

Rackheath Neighbourhood Plan Review (Submission Plan)

I have been appointed to conduct the Examination of the Rackheath Neighbourhood Plan Review. In order that I may progress the Examination I will shortly be seeking the Qualifying Body's response to a number of initial enquiries; the local authority may also have comments.

My purpose with those enquiries is to better understand the intention behind the Plan content from the authors and it is not to invite new content or policies that will not have been subjected to the public consultation process. In particular I need to be sure that the Plan meets the obligation to "contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals" (NPPF para 16). It is an expectation of Neighbourhood Plans that they should address the issues that are identified through community consultation, set within the context of higher level planning policies. There is no prescribed content and no requirement that the robustness of proposals should be tested to the extent prescribed for Local Plans. Where there has been a failure by the Qualifying Body to address an issue in the round, leading to an inadequate statement of policy, it is part of my role wherever possible to see that the community's intent is sustained in an appropriately modified wording for the policy.

My initial view, subject to the responses to this request and a site visit, is that the Examination can be concluded on the basis of written representations alone since the matters for consideration have been expressed clearly by all parties.

In order to ensure transparency with the conduct of the Examination a copy of these queries will be sent to the Local Planning Authority with a request that the exchange of emails be published on the webpage relating to the Neighbourhood Plan Review alongside the representations received during the Regulation 16 public consultation. Where relevant, my enquiries will reference matters raised during that formal consultation and the Qualifying Body's initial responses.

Modifications

There are three types of modification which can be made to a Neighbourhood Plan. The process will depend on the degree of change which the modification involves:

- minor (non-material) modifications to a neighbourhood plan or order which would not materially affect the policies in the plan or permission granted by the order. These may include correcting errors, such as a reference to a supporting document, and would not require examination or a referendum; or
- material modifications which do not change the nature of the plan or order and which would require examination but not a referendum. This might, for example, entail the addition of a design code that builds on a pre-existing design policy, or the addition of a site or sites which, subject to the decision of the independent examiner, are not so significant or substantial as to change the nature of the plan; or
- material modifications which do change the nature of the plan or order would require examination and a referendum. This might, for example, involve allocating significant new sites for development.

From the Statement of Modification and a comparison of the Review document and the 'made' Neighbourhood Plan my understanding is that the Qualifying Body and the Local Authority have both concluded that the modifications to the Rackheath Neighbourhood Plan Review fall within the second category above: "material modifications which do not change the nature of the plan or order and which would require examination but not a referendum". Having read the material before me I agree with this assessment and it is on that basis that I will conduct the Examination.

Further steps

Once I have received responses to my initial enquiries, I will undertake an unaccompanied visit to the Neighbourhood Area to gain a full understanding of the implications of plan policies. Further queries may arise from this visit.

When I have a complete understanding of the Plan content, I will draft my Report and, prior to publication, I will ask the Qualifying Body and Local Authority to check the draft for any factual errors. I will issue my report immediately on completion of the fact-check.

Andrew Matheson MRTPI
Independent Examiner