

Hingham Neighbourhood Development Plan 2023-2043

**A report to South Norfolk Council on the
Hingham Neighbourhood Development Plan**

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Executive Summary

- 1 I was appointed by South Norfolk Council in June 2024 to carry out the independent examination of the Hingham Neighbourhood Plan.
- 2 The examination was undertaken by way of written representations. I visited the neighbourhood area on 4 July 2024.
- 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 three matters. The first is the proposed designation of a series of Local Green Spaces. The second is ensuring high standards of design. The third is parking in the town centre.
- 4 The Plan has been underpinned by community support and engagement. All sections of the community have been engaged in its preparation. The Plan has been prepared in short order.
- 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
23 September 2024

1 Introduction

- 1.1 This report sets out the findings of the independent examination of the Hingham Neighbourhood Development Plan 2023-2043 ('the Plan').
- 1.2 The Plan was submitted to South Norfolk Council (SNC) by Hingham Town Council (HTC) 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 and 2023. 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 HTC, to conduct the examination of the Plan and to prepare this report. I am independent of SNC and HTC. 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 41 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 the appendices.
- the Basic Conditions Statement.
- the Consultation Statement.
- the SEA screening report.
- the HRA screening report.
- the Design Guidance and Codes.
- the Housing Needs Assessment.
- the Site Options Assessment (AECOM).
- the Parking Strategy (Technical Note).
- the representations made to the Plan.
- HTC's responses to the clarification note.
- 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 4 July 2024. 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 concluded that the Plan could be examined by way of written representations.

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) (Amendment) Regulations 2012, HTC has prepared a Consultation Statement. It is proportionate to the neighbourhood area and its policies. It is commendably brief with appropriate details included in six appendices. In the round, it is a first-class example of a Statement of this type.
- 4.3 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 three key stages (which are supported by separate appendices). Key elements of the communications strategy were:
 - the use of a Neighbourhood Plan website for regular updates and information about future events;
 - posters displayed around the parish;
 - flyers delivered to households and businesses;
 - the use of articles in the Hingham Community News; and
 - the use of Facebook.
- 4.4 The Statement also provides specific details on the consultation processes that took place on the pre-submission version of the Plan (July to August 2023). Appendix 6(d) 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. This exercise generated representations from the following organisations:
 - Norfolk Constabulary
 - National Highways

- Water Management Alliance
- National Gas
- NHS Norfolk and Waveney
- Sport England
- Historic England
- Natural England
- Norfolk Constabulary
- Norfolk Wildlife Trust
- Anglian Water
- Norfolk County Council
- South Norfolk Council
- Glavenhill Limited
- Environment Agency

- 4.7 Comments were also received from a local resident. 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 Hingham. It is located approximately 21 kilometres west of Norwich and equidistant from Attleborough, Dereham, Wymondham and Watton. It serves a local rural catchment area. Its population in 2021 was 2543 persons living in 1184 households. It was designated as a neighbourhood area in September 2021.
- 5.2 Hingham itself is a small market town best known for a series of Georgian town houses in and around Market Place. The Hingham Conservation Area was designated in 1975 and was reviewed in 2015/16. It covers the central core of the town.
- 5.3 The neighbourhood area enjoys a range of commercial and community facilities. They include a GP surgery, a dental practice, a primary school, a pre-school playgroup, and a series of community buildings. These facilities assist significantly in the sustainability of the town and its immediate hinterland.

Development Plan Context

- 5.4 The development plan for the neighbourhood area is comprehensive and has been revised as the Plan was being prepared. For clarity I have summarised the development plan which was in place whilst the Plan was being prepared, and then updated that context based on the recent adoption of the Greater Norwich Local Plan (GNLP).
- 5.5 The Joint Core Strategy (JCS) for the Greater Norwich Area (Broadland, Norwich, and South Norfolk) was adopted in 2014. Hingham is one of a series of defined Key Service Areas in the Plan. The following policies in the JCS are particularly relevant to the submitted Plan:
 - Policy 1: Addressing climate change and protecting environmental assets;
 - Policy 2: Promoting good design;
 - Policy 15: Service Villages; and
 - Policy 17: Smaller rural communities and the countryside.
- 5.6 The Site-Specific Allocations and Policies Document (SSAPD) is part of the South Norfolk Local Plan. It supplements the JCS and designates areas of land to deliver housing, employment, recreation, open spaces, and community uses. Policy HIN1 allocated land to the south of Norwich Road for residential development (approximately 95 homes). This site has been developed.
- 5.7 In addition, SNC adopted a Development Management Policies Document (DMPD) in 2015. Important policies in that Document as they refer to the parish include:
 - Policy DM2.2 Working from Home;
 - Policy DM3.2 Meeting rural housing needs;
 - Policy DM3.4 Residential extensions and conversions within settlements;

- Policy DM3.13 Amenity, noise, and quality of life; and
- Policy DM3.16 Improving the level of local community facilities.

