

# Hemsby Neighbourhood Plan 2021-2036



**Statement of Basic Conditions July 2022**

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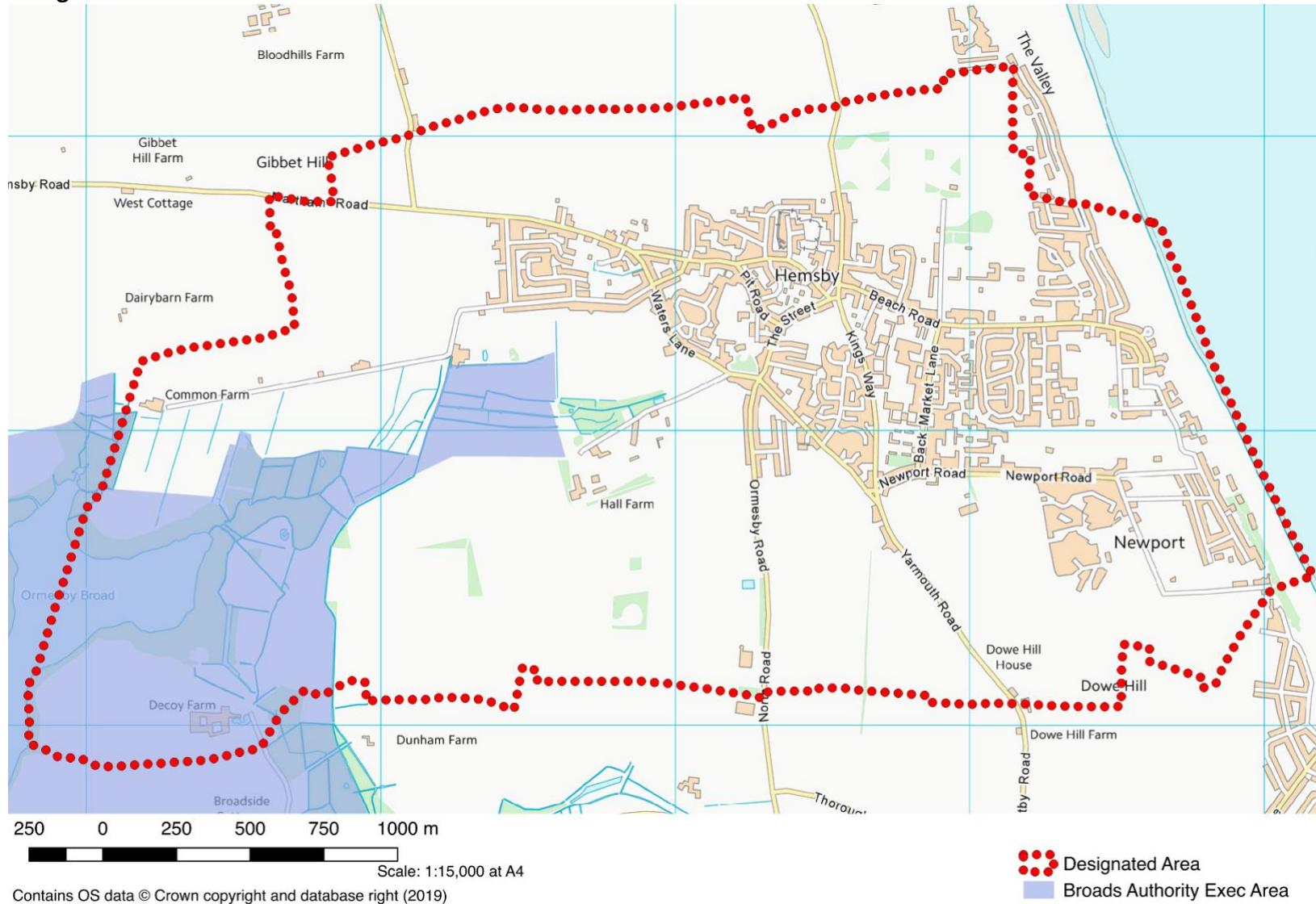
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## Section 1: Introduction

1. This Basic Conditions Statement has been prepared by [Collective Community Planning](#) on behalf of Hemsby Neighbourhood Plan Steering Group to accompany the Hemsby Neighbourhood Plan 2021-36 (HNP).
2. The purpose of the statement is to demonstrate that HNP meets the legal requirements for a Neighbourhood Plan and the five basic conditions as set out in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990, as applied to Neighbourhood Development Plans by Section 38A of the Planning and Compulsory Purchase Act 2004.
3. The five basic conditions that a neighbourhood plan is expected to meet are:
  - a) Having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the neighbourhood development plan;
  - b) The making of the neighbourhood development plan contributes to the achievement of sustainable development;
  - c) The making of the neighbourhood development plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area);
  - d) The making of the neighbourhood development plan does not breach, and is otherwise compatible with EU obligations; and
  - e) Prescribed conditions are met in relation to the plan and prescribed matters have been complied with in connection with the proposal for the plan.
4. There is one prescribed basic condition for Neighbourhood Development Plans, in relation to e) above, that *“the making of the neighbourhood development plan is not likely to have a significant effect on a European site (as defined in the Conservation of Habitats and Species Regulations 2010) or a European offshore marine site (as defined in the Offshore Marine Conservation (Natural Habitats, &c.) Regulations 2007), either alone or in combination with other plans or projects”*.
5. This statement confirms that:
  - The legal compliance requirements have been met (section 2);
  - HNP has had due regard to national policies and advice contained in guidance issued by the Secretary of State (Section 3);
  - HNP contributes towards sustainable development (Section 4);
  - HNP is in general conformity with the strategic policies contained in the local plans for Great Yarmouth Borough Council (GYBC) (2013-30) and the Broads Authority (BA) (2015-36) (Section 5).
  - HNP does not breach and is otherwise compatible with EU obligations, and that its making is not likely to have a significant effect on the environment, either alone or in combination with other plans or projects (Section 6); and

- HNP meets the prescribed conditions for Neighbourhood Development Plans (Section 7).

