

# **Dickleburgh and Rushall Neighbourhood Development Plan 2023-2042**

**A report to South Norfolk Council on the Dickleburgh  
and Rushall Neighbourhood Development Plan**

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## **Executive Summary**

- 1 I was appointed by South Norfolk Council in March 2025 to carry out the independent examination of the Dickleburgh and Rushall Neighbourhood Development Plan.
- 2 The examination was undertaken by way of written representations and a hearing. I visited the neighbourhood area on 1 May 2025.
- 3 The Plan includes a variety of policies and seeks to bring forward positive and sustainable development in the neighbourhood area. There is a very clear focus on four matters. The first is the proposed identification of Settlement and Local Gaps. The second is the designation of a series of Local Green Spaces. The third is ensuring high standards of design. The fourth is the allocation of land for residential development.
- 4 The Plan has been underpinned by community support and engagement. All sections of the community have been engaged in its preparation.
- 5 Subject to a series of recommended modifications set out in this report, I have concluded that the Plan meets all the necessary legal requirements and should proceed to referendum.
- 6 I recommend that the referendum area should coincide with the neighbourhood area.

**Andrew Ashcroft**  
**Independent Examiner**  
**19 December 2025**

## **1 Introduction**

- 1.1 This report sets out the findings of the independent examination of the Dickleburgh and Rushall Neighbourhood Development Plan 2023-2042 ('the Plan').
- 1.2 The Plan was submitted to South Norfolk Council (SNC) by Dickleburgh and Rushall Parish Council (DRPC) in its capacity as the qualifying body responsible for preparing the neighbourhood plan.
- 1.3 Neighbourhood plans were introduced into the planning process by the Localism Act 2011. They aim to allow local communities to take responsibility for guiding development in their area. This approach was subsequently embedded in the National Planning Policy Framework (NPPF) in 2012, 2018, 2019, 2021, 2023 and 2024. The NPPF continues to be the principal element of national planning policy.
- 1.4 The role of an independent examiner is clearly defined in the legislation. I have been appointed to examine whether the submitted Plan meets the basic conditions and Convention Rights and other statutory requirements. It is not within my remit to examine or to propose an alternative plan, or a potentially more sustainable plan except where this arises as from my recommended modifications to ensure that the plan meets the basic conditions and the other relevant requirements.
- 1.5 A neighbourhood plan can be narrow or broad in scope and can include whatever range of policies it sees as appropriate to its designated neighbourhood area. The submitted Plan has been designed to be distinctive in general terms, and to be complementary to the existing development plan. It seeks to provide a context in which the neighbourhood area can maintain its character and appearance and that new development is designed in a positive way.
- 1.6 Within the context set out above, this report assesses whether the Plan is legally compliant and meets the basic conditions that apply to neighbourhood plans. It also considers the content of the Plan and, where necessary, recommends changes to its policies and supporting text.
- 1.7 This report also provides a recommendation as to whether the Plan should proceed to referendum. If this is the case and that referendum results in a positive outcome the Plan would then become part of the wider development plan and be used to determine planning applications in the neighbourhood area.

## 2 The Role of the Independent Examiner

- 2.1 The examiner's role is to ensure that any submitted neighbourhood plan meets the relevant legislative and procedural requirements.
- 2.2 I was appointed by SNC, with the consent of DRPC, to conduct the examination of the Plan and to prepare this report. I am independent of SNC and DRPC. I do not have any interest in any land that may be affected by the Plan.
- 2.3 I possess the appropriate qualifications and experience to undertake this role. I am a Director of Andrew Ashcroft Planning Limited. In previous roles, I have 42 years' experience in various local authorities at either Head of Planning or Service Director level and more recently as an independent examiner. I have significant experience of undertaking other neighbourhood plan examinations and health checks. I am a member of the Royal Town Planning Institute and the Neighbourhood Planning Independent Examiner Referral System.

### *Examination Outcomes*

- 2.4 In my role as the independent examiner of the Plan I am required to recommend one of the following outcomes of the examination:
- (a) that the Plan as submitted should proceed to a referendum; or
  - (b) that the Plan should proceed to referendum as modified (based on my recommendations); or
  - (c) that the Plan does not proceed to referendum on the basis that it does not meet the necessary legal requirements.
- 2.5 The outcome of the examination is set out in Section 8 of this report.

### *Other examination matters*

- 2.6 In examining the Plan, I am required to check whether:
- the policies relate to the development and use of land for a designated neighbourhood plan area; and
  - the Plan meets the requirements of Section 38B of the Planning and Compulsory Purchase Act 2004 (the Plan must specify the period to which it has effect, must not include provision about development that is excluded development, and must not relate to more than one neighbourhood area); and
  - the Plan has been prepared for an area that has been designated under Section 61G of the Localism Act and has been developed and submitted for examination by a qualifying body.
- 2.7 I have addressed the matters identified in paragraph 2.6 of this report and am satisfied that they have been met.

### 3 Procedural Matters

3.1 In undertaking this examination I have considered the following documents:

- the submitted Plan and Appendices A-F.
- the Basic Conditions Statement.
- the Consultation Statement.
- the Environmental Report (January 2023).
- the Environmental Report (December 2024).
- the Habitats Regulations Assessment report.
- the representations made to the Plan.
- DRPC's responses to the clarification note.
- the additional information provided for the hearing by the various participants
- the former Joint Core Strategy (JCS) for the Greater Norwich Area (Broadland, Norwich, and South Norfolk).
- the Site-Specific Allocations and Policies Document (SSAPD).
- the Development Management Policies Document (DMPD).
- the Greater Norwich Local Plan (GNLP).
- the emerging Village Clusters Housing Allocations Plan (VCHAP).
- the National Planning Policy Framework (December 2023).
- Planning Practice Guidance.
- relevant Ministerial Statements.

3.2 I visited the neighbourhood area on 1 May 2025. I looked at its overall character and appearance and at those areas affected by policies in the Plan in particular.

3.3 It is a general rule that neighbourhood plan examinations should be held by written representations only. Having considered all the information before me, including the representations made to the submitted Plan, I was satisfied that most of the Plan could be examined without the need for a public hearing. However, I concluded that a hearing was necessary to allow a proper discussion of the proposed housing allocation (Policy DR20) and the designation of one of the proposed local green spaces. The hearing took place on 16 October 2025. The hearing note is included as Appendix 1 of this report.

#### *The December 2024 update of the NPPF*

3.4 The NPPF was updated on 12 December 2024. Paragraph 239 of the NPPF 2024 sets out transitional arrangements for plan-making. It comments that the policies in the Framework will apply for the purpose of preparing neighbourhood plans from 12 March 2025 unless a neighbourhood plan proposal has been submitted to the local planning authority under Regulation 15 of the Neighbourhood Planning (General) Regulations 2012 (as amended) on or before the 12 March 2025.

3.5 The Plan was submitted for examination on 9 January 2025. On this basis, the examination of the Plan against the basic condition that it should have regard to national policies and advice contained in guidance issued by the Secretary of State is

based on the 2023 version of the NPPF. Where NPPF paragraph numbers are used in this report, they refer to those in the December 2023 version.

- 3.6 Paragraph 6.2 of this report sets out the full extent of the basic conditions against which a neighbourhood plan is examined.

## 4 Consultation

### *Consultation Process*

- 4.1 Policies in made neighbourhood plans become the basis for local planning and development control decisions. As such the regulations require neighbourhood plans to be supported and underpinned by public consultation.
- 4.2 In accordance with the Neighbourhood Planning General Regulations (Amendment) 2012, DRPC has prepared a Consultation Statement. It is proportionate to the neighbourhood area and its policies. It is commendably brief with appropriate details included in seven appendices. In the round, it is a very good example of a Statement of this type.
- 4.3 Section 2 of the Statement records the various activities that were held to engage the local community and the feedback from each event. They are helpfully based around four key stages (which are supported by separate appendices). Section 3 comments about the general approach taken by DRPC towards communication and engagement.
- 4.4 The Statement also provides specific details on the consultation processes that took place on the pre-submission version of the Plan (March to May 2023). Appendix 7 lists the comments received and advises about the way the Plan was refined because of this process. It helps to explain the evolution of the Plan.
- 4.5 I am satisfied that consultation has been an important element of the Plan's production. Advice on the neighbourhood planning process has been made available to the community in a positive and direct way by those responsible for the Plan's preparation. From all the evidence provided to me as part of the examination, I can see that the Plan has promoted an inclusive approach to seeking the opinions of all concerned throughout the process. SNC has carried out its own assessment that the consultation process has complied with the requirements of the Regulations.

### *Consultation Responses*

- 4.6 Consultation on the submitted plan was undertaken by SNC which ended on 7 April 2025. This exercise generated representations from the following organisations:
  - Sport England
  - Water Management Alliance
  - National Highways
  - National Gas
  - Natural England
  - Norfolk Wildlife Trust
  - Anglian Water
  - Norfolk County Council
  - South Norfolk Council

- 4.7 Comments were also received from several local people. I have taken account of all the representations in preparing this report. Where it is appropriate to do so, I refer to specific representations on a policy-by-policy basis.



## 5 The Neighbourhood Area and the Development Plan Context

### *The Neighbourhood Area*

- 5.1 The neighbourhood area is the parish of Dickleburgh and Rushall. It lies approximately six miles to the north and east of Diss. Its population in 2021 was 1600 persons living in 1184 households. It was designated as a neighbourhood area on 21 February 2017.
- 5.2 Dickleburgh is situated on a slight plateau between the valleys of the Waveney and the Tas on the A140 from Norwich to Ipswich. It is arranged around the junctions of Rectory Road and Harvey Lane with Norwich Road. All Saints Church and The Dickleburgh Crown public house dominate the centre of the village. The Primary School and the Village Centre are in Harvey Lane. Rushall lies approximately a mile to the east of Dickleburgh on the road from Dickleburgh to Harleston. It has a very rural character and appearance and is dominated by the St Mary's Church with its impressive round tower.
- 5.3 The remainder of the neighbourhood area is attractive open countryside.