5.8 In this broader context of the development plan the Plan's policies have been assessed for their conformity against the development plan in the following sections of the Basic Conditions Statement:

- the Greater Norwich Joint Core Strategy 2014 (Column C),
- the South Norfolk Development Management Policies 2015 (Column D),
- the South Norfolk Site-Specific Allocations and Policies Document (Column E).

This is best practice. It reflects the comprehensive nature of the development plan

5.9 The JCS has now been replaced by the Greater Norwich Local Plan (GNLP) which was adopted in March 2024.

5.10 The emerging Village Clusters Housing Allocations Plan (VCHAP) will supplement the GNLP. It is also well-advanced. SNC published the Regulation 19 Pre-submission Addendum to the Village Clusters Housing Allocations Plan (VCHAP) on 12 August 2024.

5.11 On the one hand, the development plan context for the neighbourhood area is complex. On the other hand, HTC has carefully produced a Plan which seeks to complement the existing and emerging development plans. 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

5.12 I visited the neighbourhood area on 4 July 2024. I approached from Great Ellingham to the south. This helped me to understand its position in general and its accessibility to the strategic road network (A14).

5.13 I looked initially at the town centre. As the Plan describes, I saw the two squares connected by St Andrew's Church. I took time to appreciate the significance of the built heritage of the town. In Bond Street and Pottles Alley I saw that the architectural significance of the town was not restricted to the two squares. I also saw the range of retail and commercial facilities catering both for the day-to-day needs of residents and the various teas shops and art galleries.

5.14 I then walked to the proposed community car park off Attleborough Road. I saw the availability of pavements along the Road and the relationship of the proposed site to the cemetery (to the south).

5.15 Throughout the visit, I looked at the various proposed Local Green Spaces. I saw their varied sizes and uses.

- 5.16 I left the neighbourhood area and drove to Dereham. This highlighted the relationship of the neighbourhood area to other settlements to the north.

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 Hingham 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 designating local green spaces 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. The submitted Plan has set out to achieve sustainable development in the neighbourhood area. In the economic dimension, the Plan includes policies on business development (Policy HING14), the town centre (Policy HING15), and rural diversification (Policy HING16). In the social dimension, it includes a policy on housing mix (Policy HING3), and on a range of community issues (Policies HING6-9). In the environmental dimension, the Plan positively seeks to protect its natural, built, and historic environment. It has policies on design (Policy HING4), heritage assets (Policy HING15), local green spaces (Policy HING18), and landscape character (Policy HING19). 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 5.11 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, HTC undertook a screening exercise in July 2023 on the need or otherwise for a Strategic Environmental Assessment (SEA) to be prepared for the Plan. The report is thorough and well-constructed. It concludes that the Plan is unlikely to have a significant effect on the environment and therefore does not require a Strategic Environment Assessment.

Habitats Regulations Assessment

- 6.15 SNC prepared a Habitats Regulations Assessment (HRA) of the Plan in June 2023. It 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:
- the Norfolk Valley Fen SAC;
 - the Breckland SAC; and
 - the Breckland SPA.
- 6.16 The HRA concludes that the neighbourhood plan will not give rise to likely significant effects on these protected sites, either alone or in combination with other plans or projects, and that Appropriate Assessment is not required.
- 6.17 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

- 6.18 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. On this basis, I conclude that the submitted Plan does not breach, nor is in any way incompatible with the ECHR.