## Section 2: Legal and Regulatory Compliance

6. HNP has been prepared in accordance with The Neighbourhood Planning (General) Regulations 2012 (as amended). The plan also has regard to policies within the National Planning Policy Framework (NPPF) and guidance from the National Planning Practice Guidance (NPPG). The NPPG largely reflects the Regulations, providing further guidance as to how such requirements can be met.
7. HNP relates to the whole parish area that was designated by GYBC and the BA as a Neighbourhood Area. The Neighbourhood Plan relates only to this area, which is contiguous with the parish boundary. No other Neighbourhood Development Plan has or is being made for this area. HNP has been prepared by Hemsby Parish Council which is the qualifying body. HNP includes a map of the designated area, see **Figure 1** of this report.
8. HNP sets out policies in relation to development and the use of land in the designated neighbourhood area and which has been prepared in accordance with the statutory provisions. Initial consultations had due regard to guidance whilst Regulation 14 (Pre-Submission) consultation was consistent with the specific regulatory requirements, as detailed in the Consultation Statement.

9. HNP covers the period 2021-36 which is in general conformity with the timeframes for the current Local Plans for GYBC (2013-30) and the BA (2015-36) and the emerging Local Plan for Great Yarmouth which is expected to be to 2041.

10. HNP does not include provision of development types that are excluded development, such as minerals and waste matters, nationally significant infrastructure projects or other prescribed development under Section 61K of the Town and Country Planning Act 1990.

## Section 3: Due Regard to the NPPF

11. National planning policy is set out in the NPPF. The most recent version was published in July 2021. HNP has been prepared with the policies and guidance contained within the NPPF at its core. The NPPF sets out more specific guidance on neighbourhood plans at Paragraphs 28 to 30, but there is relevant policy throughout other parts of the NPPF.
12. **Figure 2** demonstrates how HNP has had regard to national policy by cross referencing its policies against national policy and guidance. It should be noted that the table is not exhaustive and there may be other cross-references that are not included.

**Figure 2: National Planning Policy Framework**

HNP Policy	NPPF (and PPG) Cross References	Comments
General	<p><b>NPPF:</b></p> <ul style="list-style-type: none"> <li>• Section 2 (Achieving sustainable development) Para 8, Para 11</li> <li>• Section 3 (Plan-making) Para 15, Para 28,</li> <li>• Section 5 (Delivering a sufficient supply of homes) Para 60, 67</li> <li>• Section 6 (Building a strong, competitive economy) Para 81</li> <li>• Section 7 (Ensuring the vitality of town centres) Para 86, Para 106</li> <li>• Section 8 (Promoting healthy and safe communities) Para 92, Para 100</li> <li>• Section 9 (Promoting sustainable transport) Para 104, 105, 106, 130</li> <li>• Section 10 (Supporting high quality communications) Para 114</li> <li>• Section 12 (Achieving well-designed places) Para 127, Para 130,</li> <li>• Section 14 (Meeting the challenge of climate change, flooding, and coastal change) Para 153, 169</li> <li>• Section 15 (Conserving and enhancing the natural environment) Para 174, 183, 185</li> </ul>	<p>HNP will help to deliver sustainable growth that meets the economic, social, and environmental objectives. It provides a suite of policies that will shape and direct development outside of the current strategic policies set out in the prevailing local plans. It supports these strategic policies as shown in <b>Figure 3</b>.</p> <p>HNP provides a framework for addressing housing needs and other economic, social, and environmental priorities, and has been a platform for local people to shape their surroundings. It has been prepared positively and has engaged the community and other consultees, as set out in the Consultation Statement.</p> <p>HNP includes non-strategic policies for housing, design principles, conserving and enhancing the natural environment and other development management matters.</p> <p>It is supported by a robust but proportionate evidence base. This is available in a separate document. Key aspects of this are presented in the supporting text of the policies.</p> <p>Some of the policies encompass design considerations, with the emphasis on achieving high quality design that is in keeping with local character. Policy 6 is the main policy for design.</p>