### *Development Plan Context*

- 5.4 The Basic Conditions Statement sets out the comprehensive nature of the development plan context for the neighbourhood area.
- 5.5 Both BDC and SNC have worked with Norwich City Council and Norfolk County Council to prepare the Greater Norwich Local Plan (GNLP). The GNLP plans for the housing and job needs of the area to 2038 and builds on the long-established joint working arrangement for Greater Norwich. It includes strategic policies to guide future development and plans to protect the environment. It looks to ensure that delivery of development is done in a way which promotes sustainability and the effective functioning of the whole area. The GNLP was adopted by SNC in March 2024.
- 5.6 Policy 7.1 of the GNLP sets out its spatial strategy and highlights the importance of the Norwich Urban Area. Policy 7.4 identifies a series of Village Clusters.
- 5.7 The Village Clusters Housing Allocations Plan (VCHAP) is a Local Plan document which, once adopted, will become part of the Development Plan for South Norfolk. The proposed VCHAP allocates new sites for housing in South Norfolk's villages, which will deliver the bulk of the approximately 1,200 new homes that are to be delivered in this village cluster area by 2038. Section 12 of the VCHAP comments about the preparation of a neighbourhood plan for the neighbourhood area and its inclusion of a housing allocation to meet the minimum requirement for 25 homes. On this basis the VCHAP does not include any allocation for the neighbourhood area. The VCHAP was submitted to the Secretary of State for independent examination on 4 August 2025.
- 5.8 The Development Management Policies Document was adopted in October 2015 and is part of the South Norfolk Local Plan. Together with the other documents that make up the Development Plan it is used to assess planning applications and guide development proposals to ensure the delivery of high-quality sustainable developments across South Norfolk. The Development Management Policies

Document has not been superseded following the adoption of the Greater Norwich Local Plan and is to be carried forward and used in conjunction with the adopted plan.

- 5.9 In this broader context, DRPC has carefully produced a Plan which seeks to complement the existing development plan. In addition, the submitted Plan has relied on up-to-date information and research that has underpinned existing planning policy documents. This is good practice and reflects key elements in Planning Practice Guidance on this matter.

*Visit to the neighbourhood area*

- 5.10 I visited the neighbourhood area on 1 May 2025. I approached from Scole to the south along the A140. This helped me to understand its position in general and its accessibility to the strategic road network.
- 5.11 I looked initially at Dickleburgh village centre. I saw the prominence of All Saints Church and the Dickleburgh Crown. I took the opportunity to look at the allocated housing site to the west of Brandreth Close and the allotments.
- 5.12 I took the opportunity to look at the proposed local green spaces in Dickleburgh. I paid particular attention to the field to the north of Rectory Road.
- 5.13 I looked at the various proposed Settlement Gaps to the north and south of the village. I also looked at the proposed Local Gaps and their overlap with the proposed Settlement Gaps.
- 5.14 I then drove to Rushall. I noted that it had a very different in character and appearance to that of Dickleburgh. I looked at St Mary's Church and its interesting round tower, and the way in which its churchyard provided access to a network of footpaths. I also looked carefully at the proposed Local Gap to its immediate south. I noted the prominence of the Half Moon Inn and The Mariners Gallery café in the environment of the village.
- 5.15 I returned to Dickleburgh and then left the neighbourhood area on the A140 and drove to Long Stratton. As with the earlier part of the visit this helped me to understand the position of the neighbourhood area in general and its accessibility to other settlements in this part of South Norfolk.

## 6 The Neighbourhood Plan and the Basic Conditions

- 6.1 This section of the report deals with the submitted neighbourhood plan as a whole and the extent to which it meets the basic conditions. The submitted Basic Conditions Statement has helped in the preparation of this section of the report. It is an informative and well-presented document.
- 6.2 As part of this process, I must consider whether the submitted Plan meets the basic conditions as set out in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990. To comply with the basic conditions, the Plan must:
- have regard to national policies and advice contained in guidance issued by the Secretary of State;
  - contribute to the achievement of sustainable development;
  - be in general conformity with the strategic policies of the development plan in the area;
  - not breach, and otherwise be compatible with, the assimilated obligations of EU legislation (as consolidated in the Retained EU Law (Revocation and Reform) Act 2023 (Consequential Amendment) Regulations 2023; and
  - not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.

I assess the Plan against the basic conditions under the following headings.

### *National Planning Policies and Guidance*

- 6.3 For the purposes of this examination the key elements of national policy relating to planning matters are set out in the National Planning Policy Framework December 2023 (NPPF).
- 6.4 The NPPF sets out a range of land-use planning principles to underpin both plan-making and decision-taking. The following are particularly relevant to the Dickleburgh and Rushall Neighbourhood Development Plan:
- a plan-led system - in this case the relationship between the neighbourhood plan and the planning policy context as described in Section 5 of this report;
  - building a strong, competitive economy;
  - recognising the intrinsic character and beauty of the countryside and supporting thriving local communities;
  - taking account of the different roles and characters of different areas;
  - highlighting the importance of high-quality design and good standards of amenity for all future occupants of land and buildings; and
  - conserving heritage assets in a manner appropriate to their significance.
- 6.5 Neighbourhood plans sit within this wider context both generally, and within the more specific presumption in favour of sustainable development. Paragraph 13 of the NPPF indicates that neighbourhoods should both develop plans that support the strategic

needs set out in local plans and plan positively to support local development that is outside the strategic elements of the development plan.

- 6.6 In addition to the NPPF I have also taken account of other elements of national planning policy including Planning Practice Guidance and the recent ministerial statements.
- 6.7 Having considered all the evidence and representations available as part of the examination I am satisfied that the submitted Plan has had regard to national planning policies and guidance subject to the recommended modifications in this report. It sets out a positive vision for the future of the neighbourhood area. It includes a series of policies on a range of development and environmental matters. It has a focus on allocating a site for residential development, designating local green spaces, identifying gaps between built development, and ensuring that new development is designed in a positive way.
- 6.8 At a more practical level, the NPPF indicates that plans should provide a clear framework within which decisions on planning applications can be made and that they should give a clear indication of how a decision-maker should react to a development proposal (paragraph 16d). This was reinforced with the publication of Planning Practice Guidance. Paragraph ID: 41-041-20140306 indicates that policies in neighbourhood plans should be drafted with sufficient clarity so that a decision-maker can apply them consistently and with confidence when determining planning applications. Policies should also be concise, precise, and supported by appropriate evidence.
- 6.9 As submitted the Plan does not fully accord with this range of practical issues. Most of my recommended modifications in Section 7 relate to matters of clarity and precision. They are designed to ensure that the Plan fully accords with national policy.

*Contributing to sustainable development*

- 6.10 There are clear overlaps between national policy and the contribution that the submitted Plan makes to achieving sustainable development. Sustainable development has three principal dimensions – economic, social, and environmental. I am satisfied that the submitted Plan has set out to achieve sustainable development in the neighbourhood area. In the economic dimension, the Plan includes a policy to allocate land for housing purposes (Policy DR20). In the social dimension, it includes a policy on community assets (Policy DR9), and Local Green Spaces (Policy DR18). In the environmental dimension, the Plan positively seeks to protect its natural, built, and historic environment. It has policies on views (Policy DR3), design (Policy DR7), and green corridors and biodiversity (Policy DR17). This assessment overlaps with the details on this matter in the submitted Basic Conditions Statement.

*General conformity with the strategic policies in the development plan*

- 6.11 I have already commented in detail on the development plan context in South Norfolk in paragraphs 5.4 to 5.9 of this report.

- 6.12 I consider that the submitted Plan delivers a local dimension to this strategic context and supplements the detail already included in the adopted development plan. Subject to the recommended modifications in this report, I am satisfied that the submitted Plan is in general conformity with the strategic policies in the development plan.

#### *Strategic Environmental Assessment*

- 6.13 The Neighbourhood Plan (General) (Amendment) Regulations 2015 require a qualifying body either to submit an environmental report prepared in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004 or a statement of reasons why an environmental report is not required.
- 6.14 In order to comply with this requirement, DRPC commissioned two environmental reports (January 2023 and December 2024) The reports are thorough and well-constructed. They assess the general environmental impact of the Plan. They also look at the various sites which have the potential for residential development and provide advice to DRPC on the site selection process.
- 6.15 The way in which the SEA process was undertaken was addressed in some of the representations and was debated at the hearing. I comment on this matter in the section of this report which addresses the proposed housing allocation (Policy DR20).

#### *Habitats Regulations Assessment*

- 6.16 DRPC also commissioned a Habitats Regulations Assessment (HRA) of the Plan. The report (May 2022) is thorough and comprehensive and identifies that there are no protected sites in the parish. Nevertheless, the HRA assesses the potential impact of the Plan's policies on the following protected sites:
- Waveney and Little Ouse Valley Fens SAC (approx. 9.9km to the west of the parish and distributed across the authorities of Breckland and Mid Suffolk); and
  - Redgrave & South Lopham Fens Ramsar (approx. 9.9km to the west of the parish and distributed across the authorities of Breckland and Mid Suffolk).
- 6.17 The HRA assessed the potential for the Plan to result in likely significant effects and, potentially, adverse effects on the integrity of European sites. An initial scoping exercise highlighted that two European sites within 10km of the parish required further consideration, including the Waveney and Little Ouse Valley Fens SAC and Redgrave & South Lopham Fens Ramsar. The HRA advises that potential impact pathways associated with development in the parish are recreational pressure (applicable to all European sites Norfolk), water quantity, level and flow, water quality, and atmospheric pollution.
- 6.18 The outcome of the exercise was that it was concluded that likely significant effects regarding the above impact pathways could be screened out from Appropriate Assessment, except for recreational pressure on European sites across Norfolk. However, the HRA advises that since there is already a county-wide mitigation strategy to address recreational pressure to which all net new housing much contribute, it was possible in the appropriate assessment to conclude that submitted Plan would not have

an adverse effect on European sites either alone or in combination with other plans and projects.

- 6.19 Having reviewed the information provided to me as part of the examination I am satisfied that a proportionate process has been undertaken in accordance with the various regulations. None of the statutory consultees have raised any concerns about these matters. In the absence of any evidence to the contrary, I am entirely satisfied that the submitted Plan is compatible with this aspect of neighbourhood plan regulations.

#### *Human Rights*

- 6.20 In a similar fashion I am satisfied that the submitted Plan has had regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights (ECHR) and that it complies with the Human Rights Act. There is no evidence that has been submitted to me to suggest otherwise. There has been full and adequate opportunity for all interested parties to take part in the preparation of the Plan and to make their comments known. In reaching this conclusion I have carefully considered the views of some residents about the SEA process. On this basis, I conclude that the submitted Plan does not breach, nor is in any way incompatible with the ECHR.

#### *Summary*

- 6.21 On the basis of my assessment of the Plan in this section of my report I am satisfied that it meets the basic conditions subject to the incorporation of the recommended modifications contained in this report.