Summary

- 6.19 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 HTC 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 an excellent example of a locally-distinctive neighbourhood plan and its policies have been carefully presented. This is reflected in the limited nature of the recommended modifications. In the main they refine the wording used and/or respond to the representations received.
- 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 5)

- 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. Its presentation is first-class. The use of colours, excellent maps and figures, and carefully-chosen photographs makes the Plan easy to understand and navigate.
- 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 Plan period and the neighbourhood area.
- 7.10 Section 2 provides information about the parish. It provides interesting and comprehensive details which help to set the scene for the eventual policies.
- 7.11 Section 3 provides useful information about national planning policies and the existing and the emerging development plan in South Norfolk. The relationship between the various plans is shown in Figure 26.
- 7.12 Section 4 comments about the way in which the Plan was prepared. The breakdown of events overlaps with the details in the Consultation Statement. It helpfully identifies

the various phases in the evolution of the Plan. In addition, it is presented in an attractive and easily-understood format.

- 7.13 Section 5 sets out the Vision for the parish as follows:

'The parish of Hingham will continue to be a thriving community and attractive market town with a distinctive Georgian centre, within a beautiful working rural landscape.

It will have a range of housing types and tenures to suit all ages and incomes, supported by community infrastructure and employment opportunities.

Housing will be integrated and reinforce the existing character of the parish. The town's local heritage and green spaces will be protected, whilst maintaining connections with its rural environment.

Development will be sustainable, well designed, and suitably located, with sufficient public and private parking. The area will continue to be a desirable place to live, work and visit for current and future generations.'

- 7.14 Section 4 also sets out a series of Objectives. The Vision and the Objectives collectively provide a framework for the policies. Each policy relates to a particular objective under the following five themes:

- Development and Design;
- Community infrastructure;
- Access and Parking,
- Business and employment; and
- Environment and Landscape.

The approach taken is best practice.

- 7.15 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.

HING1: Sustainable Development

- 7.16 The context to the policy is that the Plan seeks to ensure that future development in Hingham is sustainable and reflects the local character, circumstances, needs and opportunities of the parish. It addresses:

- economic well-being;
- a strong, safe, and healthy community;
- safeguarding the built and natural environment

- 7.17 The policy takes a positive approach to sustainable development and acknowledges its importance in the planning system. Within this broad context I recommend that the policy includes a proportionate element to reflect the variety of development proposals which will come forward in the Plan period. Plainly the larger proposals will have a greater potential to deliver the ambitions of the policy. I also recommend that the opening element of the policy provides a framework for the other elements (applying the proportionate approach).

- 7.18 Otherwise, the policy meets the basic conditions. It will contribute to the delivery of each of the three dimensions of sustainable development

At the end of the first paragraph add: ‘As appropriate to their scale, nature and location development proposals should:’

Begin the second paragraph with i and delete ‘New development should’

Begin the third paragraph with ii and delete ‘Development proposals in Hingham should’

Begin the fourth paragraph with iii and delete ‘Development proposals should’

Begin the fifth paragraph with iv and delete ‘Proposals for new development should’

HING2: Location and scale of new housing

- 7.19 The Plan advises that the policy has been developed to give broad strategic guidance for the location of new ‘windfall’ development in the town that may come forward in addition to the housing allocation in the GNLP. It comments that new housing development should be located inside the adopted settlement boundary for the town, close to existing development and within easy reach of the town centre, where good access to local facilities can be achieved.
- 7.20 The policy advises that proposals for smaller scale development including small groups and individual dwellings inside the settlement boundary should seek to enhance the form, character and setting of the area and address amenity and parking issues.
- 7.21 In general terms, the policy takes a positive approach to new housing development and has regard to Section 5 of the NPPF. It acknowledges that the Local Plan has allocated housing development in the neighbourhood area (at land south of Norwich Road).
- 7.22 An important element of the policy is its locational preference for new housing development to be located to the north, south and west of the town, and with good access to the town centre, and to avoid the further continuation or consolidation of development to the east of the town along Norwich Road. This approach has considerable merit. Nevertheless, the policy’s commentary about a ‘preference’ will have limited weight in planning policy terms. I recommend modifications to the second and fourth paragraphs of the policy to bring the clarity required by the NPPF and to allow SNC to be able to apply the policy in a clear and consistent way. I also recommend that the two elements of the policy are combined into a single element given their overlap and natural relationship one with the other. In doing so, I recommend that the elements of supporting or explanatory text in the submitted policy are deleted as they are largely already addressed in paragraph 7.11 of the Plan.
- 7.23 The fifth part of the policy takes a positive approach towards large residential development with a focus on securing sustainable development within a master plan approach. Nevertheless, I recommend that the wording used in relation to the latter issue is modified so that it has a clear focus which SNC can apply through the

development management process. In this context 'strongly encouraged' would have limited effectiveness in the delivery of the planning service.