HNP Policy	NPPF (and PPG) Cross References	Comments
	<ul style="list-style-type: none"> <li>• Section 16 (Conserving and enhancing the historic environment) Para 190</li> </ul> <p>PPG:</p> <ul style="list-style-type: none"> <li>• <b>Landscape and access</b> (PPG Paragraph: 044 Reference ID: 41-044-20190509. Paragraph: 097 Reference ID: 41-097-20190509)</li> <li>• <b>Healthy &amp; Safe Communities-</b> PPG Paragraph: 001 Reference ID:53-001-20190722</li> <li>• <b>Climate Change</b> PPG Paragraph: 001 Reference ID: 6-001-20140306</li> <li>• <b>Green Infrastructure-</b> Paragraph: 005 Reference ID: 8-005-20190721, Paragraph: 006 Reference ID: 8-006-20190721</li> <li>• <b>Housing needs of different groups:</b> PPG Paragraph: 001 Reference ID: 67-001-20190722</li> <li>• <b>Design: process and tools-</b> PPG Paragraph: 002 Reference ID: 26-002-20191001</li> <li>• <b>Local Green Space</b> PPG paragraph: 006 Reference ID: 37-006-20140306, Para 009 Reference ID: 37-009-20140306, Para 013 Reference ID: 37-013-20140306, Para 014, Para 015, Para 017</li> </ul>	

HNP Policy	NPPF (and PPG) Cross References	Comments
	<ul style="list-style-type: none"> <li>• <b>Historic Environment Designated Heritage Assets</b> PPG Paragraph: 023 Reference ID: 18a-023-20190723</li> <li>• <b>Non-Designated Heritage Assets-</b> PPG Paragraph: 040 Reference ID: 18a-040-20190723</li> </ul>	
Policy 1: Affordable Housing	<p>NPPF</p> <ul style="list-style-type: none"> <li>• Para 8, Para 11,</li> <li>• Section 5 (Delivering a sufficient supply of homes) Para 60, 62, 63</li> </ul> <p><b>Housing needs of different groups:</b> PPG Paragraph: 001 Reference ID: 67-001-20190722</p>	This policy will help to ensure a sufficient range of homes will be available to meet the needs of the community. It positively seeks to provide for the community, especially those needing affordable housing. The policy reflects local need as evidenced in the latest HNA, stating that social rent homes will need to be a significant consideration, as well as First Homes. This conforms with the NPPF by having a planning policy which specifies the affordable housing required and need for the community.
Policy 2: Housing Type & Mix	<p>NPPF</p> <ul style="list-style-type: none"> <li>• Para 8, Para 11,</li> <li>• Section 5 (Delivering a sufficient supply of homes) Para 60, 62, 63</li> </ul> <p><b>Housing needs of different groups:</b> PPG Paragraph: 001 Reference ID: 67-001-20190722</p>	This policy will help ensure future development meets the needs of the community, including those with specific needs such as younger people getting their first homes and older residents downsizing. The policy reflects local need as evidenced in the latest HNA regarding future dwellings comprising of smaller properties such as two bedrooms or fewer.
Policy 3: Design	<p>NPPF</p> <ul style="list-style-type: none"> <li>• Section 12, para 127, 129 (design guides/codes)</li> </ul>	This policy encourages new homes to be designed to high quality standards following the guidance set out in the Hemsby Design Guidelines and Codes. The policy identifies five distinct character



HNP Policy	NPPF (and PPG) Cross References	Comments
	<p><b>Climate Change</b> PPG Paragraph: 001 Reference ID: 6-001-20140306</p> <p><b>Design: process and tools-</b> PPG Paragraph: 002 Reference ID: 26-002-20191001</p>	<p>areas which will allow design considerations to be consistent with the character areas density, public realm, heights, and lighting.</p> <p>The policy conforms to the NPPF and PPG by setting out as listed above a clear design vision to meet local aspirations for the HNP and the expectation applications are to follow. With the incorporation of the Hemsby Design guidelines.</p>
<p>Policy 4: Support for properties at risk from coastal erosion</p>	<p>NPPF</p> <ul style="list-style-type: none"> <li>Section 14 (Meeting the challenge of climate change, flooding, and coastal change) Para 153, 171</li> </ul> <p><b>Climate Change</b> PPG Paragraph: 001 Reference ID: 6-001-20140306</p>	<p>This policy conforms with the NPPF since it understands the importance of reducing the risk from coastal change and taking a proactive approach in creating a policy which will avoid having inappropriate development in vulnerable areas. As stated in NPPF Para 171(b) <i>plans should make provision for development and infrastructure that needs to be relocated away from Coastal Change Management Areas.</i></p> <p>This policy sets out that a focused review will be triggered after 3 years of adoption if the sea defences being progressed have not been implemented and unlikely to be and a willing landowner makes appropriate land available to safeguard for relocation.</p> <p>Para 170 sets out how coastal areas should take account of the UK Marine Policy Statement and Marine Plan, this is referenced in HNP supporting text.</p>
<p>Policy 5: Hemsby Medical Centre</p>	<p>NPPF</p>	<p>This policy supports in principle the expansion of Hemsby Medical Centre including the need to demonstrate sufficient</p>