## 7 The Neighbourhood Plan policies

- 7.1 This section of the report comments on the policies in the Plan. It makes a series of recommended modifications to ensure that the various policies have the necessary precision to meet the basic conditions.
- 7.2 The recommendations focus on the policies in the Plan given that the basic conditions relate primarily to this aspect of neighbourhood plans. In some cases, I have also recommended changes to the associated supporting text.
- 7.3 I am satisfied that the content and the form of the Plan is fit for purpose. It is distinctive and proportionate to the Plan area. The wider community and DRPC have spent time and energy in identifying the issues and objectives that they wish to be included in their Plan. This sits at the heart of the localism agenda. The Plan is locally-distinctive.
- 7.4 The Plan has been designed to respond to Planning Practice Guidance (ID:41-004-20190509) which indicates that neighbourhood plans should address the development and use of land.
- 7.5 I have addressed the policies in the order that they appear in the submitted Plan.
- 7.6 For clarity, this section of the report comments on all the Plan's policies.
- 7.7 Where modifications are recommended to policies they are highlighted in bold print. Any associated or free-standing changes to the text of the Plan are set out in italic print.

### *The initial parts of the Plan (Sections 1 to 3)*

- 7.8 The Plan is well-organised has been prepared with much attention to detail and local pride. It makes an appropriate distinction between the policies and their supporting text.
- 7.9 The initial elements of the Plan set the scene for the policies. They are proportionate to the neighbourhood area and the subsequent policies. The Introduction sets the scene for the Plan. It properly identifies the neighbourhood area in Figure 1. It also describes the neighbourhood area.
- 7.10 Section 2 provides information about the way in which the Plan was prepared. It comments about the neighbourhood plan team/steering group, the consultation exercises and public feedback and engagement.
- 7.11 Section 3 sets out the Vision for the parish as follows:

*'The parish of Dickleburgh and Rushall will continue to be a vibrant rural parish with a strong sense of community with residents that feel valued*

*The unique and historic landscape will be preserved. Development will be well designed to integrate with the existing housing and shall enhance and harmonise with the character of the parish, while protecting its local heritage, natural environment, and rural nature*

*Dickleburgh and Rushall will remain a caring and safe community in which the quality of life for current and future generations will flourish.'*

- 7.12 Section 3 also sets out a series of Objectives. The Vision and the Objectives collectively provide a framework for the policies. The approach taken is best practice.
- 7.13 The remainder of this section of the report addresses each policy in turn in the context set out in paragraphs 7.5 to 7.7 of this report.

#### Policy DR1: Heritage

- 7.14 The Plan explains that to gain an understanding of the significance of the parish as a whole and aspects of the parish, any development will need to be conducted within a framework of understanding the past. It proposes a historic core of the village within which the policy will apply.
- 7.15 SNC comments that:

*'The 'historic core' has effectively been defined as the entirety of Dickleburgh village and its immediate surroundings, including Dickleburgh Moor, to the north. The historically sensitive area of the settlement has already been designated by South Norfolk Council as a Conservation Area (the last appraisal was in 2017). It is difficult to see how the much larger area proposed is justified as qualifying for the considerations set out in DR1. Imposing blanket requirements on such a large area, with a lack of robust justification, arguably contravenes the NPPF in terms of plans contributing to the achievement of sustainable development and being prepared positively. In addition, 'historic core' is not a designation that is used elsewhere in national planning legislation or local planning policy, making it difficult to support.'*

- 7.16 I have considered the policy carefully alongside DRPC's response to SNC's comments. I am not satisfied that DRPC has used any objective method to define its historic core. As Figure 11 identifies it is an artificial area which covers an extensive area of agricultural land to the north and east of Dickleburgh. I also acknowledge that SNC has already identified a conservation area which is the recognised method of safeguarding the historic environment. In these circumstances I recommend that the references to the Historic Core in the policy, in the supporting text and the associated Figure 11 are deleted.
- 7.17 In this context I also recommend that the third part of the policy is recast so that, in addition to the deletion of the references to the Historic core, the policy is worded so that it can be applied in a proportionate way by SNC. This acknowledges that development proposals will have different effects on the historic environment.
- 7.18 Otherwise, the policy meets the basic conditions. It will contribute to the local delivery of the social and the environmental dimensions of sustainable development.

**Delete the second part of the policy.**



**Replace the third part of the policy with:**

**‘As appropriate to their scale and nature and location, development proposals should respond positively to heritage assets in the neighbourhood area. Proposals affecting heritage assets, should address**

- a. The character, distinctiveness, and important features.**
- b. The setting and its relationship to its immediate surroundings.**
- c. The contribution that the heritage asset makes to the character of the area.’**

*Delete paragraphs 4.10 to 4.15*

*Delete Figure 11*

Policy DR2: Archaeology

- 7.19 The policy looks to provide a local interpretation of Section 16 of the NPPF. It comments about the details on this matter in national policy.
- 7.20 I have considered DRPC’s response to the clarification note carefully. Nevertheless, I am not satisfied that the policy brings any added value to the consideration of archaeological matters beyond the details already included in national policy. Similarly, there is no evidence available to suggest that SNC is not applying national (or indeed local policies) to archaeological matters in the parish.
- 7.21 In these circumstances I recommend that the policy and the supporting text are deleted.

**Delete the policy**

*Delete paragraphs 4.20 to 4.27 (and Reasoned Justification/Additional Justification Boxes)*

Policy DR3: Views and vistas

- 7.22 The Plan comments that it is essential that the visual, scenic, and undeveloped character of the parish is protected from development that may adversely affect its nature and conservation value, its landscape character, its function as an important piece of green infrastructure and its contribution to the wider network of green spaces in the parish and the well-being of the visitors and residents of the parish. It also advises that the protection of the vistas and views of the parish must be retained as outlined by the GNGP sensitivity assessment.
  - 7.23 I looked at a selection of the identified views during the visit. I am satisfied that they have been appropriately selected.
  - 7.24 The policy is positively worded and the inclusion of maps and photographs give a helpful perspective on the important views and vistas. As such I am satisfied that the policy has regard to Section 15 NPPF.
  - 7.25 In this broader context I recommend that the policy is recast so that it has a natural flow and avoids repetition. I also recommend that the first part is deleted as it reads as
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a broader objective rather than as a land use policy. Otherwise, the policy meets the basic conditions. It will contribute to the local delivery of the social and the environmental dimensions of sustainable development.

**Replace the policy with:**

**‘As appropriate to their scale, nature and location, development proposals should respect their landscape setting.**

**The following views are identified as important in the parish (as shown on Figures 18 and 25). [List the views]**

**Development proposals within or affecting an important local view should demonstrate how they have responded positively to the view concerned and safeguarded its integrity and local importance.’**

Policy DR4: Settlement Gaps

- 7.26 Policies DR4 and DR5 comment respectively about Settlement Gaps and Local Gaps. The Plan advises that there is a degree of overlap between the two policies given that some of the proposed Local Gaps fall within a proposed Settlement Gap. For the purposes of this report, I assess the policies separately against the basic conditions.
- 7.27 The Plan advises that settlement gaps and local gaps are different. It comments that a settlement gap is a gap between two settlements that preserve the integrity of the settlement and maintains the nucleated villages and hamlets of the parish. It then advises that a local gap can exist within the nucleated village or hamlet to preserve a key feature. As such, a local gap has a different purpose and separate proposed policy requirements.
- 7.28 The Plan advises that settlement gaps protect the setting and separate identity of settlements and avoid coalescence. It also advises that they would retain the existing settlement pattern by maintaining the openness of the land. Two Settlement Gaps are identified in the Plan as follows
- the gap between the settlements of Dickleburgh and Dickleburgh Moor; and
  - the gaps between Dickleburgh and the settlements in Langmere.

- 7.29 SNC comments that

*‘Neighbourhood Plan policies are required to be written positively to ensure that development that takes place in a designated area is appropriate. They should not be used to simply stop development from taking place. The criteria in this policy do not provide clarity on situations where development within the Settlement Gaps would be appropriate. It is not clear how it can be shown how the Gaps can be maintained and ‘not compromised’ by any form of development regardless of scale. As written, it is difficult to see any circumstance where development would be able to meet all of these criteria or where they could be applied consistently.*

*The Council has concerns over the extent of the identified gaps and whether the evidence is adequate to justify such large areas of land being defined (particularly as*

*regards gap A). In particular, the stated purpose of the settlement gap is to “preserve the integrity of the settlement and maintain the nucleated villages and hamlets in the parish”. It is hard to understand how some further development immediately on the northern or eastern edges within the area identified would meaningfully result in the coalescence or merging of Dickleburgh with either Dickleburgh Moor or Rushall. The Council is concerned that as defined the extent of the settlement gap is not justified and may unduly constraint the achievement of sustainable development.’*

7.30 SNC also raises specific comments on some of the criteria in the policy.

7.31 In the clarification note I sought advice about the way in which DRPC determined the scale of the two settlement gaps. In its response DRPC advised that

*‘The Parish has two significant villages, Dickleburgh and Rushall. It also has a number of hamlets, some of which date back 1,000 years. The gaps were drawn to ensure all the settlements remain separate. Langmere was at one point a significant geographic area. The intention initially (pre-Regulation 14) was to encompass the whole of geographic Langmere. Post-regulation 14 it was agreed this was not needed and the focus for both Gap A and B was to define the principal settlement (Dickleburgh) and ensure it did not absorb the closest hamlets of Dickleburgh Moor, and the new development around White Horse farm.’*

7.32 I looked at the proposed settlement gaps very carefully during the visit and in the context of these comments. On the one hand looking at the proposed gaps helped me to understand DRPC’s ambitions to ensure that the various settlements remain separate one from the other. It is also clear that there is a very distinctive arrangement of built development based on the relationship between Dickleburgh and Dickleburgh Moor and between Dickleburgh and the built development in Langmere (in the west of the parish), and with Rushall (in the east of the parish) acting as a separate outlier. On the other hand, the definitions of the settlement gaps are very extensive and whilst Dickleburgh is an obvious settlement, the more limited built development in Dickleburgh Moor and in Langmere does not traditionally require a specific separation approach in relation to its relationship with a principal settlement (such as Dickleburgh). In this context such built development acts as a more generic rural development within the wider hinterland of Dickleburgh in the wider rural/agricultural landscape.

7.33 In addition the wording of the policy provides a very blunt tool. As SNC comment, the first criterion requires an applicant to demonstrate that no other site is available. This fails to acknowledge that an applicant will be unlikely to control land elsewhere in the parish. In addition, the second criterion is unclear about the way in which any development would compromise a settlement gap (either individually or cumulatively). This will not allow SNC to be able to apply the policy with any degree of certainty through the development management process.

7.34 In all the circumstances I am not satisfied that the policy meets the basic conditions and is an unjustified barrier to sustainable development in the parish. As such I recommend the deletion of the policy and the supporting text.