- 7.24 I also recommend that the sixth part of the policy is recast so that the emphasis shifts from a negative to a positive approach (in both the opening element and the criteria). The issues addressed in the policy remain unchanged.
- 7.25 Finally I recommend that the final part of the policy is replaced so that it has regard to national and local planning policies. I recommend a consequential modification to the supporting text to avoid repetition. In reaching this conclusion I have taken account of HTC's response to the clarification note.
- 7.25 Otherwise, the policy meets the basic conditions. It will contribute to the delivery of each of the three dimensions of sustainable development

Replace the second and fourth paragraphs of the policy (and as its second paragraph) with:

'New housing development should be located close to existing development in the settlement boundary particularly to the north, south and west of the town, and with good access to the town centre, and to community facilities and, wherever practicable, create a co-ordinated and balanced settlement pattern. Development proposals should avoid the further continuation or consolidation of development to the east of the town along Norwich Road.'

In the fifth part of the policy replace 'are strongly encouraged to' with 'should'

Replace the sixth part of the policy with:

'Proposals for infill or windfall development (including individual houses or small groups) within the existing defined settlement boundary should respond positively to the site concerned and meet the following criteria:

- **maintain and enhance the form, character and setting of the site;**
- **preserve and where practicable enhance the historic environment or natural environment of the parish;**
- **be well-related to the existing pattern of development;**
- **incorporate self-contained physical boundaries such as hedges, treelines, highways, waterbodies, or fences;**
- **can be satisfactorily accommodated in the local highways network and provide adequate parking for the size of the development proposed; and**
- **provide safe pedestrian access to local facilities wherever practicable.'**

Replace the final part of the policy with: 'Proposals for new housing development outside of the defined settlement boundary will only be supported where they are consistent with adopted national and strategic policies.'

Replace the final sentence of paragraph 7.13 with: 'The final part of Policy HING2 is consistent with national and local policies in relation to new housing proposals outside the settlement boundary.'

HING3: Housing Mix

- 7.26 This is an extensive policy on housing mix. It relies on several published sources, including the Housing Needs Assessment (HNA) published in August 2022. The supporting text is equally extensive. The policy includes sections on house sizes, affordable housing, and the type of housing.
- 7.27 In general terms the policy takes a positive approach to housing mix and has regard to Section 5 of the NPPF. The well-informed component elements are underpinned by up-to-date evidence.
- 7.28 I recommend modifications to the second part of the policy to use wording appropriate to a neighbourhood plan and to remove the reference to community preferences. Whilst the community has played an important role in preparing the Plan, the mix of new housing in the parish should be informed by relevant and up-to-date evidence, including the HNA. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of each of the three dimensions of sustainable development

Replace the second part of the policy with:

‘The mix of new housing in the parish should be provided in accordance with current and future local needs identified in the AECOM Housing Needs Assessment produced in August 2022 (or relevant successor document) and the most up-to-date Strategic Housing Market Assessment.’

HING4: Design

- 7.29 This policy seeks to ensure that new development should reflect the Town’s history and distinctiveness. The approach taken has been underpinned by the submitted Design Guidance and Codes.
- 7.30 The policy comments that proposals for new housing development should be of a high standard of design and have regard to the guidance set out in the Hingham Design Guidance and Codes, including for the relevant character area as appropriate. It also advises that development proposals should pay careful consideration to a series of design elements. The detailed design elements include:
- Layout;
 - Connectivity;
 - Style;
 - Materials;
 - Density; and
 - Landscaping and Green Infrastructure.
- 7.31 In the round the combination of the policy and the Hingham Design Guidance and Codes represents a first-class local response to Section 12 of the NPPF.
- 7.32 Criterion ii comments about the connections between the town and the surrounding countryside, and sets out requirements for development proposals. I sought HTC’s

comments on SNC's representation which sought clarity on its purpose. In the response to the clarification note, it advised that:

'The representation asks whether it is the intention is to protect the current views experienced by individual properties, irrespective of the objective importance in the public interest or whether the policy seeks to guide the layout of the development to take advantage of these views and orientate new buildings, so that their inhabitants can also experience them. The original intention of the policy is neither of these. The intention is to protect existing public views of the Church and the surrounding countryside so that as development comes forward its design and layout takes account of the existing rural setting and maintains these views as glimpses through the development, therefore preserving the rural context of Hingham. The views have been assessed from public vantage points as viewed by pedestrians or from vehicles, not private views from individual properties.'

