

North Norfolk District Council
Blakeney Neighbourhood Plan
DECISION STATEMENT 29th June 2023

The Neighbourhood Planning (General) Regulations 2012 (as amended) require the Local Planning Authority (LPA) to outline what action to take in response to the recommendations the Examiner makes in a report under paragraph 10 of Schedule 4A to the 1990 Act (as applied by Section 38A of the 2004 Act) in relation to a Neighbourhood Development Plan.

Paragraph 12(4) of Schedule 4B to the Town and Country Planning Act 1990 (“the 1990 Act”) states that a referendum must be held on a proposal for a neighbourhood development plan or order if the LPA is satisfied that it meets the Basic Conditions tests and other legal requirements or would do so if modifications were made to the draft plan or order (whether or not recommended by the Examiner).

Following the submission of the Draft Neighbourhood Plan by Blakeney Parish Council dated July 2021, the submitted Plan was publicised and representations were invited between 28th March 2022 and 9th May 2022.

The Plan was subject to independent examination between 4th July 2022 and 19th January 2023 with the issuing of a final report on that day. An interim Decision Statement issued on 17.2.2023 gave notice that the Council intended to modify the draft neighbourhood plan in-line with the Examiners recommendations but that in the opinion of the Local Planning Authority, LPA, further modifications were also necessary. The Council sought representations on the additional proposed modifications for a six-week period between 23.02.23 and 6.4.2023.

Decision

The Council have considered each of the recommendations contained in the independent Examiners Report, and the reasons for them and have proposed additional modifications. The Council have considered the representations received on the additional modifications and subject to the incorporation of the modifications set out in the examiners report along with the additional modifications consulted on, and the necessary factual and consequential changes to the supporting text agrees that the Blakeney Neighbourhood Plan should proceed to public referendum.

The Council agrees with the Examiner’s recommendation that the Referendum of the Neighbourhood Plan should be based on the designated Neighbourhood Area that was designated by North Norfolk District Council as a Neighbourhood Area on 30th November 2017.

The Council have modified the Draft Plan in-line with the Examiners recommendations the additional modifications put forward by the Council and incorporated the necessary factual and consequential changes. The modified post examination / referendum version of the Neighbourhood Plan along with further information are published on our website www.north-norfolk.gov.uk/blakeneynp

To meet the requirements of the Localism Act 2011 a referendum which poses the question:

‘Do you want North Norfolk District Council to use the Neighbourhood Plan for Blakeney Neighbourhood Area to help it decide planning applications in the Neighbourhood Area?’

will be held in the area formally designated as the Blakeney Neighbourhood Plan Area.

Further Information on the referendum will be published through a Referendum Information Statement and shall be made available on the North Norfolk District Council website and advertised locally in due course.

Decision Taking

The Blakeney Neighbourhood Plan is not yet part of the Development Plan and can only become such following a successful referendum. Planning Law states that Planning applications are decided in accordance with the development plan unless material considerations indicate otherwise. It is for the decision maker in each case to determine what a material consideration is and what weight to give to it, i.e., the Local Planning Authority at the time of application.

The national planning practice Guidance states that:

- *“An emerging neighbourhood plan is likely to be a material consideration in many cases. [Paragraph 48](#) of the revised National Planning Policy Framework sets out that weight may be given to relevant policies in emerging plans in decision taking. Factors to consider include the stage of preparation of the plan and the extent to which there are unresolved objections to relevant policies. A referendum ensures that the community has the final say on whether the neighbourhood plan comes into force as part of the development plan. Where the local planning authority publishes notice of a referendum, the emerging neighbourhood plan should be given more weight, while also taking account of the extent of unresolved objections to the plan and its degree of consistency with NPPF. The consultation statement submitted with the draft neighbourhood plan should reveal the quality and effectiveness of the consultation that has informed the plan proposals. All representations on the proposals should have been submitted to the local planning authority by the close of the local planning authority’s [publicity period](#).*
- *[Section 70\(2\) of the Town and Country Planning Act 1990 \(as amended\)](#) provides that a local planning authority must have regard to a post-examination draft neighbourhood development plan, so far as material to the application.*

Paragraph: 007 Reference ID: 41-007-20190509

The National [Planning Practice Guidance](#) goes on to state that in Decision Making:

- *“Where the local planning authority has issued a decision statement (as set out under*

Regulation 18 of the Neighbourhood Planning (General) Regulations 2012) detailing its intention to send a neighbourhood plan to referendum, that plan can be given significant weight in decision-making, so far as the plan is material to the application.”

Paragraph: 107 Reference ID: 41-107-20200513 Revision Date 13.5.2020

Phillip Rowson

A handwritten signature in black ink, appearing to read 'P. Rowson', written in a cursive style.

Assistant Director Planning