

Dickleburgh and Rushall 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 clear and concise vision for the neighbourhood area.

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

The Plan addresses a series of issues which are very distinctive to the neighbourhood area.

The relationship between the Vision, the objectives and the policies are very clear and are helpfully captured in Section 3 of the Plan.

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 Parish 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.

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

Policy DR2

Does the policy bring any added value beyond national and local planning policies?

Policy DR4

I looked at the proposed Settlement Gaps carefully during the visit.

How did the Parish Council determine the scale of the two settlement gaps in relation to its objective to maintain a gap between two settlements that preserve the integrity of the settlement and maintains the nucleated villages and hamlets of the parish?

In the second part of the policy do criteria b and c relate back to the overall objective of the policy? If so, how would these matters be assessed by the decision-maker?

Is criterion a) practicable as an applicant will be unlikely to control land elsewhere in the parish?

Policy DR5

I note the explanation in paragraph 4.43 about the difference between Settlement Gaps and Local Gaps. However, in several cases the two designations overlap. Please can the Parish Council elaborate on the approach taken.

I looked carefully at the proposed Local Gap C in Rushall. On the one hand its intention was self-evident. However, on the other hand it is in a location where development of a scale that would affect the gap between the Church (to its north) and the buildings to its south would be supported. Please can the Parish Council comment further on the approach which it has taken in the Plan on this proposed Local Gap?

In the second part of the policy:

- how was the 5m threshold identified?
- do criteria c and d relate back to the overall objective of the policy? If so, how would these matters be assessed by the decision-maker?
- Is criterion a) practicable as an applicant will be unlikely to control land elsewhere in the parish?

Policy DR6

How would the policy overlap with other legislation (such as that on hedgerows)?

How would the second part of the policy work (especially the element on ditches)? Should it be applied on a proportionate basis?

Policy DR7

In general terms this is a good policy which responds positively to section 12 of the NPPF. In this broader context, I have the following questions on the principles in the policy:

Principle 2 – how has 20 homes/hectare been determined? Would it make the best use of land?

Principle 7 – whilst this approach may be desirable, would it be practicable given that the size of a garden would naturally relate to the size of the plot/application site concerned?

Principle 8- is the approach realistic as there will always be an element of inter-visibility/overlooking within built-up area?

Policy DR8

What is meant by community preferences and what weight would be given to the preferences? In addition, how would it be balanced with the more technical information in the Strategic Market Housing Assessment?

Policy DR9

I saw the importance of the various community facilities during the visit. This is an excellent policy.

Policy DR10

How has the policy considered that there is a need for higher standards than those applied by the County Council? As submitted the policy could be interpreted as allowing developers to default to the County Council's standards.

Please can the Parish Council expand on its approach?

Policy DR11

There appear to be missing words from the second part of the policy.

Policy DR13

How has the 400m threshold been determined? As Figure 52 shows, it protrudes into parts of Dickleburgh.

Policy DR14

In general, this is a positive policy. However, I am minded to recommend that the main element of the policy (with the various criteria) should be applied in a proportionate way?

Does the Parish Council have any comments on this proposition?

Policy DR15

How was the threshold of three homes identified?

How would the policy work in the development management process and how would decisions be made on the apportionment of the funding received?

Policy DR17

As submitted, the policy takes a blanket approach. I am minded to recommend that it should be applied in a proportionate way? Does the Parish Council have any comments on this proposition?

Is the final element of the policy practicable?

Policy DR18

I note that the policy is underpinned by the detailed in Appendix B. This is best practice.

There is an opportunity for the Parish Council to comment on South Norfolk Council's objection to proposed local green space G later in this note.

Policy DR19

The comment in the policy that street lighting will not be supported on any development is very prescriptive. Is there a specific reason why the Parish Council has taken this approach when the remainder of the policy is more balanced and design-led?

Policy DR20

I looked at the site carefully during the visit. I note the commentary about its selection in paragraph 8.7.

The delivery of up to 25 homes on the site would result in very low-density development. Please can the Parish Council explain its approach and how it relates to national policy in Section 5 of the NPPF. I note in paragraph 8.9 (and throughout the Environmental Report) that part of the site will be devoted to new open green spaces. How much of the site would be affected by this approach and should it be more clearly expressed in the policy and on Figure 66?

Does the final paragraph of the policy offer support for higher energy efficiency standards than those set out in the Building Regulations without requiring this outcome?

Environmental Report

I note that the Report comments about:

- an early version associated with the pre-submission Plan (paragraph 2.1.7);

- the assessment of reasonable alternatives; and
- the extent to which development would not occupy the whole of the proposed housing allocation site (Option 1).

Should the commentary about the extent of the site allocation which will be developed have been captured in Policy DR20 to ensure that the findings of the Report were reflected in the Plan?

There is an opportunity elsewhere in this note for the Parish Council to respond to the representations received about the way in which the strategic environmental assessment process was undertaken and the Environmental Report prepared.

Representations

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

It would be helpful if the Parish Council responded to the following representations:

- South Norfolk Council; and
- those from individuals which comment on the Environmental Reports, the selection of the proposed allocation (DR20), and the consideration of reasonable alternatives for the delivery of housing.

South Norfolk Council also proposes a series of revisions to certain policies in the Plan. It would be helpful if the Parish Council commented on the suggested revisions.

Protocol for responses

I would be grateful for responses to the questions raised by 30 May 2025. 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 South Norfolk Council. In addition, please can all responses make direct reference to the policy or the matter concerned.

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Independent Examiner

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2 May 2025