- 7.33 I have considered this issue carefully and related it to the observations which I made during the visit. I recommend that the policy is recast so that it properly expresses HTC's ambitions for the policy. At the heart of its approach is that new development on the edge of the settlement should protect existing public views of the Church and ensure that its design and layout respond positively to the existing rural setting of the town and its rural context.
- 7.34 I also recommend modifications to the wording of other criteria so that their purpose is clear (xii) or to remove unnecessary explanatory supporting text (xviii and xxiii). Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

Replace ii with: 'New development should be attractive and incorporate soft landscaping and retaining existing natural features, and be assimilated into the surrounding landscape. New development on the edge of the settlement should protect existing public views of the Church and ensure that its design and layout respond positively to the existing rural setting of the town and its rural context.'

In xii replace 'Existing features' with 'Existing natural features'

In xviii delete 'to ensure that parking is not visually intrusive.'

In xxiii delete 'to help reduce surface water pooling and localised flooding.'

HING5: Historic Environment

- 7.35 This policy addresses the built environment of the parish. It has a focus on the Conservation Area and the identification of non-designated heritage assets.
- 7.36 The supporting text advises that Hingham possesses a high quality and varied historic environment with a wealth of historic buildings and structures concentrated within the historic core which is a fine example of a Georgian Town centre, and is reflected in its designation as a Conservation Area. The Conservation Area was designated in 1975 and SNC carried out an appraisal 2016. This resulted in the production of a series of management guidelines. Although designated as a single Conservation Area, two

distinct boundaries are drawn. The larger boundary is based on the historic core of the town centre and includes land around The Fairland, Church Street and the Market Place as well as Attleborough Road, Bond Street, Baxter Road, and Pottles Alley. The second smaller area is to the south-west and centres around Mill Corner, Hall Lane, and Pitts Square.

- 7.37 The Plan also comments about the way in which the suggested non-designated heritage assets were identified. Suggested nominations for such assets, together with others identified by the Steering Group, were assessed against criteria based on the Local Heritage Listing: Historic England Advice Note 7. The results of this exercise are shown in Appendix B and the various buildings/structures that are considered to score well when measured against the criteria are included in the policy.
- 7.38 In the round the policy takes a very positive approach to the historic environment. The element of the policy on the Conservation Area brings local distinctiveness to the national and local approach towards conservation areas.
- 7.39 I looked carefully at some of the proposed non-designated heritage assets during the visit. I saw that they were locally interesting and were underpinned by the details in Appendix B.
- 7.40 SNC advises that the use of reclaimed materials is discouraged in new buildings/extensions as this can lead to the creation of demand for materials that results in other heritage assets being demolished to meet the supply. In its response to the clarification note HTC disagreed with this assertion and commented that existing historic buildings (or buildings in conservation areas) have a high degree of protection. I have considered this matter carefully. On the balance of the evidence, I am satisfied that the reference to the potential use of reclaimed materials in new development proposals is appropriate. Nevertheless, I recommend a modification to the wording used so that reclaimed materials appear within a range of potential options for new development and that the choice of the various options relates to the site concerned.
- 7.41 Finally I recommend a modification to the wording of the first sentence of the third paragraph of the policy based on SNC's representation and HTC's agreement to the change in its response to the clarification note. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of each of the three dimensions of sustainable development.

In the second paragraph of the policy (section b) replace 'through the use of appropriate, high-quality materials, reclaimed materials and reuse of existing materials where possible.' with 'through the reuse of existing materials where practicable, appropriate, high-quality materials, or reclaimed materials as appropriate to the site concerned.'

Replace the first sentence of the third paragraph with: 'New development must avoid or fully mitigate any potential harmful impact on heritage assets with particular consideration given to preserving Hingham's Georgian heritage.'