HNP Policy	NPPF (and PPG) Cross References	Comments
	<ul style="list-style-type: none"> <li>Section 8 (Promoting healthy and safe communities) Para 93</li> </ul>	parking. This policy conforms with the NPPF by providing a policy which supports development of services which benefit the community, meeting their local health and wellbeing needs.
Policy 6: Walking and Cycling Improvements	<p>NPPF</p> <ul style="list-style-type: none"> <li>Section 8 (Promoting healthy and safe communities) Para 100</li> <li>Section 9 (Promoting sustainable transport) Para 106</li> <li>Section 14 (Meeting the challenge of climate change, flooding, and coastal change) Para 153</li> </ul> <p><b>Climate Change</b> PPG Paragraph: 001 Reference ID: 6-001-20140306</p> <p><b>Healthy &amp; Safe Communities-</b> Paragraph: 001 Reference ID:53-001-20190722</p>	<p>This policy supports the shift towards a low carbon economy, aiming for new major development to provide new or improved sustainable walking and cycling links to access services and facilities in Hemsby. It also ensures lighting is designed to conserve the dark skies but will consider personal security. Priority routes have been mapped out.</p> <p>This policy will support people to walk and cycle more and use their cars less often, thereby reducing CO<sub>2</sub> emissions. It conforms to the expectation that neighbourhood plans will contribute to the achievement of sustainable development as set out in the NPPF and PPG. It is also promoting public rights of way and promoting opportunities to improve these for users.</p>
Policy 7: Public Transport Improvements	<p>NPPF</p> <ul style="list-style-type: none"> <li>Section 9 (Promoting sustainable transport) Para 104, 105 and Para 130</li> </ul> <p><b>Design: process and tools-</b> PPG Paragraph: 002 Reference ID: 26-002-20191001</p>	This policy promotes improvements to public transport infrastructure, supporting opportunities that will help reduce congestion, emissions, and capacity issues prior to the impacts of growth becoming severe.
Policy 8: Residential Parking Standards	<p>NPPF</p> <ul style="list-style-type: none"> <li>Section 9 (Promoting sustainable transport) Para 107</li> </ul>	This policy conforms with the NPPF by not setting maximum standards for local residential parking standards in Hemsby. In its justification it considers local car ownership of the area.

HNP Policy	NPPF (and PPG) Cross References	Comments
Policy 9: Public car parking	NPPF <ul style="list-style-type: none"> <li>• Section 9 (Promoting sustainable transport) Para 104</li> </ul>	This policy conforms with the NPPF by making sure transport issues have been considered at the earliest stages of plan making. It has considered the issues of parking in Hemsby and sets out a supportive policy for providing additional public off road parking in priority areas.
Policy 10: Tourist Accommodation	NPPF <ul style="list-style-type: none"> <li>• Section 6 (Building a strong, competitive economy) Para 81</li> <li>• Section 7 (Ensuring the vitality of town centres) Para 86</li> <li>• Section 8 (Promoting healthy and safe communities) Para 93</li> </ul>	This policy resists the loss of holiday accommodation in Hemsby and generally permits new tourist that is for short stay occupation. The policy conforms with the NPPF since it is supporting the local economy, ensuring that tourist accommodation is protected or enhanced. This fits in with the need for policies to support the role town centres should play at the heart of local communities and a positive approach to grow and retain the current market. Also, the need to ensure that valued facilities are guarded to avoid unnecessary loss for the community.
Policy 11: Loss of Tourism Facilities	<ul style="list-style-type: none"> <li>• Section 8 (Promoting healthy and safe communities) Para 93</li> </ul>	This policy strongly resists the loss of tourist facilities. The policy conforms with the NPPF since it is supporting the role of the local economy by ensuring that valued facilities are protected and avoids unnecessary loss for the community. In Hemsby tourism facilities are a valued asset to the community and sustainability of the area.
Policy 12: Tourism	NPPF <ul style="list-style-type: none"> <li>• Section 6 (Building a strong, competitive economy) Para 81, 84</li> <li>• Section 8 (Promoting healthy and safe communities) Para 93</li> </ul>	This policy promotes Hemsby as a tourist destination and supports in principle development which may come forward to attract day visitors, promote Hemsby's heritage, sustainable movement around the area, year-round tourism activities and open air events. The policy conforms to the NPPF by supporting the need for a prosperous tourist economy which can allow businesses to invest and grow. It encourages sustainable rural

HNP Policy	NPPF (and PPG) Cross References	Comments
		tourism growth. It is also supporting growth in facilities that will encourage social interaction within the community.
Policy 13: Surface Water Flooding	<p>NPPF</p> <ul style="list-style-type: none"> <li>• Section 14 Para 153</li> </ul> <p><b>Climate Change</b> PPG Paragraph: 001 Reference ID: 6-001-20140306</p> <p><b>Flooding-</b> PPG Paragraph: 063 Reference ID: 7-063-20140306</p>	This policy will help to adapt to climate change and ensure that surface water is managed appropriately and sustainably.
Policy 14: Biodiversity Improvements	<p>NPPF</p> <ul style="list-style-type: none"> <li>• Para 8</li> <li>• Section 15 (Conserving and enhancing the natural environment) Para 174</li> </ul> <p><b>Climate Change</b> PPG Paragraph: 001 Reference ID: 6-001-20140306</p> <p><b>Green Infrastructure-</b> Paragraph: 005 Reference ID: 8-005-20190721, Paragraph: 006 Reference ID: 8-006-20190721</p>	This policy protects and enhances the natural environment and requires biodiversity improvement and habitat opportunities to be maximised in all development. The policy conforms with the NPPF by contributing to the enhancement of the local natural environment and minimising impacts and providing net gains for biodiversity.
Policy 15: Green Corridors	<p>NPPF</p> <ul style="list-style-type: none"> <li>• Para 8,</li> <li>• Section 15 Conserving and enhancing the natural environment) Para 174, 185, 186</li> </ul> <p><b>Climate Change</b> PPG Paragraph: 001 Reference ID: 6-001-20140306</p>	This policy will help to deliver significant improvements to green infrastructure across the HNP area. This will support the health and resilience of wildlife, which is essential in maintaining and enhancing its ability to provide the wealth of ecosystem services, such as water retention and climate regulation, which we rely on. Green infrastructure is also vital to human health and wellbeing and a crucial element of adapting to climate change. The policy like Policy 14 conforms with the NPPF by contributing

