

Wells-next-the-Sea Neighbourhood Development Plan

Examiner's Clarification Note

This Note sets out my initial comments on the submitted Plan. It also sets out areas where it would be helpful to have some further clarification. For the avoidance of any doubt, matters of clarification are entirely normal at this early stage of the examination process.

Initial Comments

The Plan provides a very clear and concise vision for the neighbourhood area.

The presentation of the Plan is very good. The difference between the policies and the supporting text is clear. It includes various high-quality maps and photographs.

The Plan addresses a series of issues and policies which are very distinctive to the neighbourhood area. It is commendably supported by a series of detailed Assessments and Appendices which inform the relevant policies.

Points for Clarification

I have read the submitted documents and the representations made to the Plan. I have also visited the neighbourhood area. I am now able to raise issues for clarification with the Town Council.

The comments made on the points in this Note will be used to assist in the preparation of the examination report and in recommending any modifications that may be necessary to the Plan to ensure that it meets the basic conditions.

The representation from North Norfolk District Council (NNDC) is very detailed. Rather than repeating its contents on a policy-by-policy basis, I have invited the Town Council to respond to the representation as it sees fit later in this Note. However, where necessary, I draw particular attention to a NNDC comment where it overlaps with my general questions.

I set out specific policy clarification points below in the order in which they appear in the submitted Plan:

Policy WNS0

Am I correct in my reading of paragraph 4.11 that the policy has been included in the Plan to address the mitigation issues which were identified in the HRA work? If this is the case, could the relevant mitigation measures be addressed in the relevant policies?

To what extent does the policy restate national and/or local planning policies?

Policy WNS1

Does the Town Council have any comments on NNDC's suggested revisions to the policy?

Policy WNS2

The policy takes a positive approach to the delivery of housing for local people. Nevertheless, is there a need for the use of 'community-led housing development' in the first two paragraphs of the policy given the contents of the criteria?

Does the Town Council have any comments on The Holkham Estate's suggested revisions to the policy?

Is there any specific reason why Figure 27 shows other land use/policy proposals in addition to the location of the proposed allocation? Is there any direct or indirect relationship between the different uses?

Policy WNS3

The policy takes an interesting approach to housing mix. Nevertheless, is the Town Council satisfied that the policy will not detract from the commercial viability of residential proposals?

The reference to ten or more dwellings in the second paragraph of the policy is confusing. Is the policy intended to apply to all housing development or only to those with ten or more homes? On a related point, how would the mathematics of the policy apply to smaller developments (those which would deliver less than ten homes)?

Does the Town Council wish to comment on NNDC's representation about the appropriateness of the delivery and/or affordability of First Homes in the neighbourhood area?

Policy WNS4

In general terms, I am satisfied that the Plan includes an appropriate range of evidence to support a Principal Residence policy.

Nonetheless the representations from NNDC, the Holkham Estate and several residents question the effectiveness of such a policy. It would be helpful if the Town Council responded to those comments.

The wording of the policy largely replicates those of similar policies which has been included in other made neighbourhood plans. NNDC has suggested refinements to the policy. I am minded to recommend them as modifications. Does the Town Council have any comments on this proposition?

Policy WNS5

As submitted this policy takes a very general approach towards infill development. Could the policy be combined with Policy WNS6 to ensure that it is locally-distinctive and to avoid having two policies with overlapping effects?

Policy WNS6

The Design Guidance and Codes is an excellent document. In combination, the policy and the Design Guidance and Codes are a first-class local response to Section 12 of the NPPF.

It would be helpful if the Town Council commented on NNDC's representation about the appropriateness of including detailed criteria in the policy when the matters concerned are captured in the Design Guidance and Codes? Without prejudice to its response on this matter, does the Town Council have any specific comments on NNDC's suggested revisions to the policy?

Policy WNS7

I looked at the two proposed redevelopment sites identified in the policy carefully during the visit.

As submitted, the policy is simply a statement rather than a land use policy. Is the intention of the policy that the redevelopment of the two sites would be supported?

The first paragraph of the policy assumes that redevelopment proposals will improve the visual appearance and character of the area. Given the appearance of the two sites I am confident

that this outcome will be achieved. Nevertheless, should there be a direct reference in the policy to the need for high quality designs to be achieved (and a cross-reference to Policy WNS6)?