## Delete the policy

Delete paragraphs 4.43 to 4.53

Delete Figure 32

Policy DR5: Local Gaps

- 7.35 The Plan advises that to support and preserve views, vistas and sight lines, maintenance of a sense of place, wellbeing and unique identities, local gaps must be maintained and where possible enhanced. It also advises that they can be enhanced through sensitive planting, encouraging avian habitation and increasing the natural biodiversity. The Plan advises that whilst local gaps not only serve the human population and offer tranquillity and space they also serve to protect and encourage the natural life of the parish. The Plan comments that local gaps tend to be smaller than the proposed settlement gaps, they can fall within a settlement, and have significance within the settlement.
- 7.36 The Plan proposes eight proposed local gaps and they are shown on figure 33. In addition, there is a detailed description of each gap in the supporting text. As with the proposed settlement gaps I looked carefully at the proposed local gaps during the visit.
- 7.37 SNC comment that:
- 'the policy is repetitive of many of the elements of Policy DR4 (examiner corrected). It is unclear why a separate policy is required where the majority of the Local Gaps also fall with the Settlement Gaps and simply add the same protections. These policies as written are going to be difficult to apply correctly and consistently.*
- In regard to the Policy itself, it is unclear how the 5 metre adjacent area has been arrived at or why it is justified. In regard to criteria a, the Council would repeat the concerns raised in regard to the same criteria for Policy 4, specifically that as written it is unclear. Consideration would also need to be given about whether alternative sites are available, suitable and can be viably developed for the development proposed.'*
- 7.38 SNC also comments in detail about several of the criteria in the policy.
- 7.39 As with Policy DR4 I have considered this policy carefully. In doing so I have taken account of DRPC's responses to the clarification note. Based on the evidence I have come to the same conclusion that I reached on Policy DR4. In this case the policy seeks to exercise an unnecessary degree of control on development on the edge of both Dickleburgh and Rushall beyond that which is already included in policies in the adopted Local Plan. Furthermore, in some cases the gaps concerned are limited in their nature, and, as described later this report naturally relate to the historic layout and configuration of built development in the neighbourhood area.
- 7.40 In reaching this conclusion, I acknowledge the commentary about the three smaller elements of local gap D in paragraph 4.58 of the Plan. Nevertheless, I am not satisfied that the approach taken in the policy meets the basic conditions and would contribute to the local delivery of sustainable development. I also acknowledge the sensitivity of the proposed local gap (C) in Rushall. However 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 not be supported by development plan policies.

**Delete the policy.**

*Delete paragraphs 4.54 to 4.58*

*Delete Figures 33-36*

General commentary

- 7.41 I have examined the two Gap policies in a matter-of-fact way against the basic conditions. In doing so, I have acknowledged that the distinctive arrangement of built development has generated DRPC's wish to ensure that the separation of Dickleburgh from other elements of built development in the parish continues throughout the Plan period.
- 7.42 In this context, I recommend that the two policies are replaced by a new policy which sets out to achieve this broader objective. As such the policy takes a general approach rather than that proposed in both Policies DR4 and DR5 which specifically identified physical gaps. This more general approach has been successfully taken in neighbourhood plans elsewhere, and is capable of being implemented through the development management process.
- 7.43 The proposed replacement policy focuses on safeguarding the physical distinction between Dickleburgh and Dickleburgh Moor (to the north), and Dickleburgh and Langmere (including White Horse Farm (to the east)). In recommending this approach I have concluded that Rushall is sufficiently separate from Langmere (including White Horse Farm) to its west to justify its incorporation within this replacement policy.

**Include a replacement policy (for Policies DR4 and DR5) to read:**

**Development Pattern**

**'The countryside in the parish will be protected from intrusive development. Development proposals should respond positively to the distinctive settlement pattern of the neighbourhood area and safeguard the physical distinction between Dickleburgh and the surrounding, isolated groups of development.**

**Development proposals that would result in an unacceptable reduction in the existing physical distinction of Dickleburgh with either Dickleburgh Moor (to the north of the development boundary) or Langmere (to the east of the settlement boundary) will not be supported.**

Include replacement supporting text to read:

***'The development pattern in the neighbourhood area***

*The distribution of built development is a key element of the character of the parish. Dickleburgh is a nucleated settlement and represents its principal concentration of built development. Rushall to the east is a hamlet which has a clear format. Within this overall context, other smaller areas of built development are found at Langmere (to the*

*east of Dickleburgh) and at Dickleburgh Moor on the Norwich Road (to the north of Dickleburgh). In combination this provides a characteristically rural distribution of development which results in the separation of the areas of built development.*

*There is a clear demand, as expressed through the consultation process within the parish, that the Plan should ensure the protection of key parish assets, to preserve and maintain the identity and character of the separate area of built development.*

*Maintaining the separation of built development will preserve and protect avian and mammal corridors (Green Corridors) through and around settlements. It will maintain the dark sky objective and define the edges of dominant human habitation.*

*The distinctive pattern of development in the neighbourhood area provides essential views of the important natural features within the parish and assist in maintaining the beauty and integrity of the natural environment, setting the human settlements within the historic and economic context of the landscape. Views of open countryside and fresh air have been demonstrated to have a positive impact upon well-being, and mental health and the maintenance and protection of the separate areas of built development will go some way in assisting the well-being of the residents in the parish.'*

Policy DR6: Heritage ditches, hedges, and verges

- 7.44 The context to this policy is the Plan's view that hedges and hedgerows add significantly to the biodiversity of an area as well as providing a historic context to the land and the environs, and therefore adding to an understanding of place whilst encouraging emotional and psychological health and well-being. The Plan also advises that ditches and hedgerows contribute to capturing and locking in carbon from the atmosphere.
- 7.45 The policy is part descriptive and part policy. It advises that ditches, hedges, and verges identified on the 1884 map of Dickleburgh and Rushall, and which still exist today (figure 44), are recognised as locally important in terms of their heritage and biodiversity value and should not be compromised.
- 7.46 Whilst the intention of the policy is clear, it is drafted in a non-policy format. In addition, its approach overlaps with other legislation which protects hedgerows (principally the Hedgerow Regulations 1997). This point is also made by SNC which is keen to ensure that the Plan does not contradict provisions and safeguards that already exist. In its response to the clarification note, DRPC advised that:
- 'Policy DR6 adds a reference point that is specific to Dickleburgh (the 1884 map showing hedges) which must be used by all developers. The policy would cover any size of existing hedge. There have been examples of removal of hedges in Dickleburgh which would have been protected by this policy had it been in place at the time of the development application being approved.'*
- 7.47 I have considered this matter carefully. Based on all the evidence I recommend that the policy is recast and simplified so that it requires that development proposals safeguard and enhance the existing network of ditches, hedges, and verges. I also recommend that the policy is worded so that it can be applied in a proportionate way

by SNC. This acknowledges that planning applications will have different implications on ditches and hedges (or no implications). Otherwise, the policy meets the basic conditions. It will contribute to the local delivery of the social and the environmental dimensions of sustainable development.

**Replace the policy with:**

**‘As appropriate to their scale, nature and location, development proposals should seek to safeguard and enhance the existing network of ditches, hedges, and verges.’**

*Replace paragraph 4.65 with: ‘Ditches, hedges and verges identified on the 1884 map of Dickleburgh and Rushall, and which still exist today (figure 44), are recognised as locally important in terms of their heritage and biodiversity value. In the context of the Hedgerow Regulation these features should not be compromised.’*

**Policy DR7: Design**

- 7.48 The policy advises that the design of all new development should reflect the rural nature and add to the beautification of the locality and that this can be achieved through design that is locally distinct and reflects the character of the parish.
- 7.49 The policy is underpinned by Housing Design and Character Guide (Appendix A). It advises that proposals for new housing development should accord with a series of criteria.
- 7.50 In general terms this is a good policy which responds positively to section 12 of the NPPF. For clarity I recommend that the second paragraph requires that development proposals should respond positively to the relevant parts of the Housing Design and Character Guide. I also recommend that the proposed proportionate application of the third part of the policy is expressed in a clearer fashion.
- 7.51 In the clarification note I raised several detailed matters about the criteria used in the final element of the policy. I also have taken account of DRPC’s responses to SNC’s commentary on other criteria in this part of the policy. In this context I recommend that several of the criteria are modified and that others are deleted. This acknowledges that some of the criteria go beyond what would normally be included in a design policy (such as the requirement for mains drainage), and others are very restrictive (such as the commentary about no overlooking). I am satisfied that the modified criteria will provide appropriate and robust guidance to developers and allow SNC to apply the policy’s approach through the development management process.
- 7.52 I also recommend a consequential deletion of paragraph 5.17 of the supporting text (on garden sizes) as it would no longer be consistent with the recommended modifications to criterion 7.
- 7.53 Otherwise, the policy meets the basic conditions. It will contribute to the local delivery of the social and the environmental dimensions of sustainable development.

**Replace the second paragraph of the policy with: ‘Development proposals should respond positively to the relevant parts of the Dickleburgh and Rushall Neighbourhood Plan Housing Design and Character Guide (Appendix A).’**

**Replace the third part of the policy with: ‘As appropriate to their scale, nature and location, development proposals for new housing development should meet the following criteria:’**

**In the third part of the policy:**

**Replace criterion 2 with: ‘the density of the development should reflect that of the surrounding area whilst making the best use of land.’**

**Replace criterion 4 with: ‘roof pitches should reflect those on adjacent properties whilst providing a degree of informality which is a characteristic of the rural character of the settlement’**

**Delete criterion 6.**

**Replace criterion 7 with: ‘the size of garden should naturally relate to the size of the plot/application site concerned and, where practicable, be arranged to complement the relationship between the village and the surrounding countryside.**

**Delete criterion 8.**

**Replace criterion 10 with: ‘Wherever practicable development proposals should comply with Secured by Design Principles’**

**Delete criterion 11.**

**In criterion 12 replace ‘All development plans should have due regard’ with ‘Development proposals should have regard’**

*Delete paragraph 5.17 and Figure 45*

**Policy DR8: Local Housing Need**

- 7.54 This is a wide-ranging policy on local housing needs. It comments about both the size of houses to be delivered, and the mix of housing types. There is a degree of overlap between this general policy and Policy DR20 which addresses the expected approach to the delivery of new homes on the proposed allocated site.