HNP Policy	NPPF (and PPG) Cross References	Comments
	<p><b>Green Infrastructure-</b> Paragraph: 005 Reference ID: 8-005-20190721, Paragraph: 006 Reference ID: 8-006-20190721</p>	<p>to the enhancement of the local natural environment and establishing an ecological network that will help minimise current and future pressures on wildlife from development within the identified corridors.</p>
<p>Policy 16: Local Green Spaces</p>	<p>NPPF</p> <ul style="list-style-type: none"> <li>• Section 2 (Achieving sustainable development) Para 8</li> <li>• Section 8 (Promoting healthy and safe communities) Paras 101-103</li> <li>• Section 13 (Protecting Green Belt land)</li> </ul> <p><b>Green Infrastructure</b> PPG Paragraph: 005 Reference ID: 8-005-20190721</p> <p><b>Local Green Space</b> PPG paragraph: 006 Reference ID: 37-006-20140306, Para 009 Reference ID: 37-009-20140306, Para 013 Reference ID: 37-013-20140306, Para 014, Para 015, Para 017</p>	<p>The policy supports the protection of local green open spaces and designates these in accordance with the NPPF requirements such as being demonstrably special and consistent with national green belt policy. The spaces chosen in the HNP are to help protect and enhance the natural and built environment which supports the communities needs such as their physical, mental, and social health/wellbeing and safeguarding these open spaces which support the communities current and future needs.</p> <p>A thorough assessment was undertaken throughout following the NPPF and PPG guidance on understanding the types of greenspaces which would be suitable such as the Water’s Lane Playing field, Hemsby allotments, Brick Kiln Covert etc. All these green spaces considered the proximity to the village/town centre and the community it serves.</p> <p>Local Green Space policy should conform with that for Green Belt. Appendix A of the HNP sets out clear justification where Policy 16 diverts from Green Belt policy.</p>
<p>Policy 17: Protection of important local views</p>	<p>NPPF</p> <ul style="list-style-type: none"> <li>• Section 12 (Achieving well-designed places) Para 127, 130</li> </ul>	<p>In the NPPF and PPG the intrinsic character and beauty of the countryside is recognised and the PPG states that it is important to identify policies where landscapes have a particular local value. Planning policies and decisions should ensure that</p>

HNP Policy	NPPF (and PPG) Cross References	Comments
	<ul style="list-style-type: none"> <li>Section 15 (conserving and enhancing the natural environment) Para 174</li> </ul> <p>PPG Paragraph: 036 Reference ID: 8-036-20190721</p>	<p>developments will be sympathetic to the local character including the built environment and landscape setting. This policy conforms with the NPPF and PPG by protecting important local views and ensuring proposals are expected to demonstrate that they are designed and sited to avoid harm to the identified important views and the landscape setting they sit within.</p> <p>Plans and design policies should be developed with local communities so they reflect local aspirations and neighbourhood plan groups play an important role in identifying special qualities in their areas to reflect what they would expect from developments (NPPF Para 127). This policy conforms with the NPPF by doing the above, the community chose these local views to ensure they are protected and did this through a thorough assessment.</p>
Policy 18: Provision of leisure facilities for young people	<ul style="list-style-type: none"> <li>Section 8 (Promoting healthy and safe communities) Para 92, 93</li> </ul>	<p>This policy supports policies which will provide leisure facilities for young people such as youth clubs. New residential developments are expected to assess the likely needs of children under 18 to address needs whereas possible. This policy conforms with the NPPF by supporting the need to aim for a more inclusive place for all age groups in Hemsby. It is promoting proposals which may come forward to offer opportunities for younger people to interact. This will help enable and support healthy lifestyles and provide safe and accessible facilities such as sport facilities.</p>
Policy 19: Community facilities	<ul style="list-style-type: none"> <li>Section 6 (Building a strong, competitive economy) Para 81</li> </ul>	<p>This policy supports proposals which will assist the delivery of new or enhanced facilities to benefit the community and to</p>

HNP Policy	NPPF (and PPG) Cross References	Comments
	<ul style="list-style-type: none"> <li>Section 8 (Promoting healthy and safe communities) Para 92, 93</li> </ul>	<p>develop the Kings Head Public House as a community asset. The policy conforms to the NPPF by helping create an opportunity for the business to invest, expand or be adapted if needs be through the plan period to help support economic growth of the area. It is also ensuring that there is no unnecessary loss to a valued facility in the area.</p>
<p>Policy 20: Designated and Non-Designated Heritage Assets</p>	<p>NPPF</p> <ul style="list-style-type: none"> <li>Section 16 (Conserving and enhancing the historic environment) Para 190, 197</li> </ul> <p><b>Historic Environment</b>  <b>Designated Heritage Assets</b> PPG Paragraph: 023 Reference ID: 18a-023-20190723  <b>Non-Designated Heritage Assets-</b> PPG Paragraph: 040 Reference ID: 18a-040-20190723</p>	<p>The Non-Designated Heritage Assets identified were picked for their local significance. Each were thorough assessment in accordance with Historic England listing criteria. This involved making use of local knowledge and the Historic Environment Record.</p> <p>The assessment conformed with the PPG by following the guidance and advice from the Historic England website and included up to date information from the local historic environment record. The policy conforms with the NPPF and PPG by providing clauses to set a positive approach to conserve and enhance heritage assets and their appearance.</p>