HING6: Community Infrastructure

- 7.42 The context to this policy is the uncertainty around infrastructure provision and that large-scale new community infrastructure can take time to be agreed both in terms of the exact provision and how it is funded. The Plan advises that HTC will support health providers in ensuring suitable and sustainable provision of healthcare services across all health sectors for the parish residents, using local Community Infrastructure Levy developer contributions. The Plan advises that the single most requested piece of new infrastructure mentioned by residents is the need for a new town centre car park. This is addressed in greater detail in Policy HING9.
- 7.43 The policy has three related elements as follows:
- major new development will need to demonstrate that sufficient supporting infrastructure (physical, medical, educational, cultural, leisure, green, and digital, including meeting spaces, community halls, health and social care uses, new or improved recreation and education facilities) will be made available to meet the needs of that development;
 - where new development will generate a need for parking in the town centre, a financial contribution will be made towards the creation and ongoing maintenance of the new community owned car park identified in Policy HING9; and
 - proposals for change of use or that would involve the potential loss of an existing community facility (church, hall, school, surgery, playing fields, recreational facilities, community buildings etc) will only be supported where an improved or equivalent facility can be located elsewhere in the parish in an equally convenient, safe, and accessible location or where there is no reasonable prospect of continued viable use.
- 7.44 In general terms the policy has been developed in a positive way and has regard to Section 8 of the NPPF.
- 7.45 I recommend that a proportionate element is introduced into the first part of the policy. I also recommend that the policy acknowledges that infrastructure can be delivered both on site and off site. In both cases the recommended modifications will bring the clarity required by the NPPF and allow SNC to be able to apply its intentions through the development management process.
- 7.46 The second part of the policy comments about the need for development proposals to make contributions to the proposed community car park (as detailed in Policy HING9). I sought advice from HTC on a range of matters including viability, the relationship between parking in the Town Centre and the development of the community car park and how SNC would determine which proposals generated the need for town centre parking. In its response to the clarification note, HTC commented:
- 'The purpose of the community car park is to cater for town centre parking. The proposed location is well related geographically to the town centre. The need for parking in the town centre is overwhelmingly supported by the local community through the Household Survey and the site itself has been reviewed independently by AECOM*

in both the Site Assessments and the Parking Strategy documents, which concluded that the site is suitable for a car park provided highway concerns can be overcome. Such concerns could be mitigated by the provision of an improved direct pedestrian link between the site and the town centre.

Proposals likely to generate a need for town centre parking would include, proposals within the town centre for retail and commercial development which do not include specific visitor or customer parking within the proposal. This would not be aimed at individual residential developments in the town centre. However, it is recognised that large scale development on the edges of the town are some distance from the town centre and therefore due to the distances involved, the older age profile of the residents and a lack of safe and accessible connections to the town centre, it is likely that residents will use their cars to access town centre services and facilities and therefore would also generate a need for town centre parking.'

7.47 I have considered these matters very carefully. On the balance of the evidence, I recommend that the second part of the policy is deleted. I have reached this conclusion for the following related reasons:

- the proposed approach does not currently provide the clarity required by the Community Infrastructure regulations;
- I have separately recommended the deletion of Policy HING9 which addresses the community car park; and
- In the absence of any deliverable plan for the car park it is impractical to make connections between that site and developer contributions linked to development proposals in the town centre.

7.48 I also recommend consequential modification to the supporting text.

7.49 The third element of the policy takes a positive approach to existing community facilities. It recognises that the viability of existing facilities may change during the Plan period. I recommend the deletion of 'potential' to bring the clarity to the policy required by the NPPF.

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

In the first part of the policy replace 'Major new development will need to demonstrate that sufficient supporting infrastructure' with 'As appropriate to their scale, nature and location, proposals for major development should incorporate and/or deliver appropriate supporting infrastructure (either on or off-site)'

Delete the second part of the policy.

In the third part of the policy delete 'potential'

In paragraph 8.10 delete 'The single most requested piece..... rather than seen as an afterthought.'

HING7: New sports provision

- 7.51 The context to the policy is that community consultation highlighted support for new or improved sports provision, children's play areas, as well as a range of indoor and outdoor meeting places and spaces. The Plan advises that it is important that any new provision meets the needs of the intended users and that appropriate changing facilities, storage for equipment and parking is available. It also comments that new sports provision should be easily accessible to all users whether arriving on foot, by bicycle, public transport, or the private car.
- 7.52 The policy has two related elements:
- proposals for new or improved sports and leisure facilities in Hingham such as new sports pitch provision and multi-use all weather games areas are encouraged; and
 - new sports and leisure facilities should be located within easy access of the community they serve. Such facilities should be accessible by pedestrians and cyclists and provide for sufficient car parking and disabled access.