- 7.55 SNC comments that:

*‘Starter Homes are no longer relevant and have been replaced by First Homes. The Policy should be reviewed to ensure this does not affect the applicability of the Policy and should be updated where necessary.*

*The policy states that the mix of new housing should be based on the most up-to-date Strategic Housing Market Assessment and community preferences. This does not suggest any kind of hierarchy or process, and therefore the Council would have to*



*question what would happen in situations where these two sources are in conflict. This could result in the policy being usurped by the policy in the Greater Norwich Local Plan, which may not reflect the desires of the community.'*

- 7.56 SNC also makes a series of technical comments on the supporting text.
- 7.57 I have considered these issues very carefully and within the context of DRPC's response to SNC's comments. I recommend that the policy is recast so that it does not include the schedule of house types that are included in the second part (as submitted). As SNC advise that approach does not identify any hierarchy or process and, as such, it does not provide any clear guidance for the development industry (as it promotes proposals) or SNC (as it would determine planning applications). I also recommend consequential modifications to the supporting text. The modification to paragraph 5.31 highlights the house types as ones which the Parish Council would welcome as part of the delivery of new homes in the Plan period.
- 7.58 I have noted SNC's commentary about the way in which the Plan includes elements of the NPPF. Whilst this generates a detailed Plan, the deletion of such commentary is not necessary to ensure that the Plan meets the basic conditions. Otherwise, the policy will contribute to the local delivery of the social dimension of sustainable development.

**Replace the policy with:**

**'Development proposals that would deliver ten or more homes should provide a range and mix of housing sizes, to meet the housing needs of the parish**

**Where it is commercially-viable to do so, the mix of new housing should be provided in accordance with current and future local needs identified in the most up-to-date Strategic Housing Market Assessment.'**

*Replace paragraph 5.31 with:*

*'Delivering a wide choice of high-quality homes is essential to support a sustainable, mixed, and inclusive community. There is a demand for a range of property sizes and types to meet the current needs of the community, along with suitable accommodation to meet changing needs of some older residents. Policy DR8 looks to support the approach taken in the South Norfolk Strategic Housing Market Assessment 2017 (and as updated in 2019). In this broader context the Parish Council would welcome the delivery of the following house types in new developments in the Plan period:*

- *Housing suitable for older people and those with disabilities, including bungalows;*
- *Smaller homes;*
- *First Homes;*
- *Affordable Housing, as part of a mixed development; and*
- *Custom-build properties.'*

*Replace paragraph 5.32 with:*

*'The Neighbourhood Plan supports an appropriate level of affordable housing for rent. All future development must comply with the national and district guidelines for the*

*percentage of affordable housing as defined at the time of the implementation of a development. The Neighbourhood Plan supports South Norfolk District Council's adopted standard cascade format. In this context the Parish Council notes South Norfolk Council's approach that all affordable homes for rent via Section 106 obligations will have a local priority.'*

Policy DR9: Valued Community Assets

- 7.59 The Plan advises that the parish has several important community assets that enable a vibrant village life. They are shown in figure 46. The Plan comments that as the parish grows it is important that these are improved, adapted, or extended where required and more community assets are provided.
- 7.60 I saw the importance of the various community facilities during the visit and on the day of the hearing.
- 7.61 The policy advises that proposals for the improvement, adaptation or extension of existing community infrastructure will be supported where they comply with other development plan policies. It also comments about the limited circumstances in which proposals for the loss of a community asset will be supported.
- 7.62 The policy takes a positive approach to community facilities and has regard to Section 8 of the NPPF. In addition, I am satisfied that the facilities identified in the policy have been identified in an appropriate way. Furthermore, the policy acknowledges that the use and or viability of community facilities may alter in the Plan period. In this overall context I am satisfied that the policy meets the basic conditions. It will contribute to the local delivery of the social dimension of sustainable development.

Policy DR10: Parking for the building of new houses or conversions

- 7.63 The Plan explains that the context to this policy is wide and varied, and relates to the rural character of the neighbourhood area and the lack of parking spaces in many of the traditional properties in both Dickleburgh and Rushall. The policy proposes different parking standards to those more generally applied by the County Council to reflect the rural nature of the parish.
- 7.64 On balance I am satisfied that the policy is supported by appropriate evidence. In addition, the policy acknowledges that the specified standards may not always be practicable to achieve. In this context I recommend that the policy is recast so that it has a more natural flow and deletes the unnecessary explanation/supporting text.
- 7.65 I also recommend the deletion of the third part of the policy on EV charging facilities given that this matter is comprehensively addressed at a national level in the Building Regulations. Otherwise, the policy meets the basic conditions. It will contribute to the local delivery of the social and environmental dimension of sustainable development.

**Delete the first sentence of the first part of the policy.**

**Replace the second and third parts of the policy with:**

**‘Where meeting these standards is neither feasible nor practicable, provision for any deficiency may be achieved by provision of car spaces adjacent to the relevant dwellings in small car parks and, within streets designed to safely accommodate such parking. Overall car parking levels should meet Norfolk County Council’s ‘Parking Guidelines for new developments as a minimum.**

**All car parking should be arranged in a way that is not dominant or detrimental to the sense of place or amenity of adjoining properties and where possible it should be softened by planting.’**

Policy DR11: Water harvesting

- 7.66 The context to the policy is the Plan’s view that rainwater harvesting offers numerous advantages that make it a viable solution for water scarcity and pollution. The Plan advises that the adoption of rainwater harvesting can lead to significant cost savings by reducing reliance on mains water supply, especially for non-potable uses like gardening and flushing toilets.
- 7.67 The policy advises that it is expected that all new development (homes, community buildings, and commercial units) should make use of on-site grey water harvesting inside the building for water use that does not require purified water for drinking. It also advises that this approach should be designed into the new development from the outset.
- 7.68 The policy takes a positive approach to this matter and has regard to Section 14 of the NPPF. I recommend that the first part of the policy is modified so that it can be applied proportionately by SNC. I also recommend that the second part of the policy is modified so that missing words are included and that it more naturally flows from the first part (and where the grey water harvesting approach is not practicable). Otherwise, the policy meets the basic conditions. It will contribute to the local delivery of the social and environmental dimension of sustainable development.

**Replace the policy with:**

**‘As appropriate to their scale and nature, development proposals should make use of on-site grey water harvesting inside the building for water use that does not require purified water for drinking. This should be designed into the new development from the outset.**

**Where this approach is not practicable, more ambitious water efficiency standards should be included to help reduce potable water use in new homes to 100 litres per person per day through a ‘fixtures and fittings’-based approach, in line with the Environment Improvement Plan Roadmap to Water Efficiency new standard for new homes in England.’**

Policy DR12: Flooding and surface water drainage issues

- 7.69 This is a comprehensive policy underpinned by detailed supporting text. The policy has a general element and the following three key components:
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- proposals for the development of three or more dwellings should include sustainable drainage systems unless it is impracticable to do so;
- any surface water drainage ponds associated with development should appear natural and be able to be colonised by the local flora and fauna whilst maintaining their designed purpose; and
- the planting of trees, hedges and grasslands, and the creation of ponds, ditches and swales will be preferred as a method to enable water absorption and drainage.

7.70 In general the policy takes a positive response to these issues which has regard to Section 14 of the NPPF. In this context I recommend the following modifications to bring the clarity required by the NPPF and to allow SNC to implement the policy through the development management process:

- the relocation of the explanatory text in the second part of the policy into the supporting text; and
- the acknowledgement in the final part of the policy that the approach specified may not apply to all types and scale of development, and the use of wording which is more explicit about its requirements (rather than the preferred method).

7.71 Otherwise, the policy meets the basic conditions. It will contribute to the local delivery of the social and environmental dimension of sustainable development.

**In the second part of the policy delete the second sentence.**

**Replace the final part of the policy with:**

**‘The planting of trees, hedges and grasslands, and the creation of ponds, ditches and swales should be used as the method of enabling water absorption and drainage unless site specific conditions require an alternative approach.’**

*At the end of paragraph 5.58 add the deleted second sentence from the second part of the policy*

Policy DR13: Cordon Sanitaire

7.72 The policy seeks to establish a cordon sanitaire around the sewage works. It advises that new housing, commercial or industrial development within a radius of 400 metres of the Sewage Works should not occur. The policy advises that this approach does not apply to modifications to existing homes, commercial or industrial buildings, and essential services, and maintaining or improving existing services. It also comments that such proposals must demonstrate they would not prevent or prejudice the operation of Anglian Water’s water recycling centres through the submission of an impact assessment.

7.73 SNC comments that:

*‘it is not clear through the supporting text of this policy how the 400m limit has been determined. Strong justification will be required, especially considering the scale of the*

*area being covered. The cumulative impact of this policy, along with others such as DR4 and DR5, is that it appears to be actively seeking to prevent development of any kind in this area. This is not the purpose of Neighbourhood Plans and would put it in conflict with the Basic Conditions.'*

7.74 In its response to the clarification note DRPC advised that:

*'400m is based on the current distance of the properties that have flooded from the sewage works in recent years. During our consultation with Anglia Water we were informed, that the sewage works at Dickleburgh were working at around 70% capacity, and should an additional housing development be added it would exceed capacity and require expansion (Anglia Water consider 80% capacity to be the safe maximum). There are already very regular incidents of smells of excrement wafting down Norwich Road, Rectory Road and associated roads. There have also been incidents of flooding from the sewage works again with excrement entering the stream, excrement on Norwich Road and in the gardens of the bungalows on the west side of Norwich Road.'*

7.75 I have considered this policy carefully. On the one hand its intentions are very laudable and reflect recent experiences and public feedback. However, on the other hand the approach taken is a very blunt tool. As Figure 52 shows, the proposed cordon sanitaire would protrude into parts of Dickleburgh. In addition, a rigid application of the policy would have the clear ability to frustrate proposals which would otherwise be sustainable development.

7.76 In these circumstances I recommend that the policy and the supporting text are deleted. In doing so I am satisfied SNC's planning powers and other environmental controls would be unaffected by this recommended modification, and that any breaches of environmental legislation could be pursued.

7.77 I am aware that the proposed cordon sanitaire has been used as part of the site selection process (addressed in more detail in my commentary on Policy DR20 later in this report. I am satisfied that the distance of new housing from a sewage works is a reasonable issue to be addressed in that process, and that there is no obvious conflict between the SEA process and my recommended deletion of this policy.

### **Delete the policy**

*Delete paragraph 5.60 and Figures 51 and 52.*

Policy DR14: Carbon offsetting for new builds

7.78 The policy comments that the parish will work towards becoming a low carbon community. It also advises that developers will be expected to address a series of climate change mitigation measures.

7.79 In a general way the policy takes a positive approach and has regard to Section 14 of the NPPF. However, in this context I recommend that the opening sentence is deleted and repositioned to the supporting text. This acknowledges that it is a statement of intent rather than a land use policy.

- 7.80 I also recommend the deletion of the final part of the policy. As the supporting text advises, it comments about emerging technology rather than an established national policy.
- 7.81 SNC recommend that the extensive supporting text is reduced in scale. This would be an appropriate approach. However, it is not necessary to ensure that the Plan meets the basic conditions.
- 7.82 Otherwise, the policy meets the basic conditions. It will contribute to the local delivery of the social and the environmental dimensions of sustainable development.