## Section 4: Sustainable Development

13.A widely accepted definition of sustainable development is ‘development that meets the needs of the present without compromising the ability of future generations to meet their own

need’<sup>1</sup>. It is about ensuring better quality of life for everyone, now and for generations to come. In doing so, social, environmental, and economic issues and challenges should be considered in an integrated and balanced way.

<sup>1</sup> United Nations: Report of the World Commission on Environment and Development: Our Common Future, March 1987



14. This is captured by Paragraph 8 of the NPPF in particular, which summarises the three interdependent objectives. **Figure 2** includes a number of references to NPPF para 8, demonstrating the policies in HNP that have due regard to these overarching objectives.

15. The NPPF as a whole represents sustainable development, and **Figure 2** sets out that HNP is very consistent with the NPPF. It should therefore be the case that HNP will help to deliver sustainable development in Hemsby through delivering the economic, social, and environmental objectives.

16. HNP is positively prepared, reflecting the presumption in the NPPF in favour of sustainable development, but it seeks to manage development pressures to ensure that, in addition to economic and growth considerations, reasonable environmental and social considerations are taken into account.

## Section 5: General Conformity with Local Strategic Policies

17. It is a requirement that HNP is in general conformity with the relevant local strategic policies. The Guidance on Neighbourhood Planning sets out 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 of 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 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.

18. The HNP area falls within two local authority areas, Great Yarmouth Borough Council (GYBC) and the Broads Authority (BA). The local plans for these areas contain the strategic policies of relevance for this neighbourhood plan. The current adopted local plans covering the HNP area are:

- Great Yarmouth Local Plan 2013-30 which is split in two parts: Core Strategy (Part 1) and the Local Plan Part 2
- Local Plan for the Broads 2015-36

19. **Figure 3** reviews each policy in the submitted HNP with respect to the current strategic local plan policies.

**Figure 3: General Conformity with Local Strategic Policies**

HNP Policy	GYBC Local Plan Cross-references	BA Local Plan Cross-references	Comments
Policy 1: Affordable Housing	CS4 LPP2 H1, UCS4 (non-strategic)	DM34	<p>The HNP Housing Needs Assessment identifies a high need for social rent homes and smaller dwellings. The policy would expect where possible social rent is picked over other affordable renting; this is the same for shared ownership rather than other discounted homes.</p> <p>This conforms with the local plan policies for affordable housing, with tenure splits to be based on the most up to date needs assessment.</p>
Policy 2: Housing Type & Mix	CS3 LPP2 H3 (non-strategic)	SP15, DM41	<p>Policy 2 provides additional local detail that will help ensure housing development meets the needs of the community based on the proportionate evidence base produced for the neighbourhood plan.</p>
Policy 3: Design	CS9, CS10 LPP2 I1 and A2 (non-strategic)	DM8, DM21, DM22, DM23, DM43, SP3	<p>This policy encourages new homes to be designed to a high standard, following the guidance set out in the Hemsby Design Guidelines and Codes. This conforms with the strategic policies of the local plans which also set out requirements for development to be of high-quality design considering the positive relations between existing and proposed buildings and the public realm.</p> <p>In relation to density, the GYBC Local Plan Policy H3 requires residential development in Hemsby to be at least 30 dwellings/ha, except for locations that are particularly sensitive owing to its distinct local character, where lower densities may be acceptable. It is accepted that 30dw/ha will be appropriate in parts of the settlement, but the Design Guide demonstrates that densities are currently significantly below this in some character areas. The policy sets out that density should accord with that of the prevailing character (as set out in the design guide) in particularly sensitive locations.</p>

HNP Policy	GYBC Local Plan Cross-references	BA Local Plan Cross-references	Comments
Policy 4: Support for properties at risk from coastal erosion	CS13 LPP2 GSP4 LPP2 E2 (non-strategic)	DM5, SP3	This policy sets out that a focused review will be triggered after 3 years of adoption if sea defences have not been implemented and a willing landowner makes appropriate land available to safeguard for relocation. It conforms with the local plans which have strategic policies in place recognising the risk of flooding and coastal change and needing to minimise people and properties at risk of climate change.
Policy 5: Hemsby Medical Centre	CS15 LPP2 C1 (non-strategic)	DM44	This policy supports in principle the expansion of Hemsby Medical Centre including the need to demonstrate sufficient parking. This conforms with the local plans since the council wish to take a positive approach to enhancing important community facilities, including those which will support healthy lifestyles.
Policy 6: Walking and Cycling Improvements	CS9, CS16	SP3, SP8, SP9	<p>This policy supports the shift towards a low carbon economy, aiming for new major development to provide new or improved sustainable walking and cycling links to access services and facilities in Hemsby. It also ensures lighting is designed to conserve the dark skies but will consider personal security on route. Priority routes have been mapped out. It is also promoting improvement to public rights of way and links between villages to access services.</p> <p>The policy conforms with the local plans by seeking major development to improve existing transport infrastructure for the promotion of sustainable forms of travel.</p>
Policy 7: Public Transport Improvements	CS16	DM23	This policy is promoting improvement to existing transport infrastructure, supporting opportunities to reduce congestion, emissions, and capacity issues prior to the impacts of growth becoming severe.

