

# INDEPENDENT EXAMINATION OF THE BLAKENEY

## NEIGHBOURHOOD PLAN

EXAMINER: Andrew S Freeman BSc (Hons) DipTP DipEM FRTPI

Tracey Bayfield  
Clerk to Blakeney Parish Council

Chris Brown  
Project Management Support Officer (Planning Policy)  
North Norfolk District Council

Examination Ref: 01/AF/BNP

27 June 2022

Dear Ms Bayfield and Mr Brown

### BLAKENEY NEIGHBOURHOOD PLAN EXAMINATION

Following the submission of the Blakeney Neighbourhood Plan (the Plan) for examination, I would like to clarify several initial procedural matters. I also have 18 preliminary questions for Blakeney Parish Council and one for North Norfolk District Council, to which I would like to receive a written response(s) **by Monday 11 July 2022**.

#### 1. Examination Documentation

I can confirm that I am satisfied that I have received a complete submission of the draft Plan and accompanying documentation, including the Basic Conditions Statement; the Consultation Statement and Appendices; the Strategic Environmental Assessment and Habitat Regulations Assessment Screening Determination Report; and the Regulation 16 representations, to enable me to undertake the examination.

Subject to my detailed assessment of the draft Plan, I have not at this initial stage identified any very significant and obvious flaws in the Plan that might lead me to advise that the examination should not proceed.

#### 2. Site Visit

I will aim to carry out a site visit to the neighbourhood plan area in the week beginning 18 July 2022. The site visit will assist in my assessment of the draft Plan, including the issues identified in the representations.

The visit will be undertaken unaccompanied. It is very important that I am not approached to discuss any aspects of the Plan or the neighbourhood area, as this may be perceived to prejudice my independence and risk compromising the fairness of the examination process.

I may have some additional questions, following my site visit, which I will set out in writing should I require any further clarification.

#### 3. Written Representations

At this stage, I consider the examination can be conducted solely by the written representations procedure, without the need for a hearing. However, I will reserve the option to convene a hearing

should a matter(s) come to light where I consider that a hearing is necessary to ensure the adequate examination of an issue, or to ensure that a person has a fair chance to put a case.

#### 4. Further Clarification

From my initial assessment of the Plan and supporting documents, I have identified a number of matters where I require some additional information from the Parish Council and the District Council, which I have set out in the Annex to this letter. I would be grateful if you can seek to provide a written response(s) **by Monday 11 July 2022**.

#### 5. Examination Timetable

As you will be aware, the intention is to examine the Plan (including conduct of the site visit) with a view to providing a draft report (for 'fact checking') within 4-6 weeks of submission of the draft Plan. However, as I have raised questions, I must provide you with sufficient opportunity to reply. Consequentially, the examination timetable will be extended. Please be assured that I will aim to mitigate any delay as far as is practicable. The IPE office team will seek to keep you updated on the anticipated delivery date of the draft report.

If the Parish Council or Local Planning Authority have any process questions related to the conduct of the examination, which you would like me to address, please do not hesitate to contact the office team in the first instance.

In the interests of transparency, may I prevail upon you to ensure that a copy of this letter and any subsequent response is placed on the Parish Council and North Norfolk District Council websites.

Thank you in advance for your assistance.

Your sincerely

*Andrew Freeman*

Examiner

## ANNEX

From my initial reading of the Blakeney Neighbourhood Plan and the supporting evidence, I have 1 question for North Norfolk District Council and 18 questions for Blakeney Parish Council. I have requested the submission of response(s) **by Monday 11 July 2022**, although an earlier response would be much appreciated.

### Question for North Norfolk District Council

1. Policy 1: Having regard to the local connection priority criteria identified in Policy 1, please suggest wording for the criteria that would be more acceptable to the District Council in the event that an Affordable Homes for Local People policy were included within the Neighbourhood Plan.

### Questions for Blakeney Parish Council

2. Is the Parish Council satisfied that the Neighbourhood Plan does not breach Human Rights (within the meaning of the Human Rights Act 1998)?
3. Policy 1 – “...affordable housing will be made available first to eligible households with a local connection to the Parish of Blakeney”: Is it the intention that, where any affordable housing is provided in Blakeney in the future, all of that affordable housing shall be occupied by households with a local connection (or in accordance with the cascade criteria)?
4. Policy 2: Does the Parish Council consider that the policy could lead to a shift in demand for holiday homes; that more *existing* houses in the village could be taken over as second homes; and that there would be overriding negative impacts (such as a “ghost” village centre) contrary to the intended effect? Please give reasons.
5. Policy 3: Why would it be necessary in all cases to ensure that there would be no net increase in occupation? How would a potential net increase be identified in a planning application and subsequently controlled and enforced?
6. Policy 3 – non-support for purpose-built holiday accommodation: Is the Neighbourhood Plan provision in conflict with strategic policies (for example, Core Strategy Policy EC 7)?
7. Policy 5: How will applicants be expected to demonstrate that remaining outdoor amenity space is sufficient for the occupiers? Will there not be legitimate exceptions to the policy (for example, a village centre location where no off-street parking would be available)? How would legitimate exceptions be dealt with under the policy as drafted?
8. Policy 6 – inclusion of one and two bedroom homes: Is this criterion intended to apply to *all* developments (or just residential developments above a certain size)?
9. Policy 6 – capacity in public sewerage network: Please provide evidence of the problems in Blakeney that have led to the drafting of this provision.
10. Policy 7 – amenity views: Is this a reference to public views or views from individual properties?
11. Policy 8: What is meant by “small residential developments”? Should criteria 1. and 2. refer to the settlement boundary rather than the built-up area of the village? What is the justification for the removal of permitted development rights?
12. Policy 9: Is enhancement (as opposed to conserving) to be required in all cases? What is the justification for the removal of permitted development rights?

13. Policy 10: Is the requirement for a Flood Risk Assessment intended to apply to *all* developments? How would an applicant demonstrate that there would be no increase in tidal flooding? What is a Construction Environmental Management Plan? What is meant by the phrase “avoid issues relating to surface water management”?
14. Policy 11: Specifically, to what does “established practice” refer? Are the provisions intended to apply to *all* developments? Please comment on the representations of Norfolk County Council (BNP10).
15. Policy 12: Is it the intention that *all* planning applications are to be accompanied by a “statement of intention” with regard to minimising light pollution?
16. Policy 13: Does the policy address “Open Space” as defined in the National Planning Policy Framework? Please identify all the sites that are in private ownership, either wholly or in part. Have the owners of all the sites been specifically consulted on the Parish Council’s proposals for Open Space designation? Have there been objections to the proposed designation from owners? If so, please provide details and comment thereon.
17. Policy 15: What is meant by employment “appropriate to a coastal village”?
18. Policy 16: What is meant by “commercial activities”.
19. Policy 17: Is the Neighbourhood Plan provision in conflict with strategic policies (for example, Core Strategy Policies EC 7, 8 and 10)?