**Replace the policy with: ‘As appropriate to their scale, nature and location, development proposals should incorporate the following climate change mitigation measures: [list a-f from the submitted policy]’**

*At the end of paragraph 5.61 add: ‘In this context Dickleburgh and Rushall parish will work towards becoming a low carbon community.’*

#### Policy DR15: Local traffic Generation

- 7.83 The Plan advises that the context to the policy is that the neighbourhood area has a high dependency on the car. The only public transport is a bus service, which is inconsistent for worker’s needs. Dickleburgh sits an equal distance from the major towns of Ipswich and Bury St. Edmunds and the City of Norwich. It also comments that there are key times during the school-working day where there are significant vehicular movements. These occur at the beginning and end of the school day when children from locations other than Dickleburgh are dropped off or collected. The Plan advises that the influx of traffic at these key times is highly disruptive to residents on The Street, Harvey Lane, Rectory Lane, Rectory Road, and Ipswich Road.
- 7.84 The policy comments that any new development of three or more homes on a single plot, community buildings and/or commercial development, should quantify the level of traffic movement they are likely to generate and its cumulative effect on the traffic flow within the parish. It goes on to advise that mitigation measures should be put in place where there may be a detrimental impact on road safety, pedestrian movement, cycle safety, horse riders, parking, and traffic flow.
- 7.85 SNC comments that it
- ‘(queries) the figure of ‘3 or more homes’ as a threshold for significant development and, in this instance, for the requirement of an assessment of traffic movement which goes further than the NPPF (para. 118 - requiring developments ‘that will generate significant amounts of movement’ to be supported by a transport assessment)’*
- 7.86 DRPC comments:
- ‘The table on 5.28 shows the growth of Dickleburgh and other local villages over the last 20 years. The result is that with an average population rise of 7.68 per year, the development of 3 homes per year would continue that trend. Three homes is therefore a significant development within the community.’*

- 7.87 I have considered the policy very carefully. I saw the traffic levels in the parish during the visit and on the day of the hearing. On the one hand it was clear that there are peaks in traffic and congestion, mainly based around the beginning and end of the school day in general, and in Harvey Lane and the junction of Harvey Lane with Norwich Road. On the other hand, such peaks of traffic use are not uncommon in rural villages with schools. Furthermore, the traffic generated by schools is often more general in nature rather than a matter that would be solely related to the new developments in the parish.
- 7.88 On the balance of the evidence, I recommend that the policy is modified so that it comments more generally about the need for development proposals to assess their traffic impact rather than the specific thresholds proposed in the policy. I also recommend the deletion of the second part of the policy (on the roads most affected) as this issue is already fully addressed in the supporting text. Finally, I recommend that the final part of the policy is deleted and incorporated into the supporting text. This acknowledges that it describes the types of mitigation works which may be acceptable. Otherwise, the policy meets the basic conditions. It will contribute to the local delivery of the social and the environmental dimensions of sustainable development.

**Replace the policy with:**

**‘Development proposals should quantify the level of traffic movement they would generate and their cumulative effect on traffic flow.**

**Where necessary, development proposals should incorporate mitigation measures to manage the impact of the development on road safety, pedestrian movement, cycle safety, horse riders, parking, and traffic flow.’**

*At the end of paragraph 6.8 add:*

*‘Policy 15 comments about the potential need for development proposals to mitigate their effects on the local highways network. Mitigation measures could include traffic calming, changes to road layout, pavement improvements and crossing points.’*

Policy DR16: walking, cycling and horse-riding

- 7.89 The policy advises that, as appropriate to their scale, nature and location, the design of new residential developments, community buildings and new commercial units, developers should seek to enhance and join up networks of footpaths, green paths and cycle ways (including Public Rights of Way, figure 53) that are suitable for all users, within their designs and layouts. It also comments that new provision should encourage alternatives to using private cars, and that footpaths and cycle ways should be visible, use permeable material and be green under foot.
- 7.90 In general the policy takes a positive approach to these matters and has regard to Sections 8 and 9 of the NPPF. In this context I recommend that the final elements of the first part of the policy are modified so that they are clear and remove the potentially onerous requirement for footpaths to be green under foot. I also recommend the deletion of the final part of the policy as it addresses a highways matter (pavements and dropped kerbs) rather than a land use planning issue

- 7.91 Otherwise, the policy meets the basic conditions. It will contribute to the local delivery of the social and the environmental dimensions of sustainable development.

**Replace 'Footpaths and cycle ways should be visible, use permeable material and be green under foot. They should be separate from roads where possible' with 'Footpaths and cycle ways should use permeable materials and should be separate from any adjacent and associated roads where practicable.'**

**Delete the final part of the policy.**

Policy DR17: Green corridors

- 7.92 The Plan comments that the parish is rural, a place of open fields and views, sitting among high-quality agricultural land, and is home to several County Wildlife Sites.
- 7.93 In this context the policy advises that proposals for new development will be expected to retain, protect, and enhance existing green corridors within the parish (figures 59, 61 and 62). It also comments about the Norfolk Local Nature Recovery Strategy.
- 7.94 The second part of the policy comments that development proposals must demonstrate how it will support the green corridor network, where it may affect them and contribute to a biodiversity net gain. It advises about the ways in which such an approach could be achieved in the parish. The third and fourth parts of the policy provide specific details to supplement the details in the earlier parts.
- 7.95 In general terms the policy takes a positive approach to these issues and has regard to Section 15 of the NPPF. In this context I recommend the following modifications to bring the clarity required by the NPPF and to allow SNC to be able to apply the policy through the development management process:
- to introduce a proportionate element into the first and second parts of the policy;
  - to ensure that the first part of the policy is more clearly expressed;
  - the deletion of the third part of the policy given that it explains a process to be followed rather than setting out a land use policy; and
  - to simplify the wording used in the fourth part of the policy
- 7.96 I also recommend consequential modifications to paragraph 7.16 to incorporate the deleted element of the policy and to make the commentary more specific to the circumstances in South Norfolk. Otherwise, the policy meets the basic conditions. It will contribute to the local delivery of the social and the environmental dimensions of sustainable development.

**Replace the first part of the policy with:**

**'As appropriate to their scale, nature and location development proposals should retain, protect and, where practicable, enhance existing green corridors (as shown on figures 59, 61 and 62) and respond positively to the Norfolk Local Nature Recovery Strategy.'**



**Replace the second part of the policy with:**

**‘As appropriate to their scale, nature and location development proposals should demonstrate how they will support the green corridor network and contribute to biodiversity net gain. As appropriate to the development concerned, this could be achieved through the following:’**

**Delete the third part of the policy.**

**Replace the fourth part of the policy with:**

**‘Wherever it is practicable to do so, new roads should be built with open ditches, green verges and hedges designed and positioned to support wildlife and biodiversity.’**

*Replace paragraph 7.16 with:*

*‘Developers should consider biodiversity net gain early in the development process and factor it into site selection and design. Where appropriate, they should discuss the biodiversity net gain requirements for their development with South Norfolk Council. In addition, there are minimum national information requirements related to biodiversity net gain. These requirements will allow consideration of existing habitat baselines for relevant applications so there is a common understanding about the pre-development biodiversity value of the development’s onsite habitat at this stage. Where appropriate developers should provide a detailed and budgeted plan to evidence how biodiversity net gain will be sustained over the longer term (a minimum of 10 years).’*

Policy DR18: Local Green Spaces

- 7.97 This policy proposes eight Local Green Spaces (LGSs). I looked carefully at the various LGSs during the visit. Appendix B comments about the way in which each LGS meets the criteria in Section 8 of the NPPF.
- 7.98 Based on my observations and the evidence in Appendix B I am satisfied that proposed LGSs A-F and H meet the basic conditions.
- 7.99 LGS G is The Green around the Gables and between the Gables, number 42, and the water treatment plant. Appendix B comments that:
- the area defines the historic perspective of the Village. It provides an understanding of the Moorland and its historic construction of the northern part of the village of Dickleburgh creating an eastern spread. It marks the edge of the Village as late as the 19th Century. The land itself is historically significant as well as providing a setting for, and allow views of, the Moor and the village. Dickleburgh is rich in archaeology ranging from pre-Bronze Age to 19th century
  - (Public right of way) 2 is probably the most used public right of way in the village of Dickleburgh, enabling ramblers and walkers to access Dickleburgh Moor and the network of Quiet lanes and public rights of way throughout the parish. It provides understanding and context of the development of the north of the village of Dickleburgh

- This LGS contributes significantly to the landscape and character of the village, the local identity and provides a sense of place, and makes a unique contribution to the physical form and layout of the village. It links up with Dickleburgh Moor and allows views through and beyond the village

7.100 In its capacity as the owner of the site, SNC objected to the designation and commented that it:

*'question(s) the basis on which the site is deemed to be demonstrably special to the community (pages 142/143). The Public Right of Way which is referred to runs north along the eastern boundary (not across the site) and, whilst views of the moor might be observed from this footpath (as set out in key view 4 of Policy DR3), it is unclear as to how the remainder of the field is deemed to be demonstrably special.'*

7.101 The matter was addressed in detail at the hearing and SNC consolidated its earlier representation on the matter. In doing so, it provided information relating to the original purchase of the site by an earlier local authority and advised that the land is currently leased for agricultural purposes. SNC also commented that there is nothing in the deeds for the site which indicate any support for its public use.

7.102 At the hearing DRPC submitted a detailed note which commented about the way in which it considers the parcel of land to be demonstrably special and hold a particular significance to the local community.

7.103 I have considered this matter very carefully. In doing so I looked at the proposed LGS for a second time immediately after the hearing.

7.104 I am satisfied that the proposed LGS is in reasonably close proximity to the community it serves (NPPF paragraph 106a) and is local in character (NPPF paragraph 106c). A key element of the proposed designation is the extent to which it is demonstrably special and holds a particular significance to the local community (NPPF paragraph 106b). DRPC sets out a detailed case on this matter. Nevertheless, on the balance of the evidence, I am not satisfied that the proposed LGS meets this test. In my view it has no clear real definition and is largely indistinct from surrounding countryside. In this context its relationship is with the surrounding countryside to the north and east rather than to the village of Dickleburgh.

7.105 I have also considered the proposed LGS against the more general criteria in paragraph 105 of the NPPF. In the round I am satisfied that its designation would be consistent with the local planning of sustainable development and complement investment in sufficient homes, jobs, and other essential services. However, I am not satisfied that the proposed designation is capable of enduring beyond the end of the Plan period given its current agricultural leasing arrangements.