HNP Policy	GYBC Local Plan Cross-references	BA Local Plan Cross-references	Comments
			This conforms with the local plan policies which seek to promote sustainable modes of travel and direct infrastructure improvements accordingly.
Policy 8: Residential Parking Standards	CS9 LPP2 I1 (non-strategic)	DM23	This policy conforms with the local plans by providing criteria which will provide suitable parking for the use and location of development in Hemsby. Reference to the latest parking standards in made in the Local Plans. However, the Norfolk County Council standards are considered out of date with regard to the changes in the NPPF (2021) which does not recommend setting maximum standards. It is recognised that the current County Council parking standards are under review.
Policy 9: Public car parking	CS14	DM44	This policy conforms with the local plans by supporting the provision of additional public off road parking in priority areas, thereby addressing a key local issue.
Policy 10: Tourist Accommodation	CS6, CS8 LPP2 L1, L2, C1, B1 (non-strategic)	SP10, DM25, DM26, DM44, SP12, DM29, DM30	This policy resists the loss of holiday accommodation in Hemsby and generally permits new tourist that accords with short stay occupation. The policy conforms with the local plans in supporting the role of the local economy by ensuring that tourist accommodation is safeguarded or increased.
Policy 11: Loss of Tourism Facilities	C1 (non-strategic), CS6, CS8	SP10, DM26, DM30, DM44	This policy strongly resists the loss of tourist facilities. The policy conforms with the local plan in supporting the role of the local economy and safeguarding the existing stock of tourist facilities.
Policy 12: Tourism	CS8 LPP2 C1(non-strategic)	DM24, SP10, DM27, DM44, SP12	This policy promotes Hemsby as a tourist destination and supports in principle development which may come forward to attract day visitors, promote Hemsby's heritage, sustainable movement around the area, year-round tourism activities and open-air events. The policy conforms with the local plans by supporting the need for a successful tourist economy which

HNP Policy	GYBC Local Plan Cross-references	BA Local Plan Cross-references	Comments
			can allow businesses to invest and grow in the area and is encouraging sustainable rural tourism growth if appropriate.
Policy 13: Surface Water Flooding	CS11, CS12, CS13, E1 (non-strategic) LPP2 E1, I3 (non-strategic)	SP2, DM2, DM5, DM6, DM43	The policy ensures development is designed to reduce flood risk and manage surface water in a sustainable way such as through the use of SuDS. This conforms with the local plans which expects development to appropriately contribute to the use of SuDS and protecting the areas natural resources.
Policy 14: Biodiversity Improvements	CS9, CS11 LPP2: GSP5, GSP6 (strategic) LPP2 E4 (non-strategic)	SP6, DM8, DM13	This policy ensures that all new development contributes towards biodiversity improvement, incorporating natural features. The policy conforms with the local plans by ensuring development contributes to the improvement and creation of biodiversity features.
Policy 15: Green Corridors	CS9, CS11 LPP2: GSP6 LPP2 E4 (non-strategic)	SP6, DM8, DM13	<p>Policy 15 identifies green corridors, which should be a focus for biodiversity enhancement, part of a local strategy to focus habitat improvement within the HNP area. The corridors have been identified based on proportionate evidence. All development is required to maximise habitat opportunities and provide for local wildlife.</p> <p>This conforms with policy in the local plans, which requires the protection of environmental assets, enhance links between areas of biodiversity importance and creation of networks of habitats and green infrastructure.</p>
Policy 16: Local Green Spaces	CS11 LPP2 E3 (non-strategic)	DM7, DM8	This policy designates Local Green Spaces to be protected. This is in conformity with local plan policies which seek to protect environmental assets.
Policy 17: Protection of important local views	CS11, CS15	SP7, DM16, DM20	Policy 18 of the HNP identifies important local views be protected, with proposals required to demonstrate they are sited and designed to avoid or

HNP Policy	GYBC Local Plan Cross-references	BA Local Plan Cross-references	Comments
	LPP2 E4 (non-strategic)		mitigate harm to the views. The policy conforms with the local plans by protecting environmental assets and the landscape setting.
Policy 18: Provision of leisure facilities for young people	CS8 LPP2 C1 (non-strategic)	SP16, DM44, DM45, DM50	This policy supports policies which will provide leisure facilities for young people such as youth clubs/services and new residential developments are expected to assess the likely needs of children under 18 to address needs whereas possible. It conforms with the local plans by supporting the need to encourage new development of high-quality leisure and cultural facilities. It supports healthy lifestyles and provision of safe and accessible facilities.
Policy 19: Community facilities	CS8 LPP2 C1 (non-strategic)	DM26, SP16, DM44	This policy supports proposals which will assist the delivery of new or enhanced community facilities. The policy conforms to the local plans by helping create an opportunity for businesses to invest, expand or be adapted if needs be through the plan period to help support economic growth of the area. It is also ensuring that there is no unnecessary loss to a valued facility of the area.
Policy 20: Designated and Non-Designated Heritage Assets	CS9, CS10 LPP2 Policy E5 (non-strategic)	SP5, DM11	This policy ensures that new development relates well to the built and historic environment, providing additional local detail to the local plans, by identifying non-designated heritage assets.