- 7.53 I recommend a modification to first part of the policy so that its intention is explicit. This acknowledges that limited policy weight would apply to 'encouraged'. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

Replace the opening element of the policy with: 'Proposals for new or improved sports and leisure facilities in Hingham including sports pitch provision and multi-use all weather games areas will be supported.'

HING8: Allotments and green spaces

- 7.54 The policy comments about allotments and green spaces. It advises that the provision of new allotments, children's play areas and spaces, community orchards, new wildlife areas and outdoor meeting spaces are encouraged. It also comments that such provision should be well connected in terms of safe access by walking and cycling.
- 7.55 The policy takes a positive approach to these matters. I recommend two modifications to bring the clarity required by the NPPF. The first replaces encouraged with supported for the reasons set out in other policies. The second acknowledges that the connectivity anticipated may not always be practicable (including connectivity to the village). Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

Replace the policy with: 'Proposals for new allotments, children's play areas and spaces, community orchards, new wildlife areas and outdoor meeting spaces will be supported. Where practicable, such provision should be well-connected to the village in terms of safe access by walking and cycling.'

HING9: Allocation of land for community uses

7.56 This is an important policy in the Plan. Its context is that following the Household Survey, in August 2022, HTC undertook a 'Call for Sites'. The purpose was to test the potential for sites to accommodate a range of community uses that has been identified through the Survey. These included:

- a town car park;
- recreational use including formal sport pitches and playing fields;
- green spaces such as informal amenity areas, nature reserves, community woodlands, community orchards;
- community uses - sites that would allow for the expansion of existing community uses or new ones (such as community buildings, educational, heritage/tourist uses, cemetery expansion); and
- land suitable for energy generation.

7.57 The proposed site at Ladies Meadow is considered as potentially suitable for the uses sought but it is recognised that safe pedestrian access to the town centre is not ideal. The Plan acknowledges that the location of Ladies Meadow, adjacent to the Conservation Area with the Church nearby will require careful consideration of heritage implications in the design and the potential for mitigation measures to be incorporated. Nevertheless, the Plan concludes that the site is the most logical for a cemetery extension being located close to the existing cemetery and it is relatively well-related to the town centre when assessed against other sites.

7.58 The policy proposes the allocation of Land at Ladies Meadow, off Attleborough Road for a mix of community uses including an extension to the existing cemetery, an area of open space and a public car park. It advises that development on the site will be brought forward using a master-planning approach co-ordinated by HTC to ensure that significant community benefit from the uses on the site is derived.

7.59 In its representation SNC commented that:

'The Council has not been able to identify evidence that demonstrates that the site is reasonably likely to come forward for the development being outlined. The site is not owned by the Town Council and whilst it has been stated that the landowner has been consulted, there is no evidence that the landowner has provided consent for a particular proposal to be delivered.'

In addition, the site assessment clearly shows that there are considerable vehicular access issues as regards the site and yet it has been allocated for a potential car park and a mix of community uses of unspecified scale and intensity of use. The GNLP Appendix B, included in the Site Assessment document, clearly states that the site was not allocated in the GNLP due to Attleborough Road being too constrained and not suitable. This concern has been repeated in the Neighbourhood Plans own Site Options Report, which states that "existing site assessment evidence and site visit indicate the site is not suitable for development with access from Attleborough Road including the community uses sought due to potential vehicular access constraints". The Council has not been able to identify any evidence within or supporting the

Neighbourhood Plan that indicates these issues have been explored and that it has been identified that such constraints can be adequately addressed.

Also, it is clearly stated in both the site assessment and the supporting text that the potential for pedestrian connectivity to the town centre would require third party land, which again cannot be guaranteed. While the Council does not object to the principle of pedestrian connectivity and agrees that this should be delivered as part of such a scheme, as outlined previously, the absence of evidence brings into question the suitability of the land for the uses proposed and whether there is a reasonable prospect that the site will be developed for the uses proposed.

Due to the apparent absence of evidence that constraints can be overcome and that there is a reasonable prospect that the site can be developed for the uses proposed, the Council considers that this policy does not currently meet the requirements of paragraph 16(b) of the NPPF, which states that Plans should 'be prepared positively, in a way that is aspirational but deliverable.' It is also not in accord with paragraph 31 which requires all policies to be underpinned by relevant and up-to-date evidence.'