7.106 In all the circumstance I recommend the deletion of proposed LGS G from the policy and Figure 66.

7.107 The policy wording takes the matter-of-fact approach used in paragraph 108 of NPPF. Nevertheless, I recommend that the supporting text is modified so that it clarifies that the selection of the LGSs has been underpinned by the tests in the NPPF. As set out

in the submitted Plan it suggests (albeit unintentionally) that it was led by guidance produced by the Open Spaces Society. Otherwise, the policy meets the basic conditions. It will contribute to the local delivery of the social and the environmental dimensions of sustainable development.

### **Delete LGS G**

*Delete LGS G from Figure 63*

*In paragraph 7.36 replace the final sentence with: 'The proposed local green spaces have been assessed principally against the guidance in Section 8 of the NPPF. The Parish Council has also used general information provided by the Open Spaces Society to supplement the NPPF tests.'*

### **Policy DR19: Dark Skies**

- 7.108 The policy seeks to safeguard the existing dark skies in the neighbourhood area. It advises that development proposals should take account of the parish's existing dark skies Light Management Plan (Appendix F) and seek to limit the impact of light pollution from artificial light (figure 64 and 65). It also comments that street lighting will not be supported on any development. For individual dwellings, lighting necessary for security or safety should be designed to minimise the impact on dark skies by, for example, minimal light spillage, use of down lighting, movement sensitive lighting and restricting hours of lighting.
- 7.109 In general the policy takes a positive approach to these matters. Nevertheless, some of its elements are very restrictive and fail to acknowledge that appropriate mitigation can reduce the impact of lighting. In these circumstances I recommend the deletion of the unreasonable elements and that the policy is broken down into its component elements.
- 7.110 Otherwise, the policy meets the basic conditions. It will contribute to the local delivery of the social and the environmental dimensions of sustainable development.

### **Replace the policy with:**

**'Development proposals should take account of the parish's existing dark skies Light Management Plan (Appendix F) and limit the impact of light pollution from artificial light (figure 64 and 65).**

**For individual dwellings, lighting necessary for security or safety should be designed to minimise the impact on dark skies by, for example, minimal light spillage, use of down lighting, movement sensitive lighting and restricting hours of lighting.**

**Lighting that would cause unacceptable disturbance or risk to wildlife will not be supported.'**

## Policy DR20: Allocation

- 7.111 The context to the policy is that the Plan is required to allocate a minimum of 25 new homes over the plan period up to 2042. The Plan advises that the site sits well within the village, and it is relatively well-hidden laying between the West of the village and the A140
- 7.112 The Plan allocates land to the west of Dickleburgh (SN0516) and as shown Figure 66 for residential development, to accommodate up to 25 new homes of mixed type, tenure, and size. It also advises that the mix should include:
- starter homes;
  - affordable Homes;
  - custom built homes; and
  - lifetime homes.
- 7.113 I looked carefully at the site during the initial visit. Along with the relevant participants I visited the site during the hearing.
- 7.114 This policy is a major element of the Plan both generally, and as it seeks to deliver the strategic housing requirement for the neighbourhood area as set out in the GNLP. The proposed allocation was addressed at the hearing held in October 2025. The hearing generated a significant amount of documentation and commentary which is available on SNC's website. I comment on the policy under three main headings as follows:
- the proposed density of the site and making the best use of allocated land;
  - the SEA process; and
  - the way in which the proposed site would secure access to the highway

### *Density/Best use of allocated land*

- 7.115 As the Plan describes, the proposed allocation is a large greenfield site, and is to the west of Norwich Road and the development known as Brandreth Close.
- 7.116 National planning policy provides a clear context for this matter. Paragraph 123 of the NPPF advises that 'planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.' Paragraph 128 comments further on densities and advises that planning policies and decisions should support development that makes efficient use of land, taking into account a series of issues, the first of which is the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it.'
- 7.117 SNC comments that:

*'The Council is supportive of the Neighbourhood Plan allocating 25 dwellings as required by the emerging South Norfolk Village Clusters Housing Allocations Plan. It is also supportive of many of the criteria included in the policy, such as requiring a coordinated approach and the preservation of historic and natural assets.'*

*The site area and proposed density has not been included in the policy, and it should be noted that GNLP Policy 2 requires the efficient use of land. This was raised by the Council previously and has not been addressed. The area of DR20 appears to measure approximately 3.5 ha. which calls into question if the site is making effective use of the land, as required by policy, and the viability of the site. It does not appear that any viability evidence has been provided, as recommended by the Council previously. Thought should be given to allocating more homes on DR20 or reducing its site area.*

*The viability of the site could also be questioned relating to the final element of the policy which encourages the incorporation of sustainable design solutions. Without establishing the viability of the site, it can be questioned if this element of the policy will be able to be applied whilst ensuring the site is deliverable.'*

- 7.118 At the hearing SNC consolidated its earlier representation and advised that it would traditionally expect a site of this nature to yield around 25 homes/hectare. It acknowledged that it understood that DRPC was seeking to secure the development of the site within the wider context of the suite of policies in the submitted Plan.
- 7.119 At the hearing DRPC commented about the way in which it had considered the density of the site against the density of existing housing in Norwich Road, Burston Road and The Street. It also explained that its broader thinking in the Plan (as expressed in various policies) about environmental matters suggested that a liberal view should be taken on the proposed density of the site. I also note that paragraph 8.8 of the Plan comments that the site offers opportunities to embrace the Plan's requirements of rurality, provide space to mitigate against flooding, opportunities for significant water harvesting, carbon capture/offsetting schemes, and strategies to increase biodiversity net gain.
- 7.120 At the hearing agents acting for the owner of the site submitted indicative drawings for the site, and advised that it was content with the proposed numerical yield of the site. It also highlighted that significant elements of the site would be devoted to open space.
- 7.121 I have considered these issues very carefully, and addressed the ability of the proposed site to accommodate residential development in the Plan period. On the one hand, the site would be developed at a density much lower than would be expected of a neighbourhood plan allocation in a village in South Norfolk. On the other hand, I saw evidence that DRPC and the site owner were working together to bring forward a detailed scheme both for the development of the site itself, and to secure its relationship to an area of land to its east (and adjacent to the existing development at Brandreth Close). Nevertheless, on the balance of the information, I am not satisfied that there is sufficient information to suggest that the low density of the development of the site justifies taking an approach which does not have regard to national planning policy.

#### *Strategic Environmental Assessment*

- 7.122 The preparation of the Plan resulted in the publication of two environmental reports (January 2023 and December 2024). The approach taken on this matter was

addressed in a detailed representation from Mr and Mrs Patching and Rebecca Walkley and Len Liggins. In summary the Patching commentary advised that:

*'The 2023 SEA concurred with the residents' choices and SG selected sites and so no further consideration was given to other sites which had, for various legitimate reasons, been judged inappropriate and ruled out. The 3 'preferred sites' held good throughout the Plan's lengthy process and were still included at Section 8, Site Selection in July 2024 when the 'finished' plan was circulated to the SG*

*In our opinion the December 2024 SEA is not a natural iteration of the January 2023 SEA. Instead, it adopted a new methodology, requiring one site to take the full allocation whilst also excluding supported preferred sites and introducing new ones previously legitimately excluded, the outcome of due consideration by the SG over many years i.e. to protect the Settlement Gap between Dickleburgh and Langmere. The Settlement Gap policy was a key objective of the Plan which responded to the strong aspirations of the residents. In addition, these sites had previously scored lower in all tables.*

*The December 2024 SEA does not properly underpin the site selection process but is a material redirection of the NP preferred sites and the first SEA. As previously explained, there was no further site selection process after the second SEA was produced. The December 2024 version of the new SEA, 58 pages compared with the previous 100 pages, still appears inaccurate in its content, especially at Table 3.2, despite a massive undertaking to amend numerous errors (Appendix 9) discovered in the first version produced in October. This exercise was carried out in November 2024 by designated core members of the SG, when the new error riddled SEA emerged.'*

- 7.123 The matter was considered in detail at the hearing. The local residents identified in paragraph 7.122 prepared a detailed written statement for the hearing. Following the hearing Aecom submitted detailed comments on the SEA process as follows:

*'In the first instance we note the role of the SEA, whilst it considers site options and growth strategies, the SEA does not select sites for allocation. The SEA process supports the evidence base for the plan. In this respect, it is intended to support plan-making and decision-making undertaken by the Qualifying Body (i.e., the NP steering group). A particular requirement of the SEA is to assess the preferred plan approach alongside 'reasonable alternatives'.*

*Reasonable alternatives were established following consideration of strategic factors (housing need, completions & commitments), and land supply options (site options).*

*This is detailed in Chapter 5 of the first Environmental Report (January 2023) and in Chapter 3 of the second Environmental Report (December 2024).*

*The second SEA Environmental Report (December 2024) is an iteration of the first SEA Environmental Report (January 2023), in that the process to arrive at reasonable alternatives was repeated in 2024 considering updated evidence and consultation feedback. Two key changes affected the alternatives as they had been established in 2023:*

1. *Consultation feedback from South Norfolk Council raised concerns in relation to the proposed 'Settlement Gaps' policy which resulted in plan changes (reduced*

designated areas). This had minor implications for the SEA. Additionally, the response from the Council highlighted a need for the SEA to include the sites that fell within the proposed settlement gaps, which would ultimately mean revisiting and updating the alternatives assessed through the SEA to date.

2. One site that had previously been considered through the SEA (Site 3, which formed part of Option 3) could no longer be confirmed by the Qualifying Body as available over the plan period. Without the confidence that this site could be delivered over the plan period, it was no longer considered a 'reasonable alternative'.

These changes are ultimately what underpinned the decision that a new SEA was necessary. In the second SEA Environmental Report (December 2024) more sites were identified as potential alternatives, which led to the appropriateness of undertaking a 'points of the compass' approach through the assessment, exploring the effects of development in various locations around the settlement. The SEA highlights merits and constraints associated with the sites in these locations, and these findings have fed into plan and decision-making (undertaken by the Qualifying Body).

In establishing alternatives, the SEA identifies sites that are not considered to form reasonable alternative options, particularly sites that do not support the objectives of the plan. Of note, this includes sites that fall within the 'Cordon Sanitaire', with the SEA stating that "development at these options could be viewed as undermining the work to date with Anglian Water to protect future development and the health and wellbeing of future residents". Site 19 has not been confirmed as available over the course of plan-making, and Site 3 fell away post-Regulation 14 consultation as this site also could not be confirmed as available. Additionally, Site N1 was discounted as no reasonable access to the site could be established.'