## Section 6: EU Obligations

20. A Screening Opinion request was made to GYBC as to whether Strategic Environmental Assessment and Appropriate Assessment (see **section 7**) were required. This was supported by a short report and assessment. In this the HNP was assessed for likely significant effects upon the environment in light of the plan

characteristics, the effects and area characteristics, including the environmental areas listed under Schedule 2 Part 6 of the EA Regulations (2004). The assessment recommended that SEA would not be required. This was supported by GYBC who undertook a screening and scoping exercise in consultation with the Statutory Environmental Bodies.

21. The GYBC Screening Opinion Conclusion was:

*In accordance with the Environmental Assessment of Plans and Programmes Regulations (2004) incorporating Strategic Environmental Assessment, the Borough Council is satisfied to conclude that through the information submitted by the SEA Screening Assessment (subject to the above suggested amendments) and the statutory body responses along with this Screening Opinion, the draft Hemsby Neighbourhood Plan is **not likely to have significant environmental effects**. The main reasons for this conclusion are that the draft neighbourhood plan:*

- *generally, conforms to the adopted Core Strategy & Local Plan Part 2 (subject to suggested amendments)*
- *operates at relatively small scales of development or land use*
- *does not contain site allocations*
- *generally, offers limited opportunity for new development*
- *recognises its sensitive landscape and largely seeks to conserve and enhance its environmental assets.*

*The draft Hemsby Neighbourhood Plan as currently drafted is consequently 'screened out'.*

22. **Section 7** of this report considers the requirement for Appropriate Assessment.

23. HNP has regard to and is compatible with the fundamental rights and freedoms guaranteed under the European Convention on Human Rights, transposed into UK law by the Human Rights Act 1998. HNP is highly likely to be compatible because it has been

prepared within the existing framework of statute, and national planning policy and guidance. In accordance with established processes, its preparation has included consultation with the local community.

24. In conclusion, the HNP does not breach and is compatible with EU Regulations including:

- Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment (often referred to as the Strategic Environmental Assessment (SEA) Directive);
- Directive 2011/92/EU on the assessment of the effects of certain public and private projects on the environment (often referred to as the Environmental Impact Assessment (EIA) Directive);
- Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora and Directive 2009/147/EC on the conservation of wild birds (often referred to as the Habitats and Wild Birds Directives respectively). These aim to protect and improve Europe's most important habitats and species. They may be of relevance to both neighbourhood plans or Orders; and
- Other European directives, such as the Waste Framework Directive (2008/98/EC), Air Quality Directive (2008/50/EC) or the Water Framework Directive (2000/60/EC) may apply to the particular circumstances of a draft neighbourhood plan or Order.



## Section 7: Prescribed Conditions

25. There is one prescribed condition for Neighbourhood Development Plans identified in Schedule 2 of the Neighbourhood Planning (General) Regulations 2012:

*“The making of the neighbourhood development plan is not likely to have a significant effect on a European site (as defined in the Conservation of Habitats and Species Regulations 2010) or a European offshore marine site (as defined in the Offshore Marine Conservation (Natural Habitats, &c.) Regulations 2007), either alone or in combination with other plans or projects”.*

26. A Habitats Regulations Assessment (HRA) considers the implications of a plan or project for European wildlife sites, in terms of any possible harm to the habitats and species that form an interest feature of the European sites in close proximity to the proposed plan or project, which occur as a result of the plan or project being put in place, approved or authorised. Where likely significant effects are identified, alternative options should be examined to avoid any potential damaging effects.

27. HRA is a step-by-step decision making process. It can be broken down into four stages. Screening; Appropriate Assessment; Alternative solutions; imperative reasons of overriding public interest and compensatory measures.

28. A screening assessment was undertaken on HNP (draft Feb 2022) to determine whether it will have ‘likely significant effects’ upon internationally designated habitat sites. While the designated

plan area does include The Broads Special Area of Conservation (SAC), Ramsar Site and Broadland Special Protection Area (SPA), the draft Neighbourhood Plan does not allocate sites for development. Many of the policies seek to conserve and enhance the natural environment. The screening assessment concluded there would not be likely significant effects.

29. Great Yarmouth Borough Council consulted Natural England on the screening assessment, and they confirmed agreement with the assessment’s conclusion. The HRA Screening Opinion Conclusion was:

*“As Competent Authority and in accordance with the Conservation of Habitats and Species Regulations 2017, the Borough Council identifies **no ‘likely significant effects’** on nearby internationally protected wildlife sites (particularly The Broads SAC and Broadland SPA) resulting from the draft Hemsby Neighbourhood Plan either alone or in combination with other projects and programmes. No ‘appropriate assessment’ or full ‘Habitat Regulations Assessment’ is therefore required. Note – Should the neighbourhood plan content change significantly from that of the February 2022 submitted draft, there may be potential for likely significant effects on the environment which have not been considered in this ‘Screening Opinion’, in such cases the neighbourhood plan may need to be re-screened for both SEA and HRA by the Borough Council.”*