adopted as part of the overall Development Plan – it is not a standalone document. The Development Plan consists of the adopted Local Plan, the Mineral and Waste LP (NCC) and any relevant NP. Of material consideration is the NPPF, Supplementary Planning Guidance and the National Planning Policy Framework, NPPF. This is why policies should not be duplicated or repeated or be in conflict. In the determination of planning applications the decision maker will use all policies and apply weight (judgment) based on the policies in front at the time. The PPG provides more information on this.

Currently the relevant strategic policies, along with the NPPF, and PPG can be found in the North Norfolk Core Strategy, Site Allocations document and emerging Local Plan, along with the recently adopted Broad's Authority Local Plan (where relevant) and on government web sites. There are also a range of adopted Supplementary Planning Guidance documents, SPDs. Each Plan

and guidance documents will apply only in the relevant administrative areas of the parish. Please note that in line with legislation the emerging Local Plan following the January 2022 Regulation 19 consultation, will start to become a material consideration in planning matters, and it is this Plan that will set out the longer term strategic policies of the District, once adopted. For the NP to remain relevant and up to date in the longer term it is this emerging Local Plan that the parish should look to align with.

Subject matters

The subjects/policies of the NP should be kept to that of Land Use planning and supported by evidence. However in developing your Plan and carrying out community consultation you may wish to identify within the Plan some 'Community Aspirations' which help to meet local expectations around issues expressed by residents but which are not Land Use matters. These should be separate from policies and would not carry any weight in making planning decisions, but can be included as long as they are clearly identified as such.

Evidence is extremely important in developing a NP as it ensures that the choices made in your neighbourhood plan are backed up by facts and that the policies produced are therefore robust and justified as required by planning Law. Opinion and views of the local community and others that have a stake in the future of a neighbourhood plan area e.g. expressed through consultation, demonstrate that the policies in your plan have been informed by the participation of the local community and others with an interest in the area but opinion itself does not provide the justification for policies choices. Although local opinions and engagement is important the lack of distinction between opinion and evidence is often a mistake that occurs early on in neighbourhood planning and it is best to ensure all those involved are aware of the distinction and can make informed choices. For example you may find that there is **insufficient evidence to support** the community raised issues and concerns or that the policy area is in fact covered in the Local Plan and or national policy. In such cases where the evidence **may not substantiate the views of the community** or it may contradict the views of the community an approach will remain challengeable and may not be justified. There is no substitute for research and fact finding which demonstrates that the choices made in the Plan are backed up and substantiated by up to date and robust background fact. Further information on this area and the use of evidence can be found on the Locality web site and in NNDC guidance document NPG4: Evidence available through the links above.

Environmental Screening

As the "responsible body" in separate environmental legislation, when the time comes a detailed Screening Opinion request should be submitted to the Council and we will undertake the Strategic Environmental Assessment Screening and Habitats Regulation Assessment Screening of the emerging Neighbourhood Plan on your behalf. These are statutory requirements and need to be undertaken by qualified professionals to the satisfaction of the Council, and relevant statutory bodies such as Natural England and the Environment Agency. They should however only be undertaken when the policy content is known and depending on the outcome a full HRA may be required, (unlikely if the NP is not allocating development sites). We do not advise that these are undertaken by others without the knowledge and agreement of the Council.

Steering Group

We would recommend that a steering group guides the production of the NP and that terms of reference are drawn up between it and the parish/town council – who remain the “qualified body” in terms of the legislation. If in future you are considering the commission any evidence or external support / project management please keep us informed and where possible seek our guidance prior to appointing a consultant. It would be helpful if the names and contact details of any steering group members can be shared for our records and that a main point of contact is confirmed.

We look forward to assisting the Parish Council and any Steering Group through this process. Should you require any further advice or discussion please don't hesitate to contact me.

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