- 7.124 Following the receipt of this note from AECOM the local residents were invited to comment further
- 7.125 I have considered the way the SEAs were prepared very carefully. I have taken account of the debate on the matter at the hearing and the additional comments received from the local residents following the hearing and the receipt of the AECOM note.
- 7.126 On the one hand, the SEA process has been more complicated than is usual, and the second SEA addresses a series of matters which had altered in a significant way after the first SEA had been published. Nevertheless, I am satisfied that the process has been properly undertaken. Indeed, it is best practice for an updated version of an environment report to be prepared during the Plan preparation process given that the SEA process is intended to be iterative and to underpin the most up-to-date version of the plan.
- 7.127 In coming to this conclusion I have taken account of the nature of my role which is to examine the Plan against the basic conditions rather than to investigate the details of disagreements within the Steering Group. Whilst the local disagreements have been unfortunate, they are not uncommon. In addition, they highlight that the preparation of a development plan is often challenging and different people will have their own views about how the process is delivered locally.

## Highways Access

7.128 Neither the policy nor Figure 66 offer any detailed advice on the way in which the proposed site would secure access to the highways network. Paragraph 8.7 of the supporting text comments generally that access will be achieved from the Brandreth Close development onto the Norwich Road.

7.129 Following the hearing SNC and Rural Solutions Limited (acting for the owners of the site) collectively advised that the outline permission 2018/0980 for seven affordable homes, seven custom-build homes and eight accessible dwellings for older people on land to the immediate east of the proposed site allocation had now lapsed. That development would have otherwise provided access to Norwich Road (to the east) via the existing Brandreth Close development.

7.130 Following the hearing SNC sought further commentary from Norfolk County Council (as the highways authority) about DRPC intentions (supported by Rural Solutions) to secure access to the site. It advised that:

*'The core issue with this allocation is that it does not adjoin the public highway. Establishing a connection would require third-party land, which lies outside the red line boundary of the proposed allocation.'*

*The suggested route to the highway relies on a constructed development that has not yet been adopted as highway, as well as a further site with outline consent but with no further detail available. As such, there is no certainty that this link will be delivered. For us to support the allocation, a direct connection to the highway is essential, and therefore an adopted link between the site and the existing highway boundary must be available in order to allocate the site.*

*In addition, the newly constructed estate road appears to be approximately 4.8 metres wide, with a single 1.8 metre footway. To support the proposed scale of development (62 dwellings), we would typically expect an estate road of 5.5 metres in width with footways on both sides.*

*Unfortunately, based on the above concerns, we must continue to object to this allocation.'*

7.131 Having considered all the available information I have concluded that the proposed allocation cannot secure a direct connection to the highways network, and the planning permission which would have provided the potential to deliver such an access has now lapsed. As the County Council comment there is no certainty provided in the submitted Plan that a such link will be secured.

## Conclusion

7.132 The detailed elements against which I have assessed the policy can be summarised as follows:



- I am not satisfied that there is sufficient information from DRPC/the site owners to suggest that the low density of the development of the site justifies taking an approach which does not have regard to national planning policy;
- I am satisfied that SEA process has been properly undertaken; and
- I am not satisfied that there is sufficient assurance to indicate that the site can secure an access to the highways network.

7.133 Given the conclusion that I have reached on the access issue I have no alternative other than to recommend the deletion of the policy. The proposed allocation cannot secure a direct connection to the highways network, and the planning permission which would have provided the potential to deliver such an access has now lapsed.

7.134 In recommending the deletion of this policy I acknowledge that its outcome will be that the Plan does not allocate a site to meet its overall strategic housing requirements as set out in the GNLP. This is a matter which will need to be resolved locally. Plainly DRPC will have the opportunity to assess if it wishes to undertake an early review of any made neighbourhood plan to achieve the level of housing growth in the parish anticipated by the GNLP.

### **Delete the policy**

*Delete paragraphs 8.1 to 8.12 and Figure 66.*

#### **Other Matters - General**

7.135 This report has recommended a series of modifications both to the policies and to the supporting text in the submitted Plan. Where consequential changes to the text are required directly because of my recommended modification to the policy concerned, I have highlighted them in this report. However other changes to the general text may be required elsewhere in the Plan because of the recommended modifications to the policies. Similarly, changes may be necessary to paragraph numbers in the Plan or to accommodate other administrative matters. It will be appropriate for SNC and DRPC to have the flexibility to make any necessary consequential changes to the general text. I recommend accordingly.

*Modification of general text (where necessary) to achieve consistency with the modified policies and to accommodate any administrative and technical changes.*

#### **Other Matters – Specific**

7.136 SNC has made a series of comments on the policies and the supporting text. Where they are directly related to the policy concerned, I have addressed the issues within the main body of this report.

7.137 I recommend a series of other more general modifications based on SNC's more general comments. I use the SNC reference system as used in its initial representation on the Plan:

- Section 1
- Paragraph 4.31

- Figure 40
- Paragraph 4.65

## 8 Summary and Conclusions

### *Summary*

- 8.1 The Plan sets out a range of policies to guide and direct development proposals in the period up to 2042. It is distinctive in addressing a specific set of issues that have been identified and refined by the wider community to safeguard the character and setting of the neighbourhood area and to designate a series of Local Green Spaces.
- 8.2 Following the independent examination of the Plan, I have concluded that the Dickleburgh and Rushall Neighbourhood Development Plan meets the basic conditions for the preparation of a neighbourhood development plan subject to a series of recommended modifications

### *Conclusion*

- 8.3 On the basis of the findings in this report, I recommend to South Norfolk Council that, subject to the incorporation of the modifications set out in this report, the Dickleburgh and Rushall Neighbourhood Development Plan should proceed to referendum.

### *Other Matters*

- 8.4 I am required to consider whether the referendum area should be extended beyond the neighbourhood area. In my view, the neighbourhood area is entirely appropriate for this purpose and no evidence has been submitted to suggest that this is not the case. I therefore recommend that the Plan should proceed to referendum based on the neighbourhood area as approved on 21 February 2017.
- 8.5 I am grateful to everyone who has helped in any way to ensure that this examination has run in a smooth manner. The responses to the clarification note were detailed, informative and delivered in a very timely fashion. In addition, the hearing helped to consolidate the information already available.

**Andrew Ashcroft**  
**Independent Examiner**  
**19 December 2025**

## Appendix 1

### Dickleburgh and Rushall Neighbourhood Development Plan

#### Revised Hearing Note

##### *Context*

This note clarifies the next stages of the examination process and advises about the issues that will be considered at the hearing. It consolidates the earlier note.

The examination of the submitted Plan is proceeding well. I have visited the neighbourhood area, read the submitted documents and the representations made to the Plan. I have also prepared a clarification note and read the responses to that note.

##### *Hearing*

I am satisfied that most of the Plan can be examined by way of written representations. However, in accordance with paragraph 9(3) of Schedule 4B to the Town and Country Planning Act 1990, I have concluded that to ensure an adequate examination of the Plan it is necessary to hold a hearing on the contents of two elements of the submitted Plan.

##### **Hearing Details**

The hearing details are as follows:

Date: Thursday 16 October 2025

Time: 10.30 am

Venue: Dickleburgh Village Centre, Harvey Lane, Dickleburgh IP21 4NL

I would like to meet with the participants in the Village Centre at 10.00 am on the day of the hearing to discuss a series of process matters. This meeting will not discuss the three parts of the hearing identified in this Note.

##### **The participants**

Dickleburgh and Rushall Parish Council (as the qualifying body) and South Norfolk Council (as the local planning authority) have a statutory role in each of the three parts of the hearing.

The following other people and organisations are invited to attend the first two parts of the hearing:

- the owner of the housing allocation to the west of Norwich Road (Policy DR20) and/or the owner's agent;
- Mr and Mrs Patching; and
- Rebecca Walkley and Len Liggins.

Mr and Mrs Patching and Rebecca Walkley/Len Liggins have decided to prepare a written statement rather than to attend the hearing. The written statement should be sent to South Norfolk Council by 7 October 2025. Thereafter South Norfolk Council will send the statement to the participants who are attending the hearing.

The public and other interested parties are invited to attend the hearing. However, only the organisations and persons listed above will be able to participate on the day.

### **The issues and the hearing sessions**

The hearing will have the following three sessions:

#### ***Part 1: The processes used to select the housing allocation to the west of Norwich Road (Policy DR20), and the reasonable alternatives considered.***

This session will address the following matters:

- the site selection process for the proposed housing allocation, and the way in which reasonable alternatives were considered;
- the way in which the second Environmental Report (December 2024) was a natural iteration of the first Report (January 2023); and
- the extent to which the second Environmental Report properly underpins the site selection process both generally, and in the context of the contents of Table 3.2.

The participants for this session will be the Parish Council, South Norfolk Council, and the owners of the Norwich Road site and/or the owner's agent. I will also consider the contents of the written statement.

#### ***Part 2: The extent to which the proposed development of the housing allocation to the west of Norwich Road can be sensitively accommodated into the format, layout, and highway capacity of the village, and makes an efficient use of land.***

This session will address the following matters:

- how the proposed development of the site will relate to the format and layout of Dickleburgh;
- the impact of the development of the proposed site on the character and appearance of the Conservation Area;
- the appropriateness of the density for the proposed housing site, and whether it has regard to Section 11 of the NPPF;
- the proposed access arrangements for the site; and
- how the general requirements for a mix of house types and tenures as identified in the initial part of the policy would be quantified and delivered.

The participants for this session will be the Parish Council, South Norfolk Council, and the owners of the Norwich Road site and/or the owner's agent. I will also consider the contents of the written statement.

#### ***Part 3: The extent to which proposed Local Green Space G (The Green around the Gables and between the Gables, number 42, and the water treatment plant) meets the criteria for such designation in the NPPF?***

This session will address the following matters:

- whether proposed local green space G is demonstrably special to the local community and holds a particular local significance; and

- whether proposed local green space G is local in character and not an extensive parcel of land.

The participants for this session will be the Parish Council and South Norfolk Council.

## **Other Matters**

### *The Arrangements for the Hearing*

The hearing will address the matters above in turn. I will ask the various questions and lead any further discussion on the issues. There will be comfort breaks throughout the day.

The details in the Plan and the representations made by the various parties are thorough and comprehensive. As such, additional hearing statements are not required.

### *The Next Steps*

I will finalise my report on the Plan as soon as possible after the hearing. The parts of the report which are unaffected by the hearing will have been completed by the date of the hearing.

### *The Examiners Report*

Whilst the hearing introduces an additional stage into the examination process, it does not affect the way in which the report will be produced and finalised. I will send a fact check report to South Norfolk Council and the Parish Council (as set out in the earlier note on examination arrangements). The main findings of the hearing will be incorporated within that report on a policy-by-policy basis.

The final report will be published once the fact-checking process has concluded.

Andrew Ashcroft

Independent Examiner

Dickleburgh and Rushall Neighbourhood Development Plan

22 August 2025 (Note: This is the date of the hearing note not the date of the examiner's report)