Policy WNS8

I understand the comments about independent traders in the second part of the policy. However, could such a distinction be applied through the planning process?

I also understand the comments about the night-time economy in the third part of the policy. However how could the two matters be connected through the planning process?

Is it appropriate to suggest that access to residential accommodation above ground floor commercial uses should be from the rear? Would such an approach be safe/sustainable? Is the retention or development of an independent access which does not detract from the commercial vibrancy of the main street the key issue?

Should the penultimate paragraph offer support to proposals rather than apply the sequential test (as the policy only applies in the town centre)?

Policy WNS9

As I read the second paragraph it largely repeats the first. Please can the Town Council explain its thinking on this matter?

Is the final paragraph supporting text rather than a land use policy?

Policy WNS10

The first part of the policy reads well and would be capable of being applied through the planning process.

The second part is very vague. Please can the Town Council explain its thinking on this matter and how it would expect NNDC to be able to apply the policy in a clear and consistent fashion.

Policy WNS11

Does the Town Council have any specific comments on NNDC's suggested revisions to the policy?

Policy WNS12

Appendix C provides an appropriate level of detail for the assets.

Please can Town Council and NNDC work together to produce appropriate location maps for the buildings concerned.

Policy WNS13

I am satisfied that Appendix C provides an appropriate level of detail for the proposed Local Green Spaces (LGSs).

Does the Town Council have any comments on NNDC's representation about existing or proposed other designations for the areas proposed to be designated as LGSs?

Proposed LGS g may impact on the delivery of the proposed housing allocation (WO7/1) in the emerging Local Plan. This matter is acknowledged in Appendix D. Please can Town Council explain its position on this matter and how it has regard to paragraph 105 of the NPPF?

How and when were the owners of the various proposed LGSs consulted?

Policy WNS14

Both the Holkham Estate and NNDC comment that the approach taken is unjustified. Paragraph 8.28 refers to the character appraisal work undertaken by the Steering Group in 2021. Is this evidence available?

Proposed View 8 extends outside the neighbourhood area. I acknowledge that views do not respect administrative boundaries. However please can the Town Council explain its approach towards View 8?

Policy WNS15

NNDC suggests that the policy is recast. Does the Town Council have any comments on NNDC's revisions?

Policy WNS16

The policy does not appear to bring any town-based value to national or local planning policies. Please can the Town Council explain its approach to this matter?

Policy WNS17

I looked at the Wells Beach policy area carefully during the visit. I saw its separation from the town itself and its obvious importance to the popularity and well-being of the neighbourhood area.

NNDC suggests that the policy is recast. Does the Town Council have any comments on NNDC's suggested revisions to the policy?

Does the Town Council have any comments on the representation from Anglian Water?

Policy WNS18

The policy is commendably distinctive to the neighbourhood area.

I am minded to recommend that the third paragraph is repositioned into the supporting text as it describes a process matter rather than setting out a land use planning policy. Does the Town Council have any comments on this proposition?

Monitoring and Review

Section 11 addresses this important issue in a positive way. However, it does not comment on the potential implications of the adoption of the emerging North Norfolk Local Plan on a 'made' neighbourhood Plan.

I am minded to recommend the inclusion of additional commentary in Section 11 about the Town Council assessing the need (or otherwise) to review the Plan within six months of the adoption of the emerging North Norfolk Local Plan. Does the Town Council have any comments on this proposition?

Representations

Does the Town Council wish to comment on any of the representations made to the Plan?

It would be helpful if the Town Council responded to the representations from Anglian Water and the Holkham Estate.

NNDC raises a package of comments and proposes a series of revisions to certain policies in the Plan. It would be helpful if the Town Council commented on the suggested revisions (beyond the matters already raised in this note on a policy-by-policy basis).

Protocol for responses

I would be grateful for responses to the questions raised by 12 February 2024. Please let me know if this timetable may be challenging to achieve. It is intended to maintain the momentum of the examination.

If certain responses are available before others, I would be happy to receive the information on a piecemeal basis. Irrespective of how the information is assembled, please could it come to me directly from the District Council. In addition, please can all responses make direct reference to the policy or the matter concerned.

Andrew Ashcroft

Independent Examiner

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8 January 2024