- 7.60 I sought HTC's views on the deliverability of the proposal. In its response to the clarification note it advised:

'The Plan period (extends to) 2043 and therefore this allows a realistic opportunity for the car park to be delivered during the plan period. The creation of the car park is the key priority for the Town Council. Hingham is defined as a Key Service Centre in the GNLP and is also a South Norfolk Market Town, it is the only South Norfolk market Town without a car park.

The Town Council has been in active and positive dialogue with the owners of the land which is the Diocese of Norwich (Including Director of Property Services) since September 2023. In addition, the Diocese have offered to make available to purchase a strip of land (part of the former Rectory Garden) to enable better footway provision from the site to the town centre.

In January 2024 an application was made by the Town Council to SNC for 'Pride of Place' funding and this was approved in March 2024. (See separate attachments). This provides £19,750 for a feasibility study looking at options to bring forward the car park and other community facilities including options for providing improved pedestrian access into the existing footway network, and alternative vehicular access rather than the existing field access. The feasibility study will be complete by the end of 2024 and is currently in progress. Initial meetings and dialogue with the consultant undertaking this feasibility study have been positive.

(The) Pride in Place application form which gives more detail with regard to the community uses envisaged for the land. On making the Pride in Place application to South Norfolk Council, supporting information was provided including (a copy of an email) proof of the Diocese agreement for the Town Council to pursue interest in the land. The Diocese recognise the benefit to themselves with regard to the land coming forward for (in part) car parking as the 4 Hingham NDP – Clarification Note church has no parking provision, (registered village green is utilised as parking by visitors to church

events). Significant investment has been made in the church building, including heating, lighting, kitchen, and toilet facilities, to enable the greater use of the church for events (such as concerts) however its use is constrained by a lack of formal parking provision in the town.

The site was assessed and rejected as part of the GNLP process (ref: GNLP0395), the site was promoted and assessed for approximately 200 houses, which is a different proposal to that being put forward under this policy. The site was also looked at through the AECOM Site Assessments and the Parking Strategy documents which concluded that the site could be suitable for a car park subject to Highway constraints being overcome. The feasibility study is actively looking at options for overcoming those constraints. NCC Highways have not objected to the site being included in the Hingham Neighbourhood Plan, for car parking and community uses. It is envisaged that bringing forward the site for car parking/community uses would include a reduction of the speed limit on Attleborough Road which would in turn improve the safety of access/ingress to/from the existing cemetery (currently within the 60mph speed limit). Bringing forward the site as envisaged would better join the cemetery to the town.'

- 7.61 I looked at the proposed site carefully during the visit and walked from the town centre to the proposed entrance point, and then onwards to the south up to the cemetery. In doing so I saw the nature of the existing footpath network between the site and the town centre.
- 7.62 The policy raises a series of issues. On the one hand, I am satisfied in principle that the range of uses proposed in the policy could be accommodated in a satisfactory way on the site. In addition, the proposal is ambitious and driven by the local community. The recent successful application for a Pride of Place funding (from SNC) indicates that progress is being made in developing a robust and viable proposal for the use of the site as anticipated in the Plan.
- 7.63 However on the other hand the application for a Pride in Place funding to test the feasibility of the development of the site highlights that the proposal is emerging and, at this stage, its feasibility is unclear. Plainly further work needs to be undertaken on the package of uses proposed for the site and securing safe and convenient pedestrian access between the site and the town centre. As such it is not possible to conclude that the proposal will be deliverable in the Plan period.
- 7.64 Based on all the available information, I recommend that the policy is deleted from the Plan. Whilst it takes a very ambitious approach, the policy offers no assurance that the proposal can be delivered in the Plan period. Whilst I acknowledge that this recommendation will be a disappointment to HTC, it reflects the evidence available and the early stage which the proposal has reached. I have considered the appropriateness or otherwise of retaining the supporting text on this matter in the Plan in the absence of a policy. On the balance of the evidence, I am satisfied that, with modifications, the supporting text should remain in the Plan. It highlights the ongoing work on the project, and the way in which it may be addressed as the feasibility work progresses.

Delete the policy

In the text associated with Figure 42 replace 'identified' with 'being considered'

In the key in Figure 42 delete Policy HING9 and replace 'identified' with 'being considered'

Replace paragraphs 8.19 to 8.23 with:

'8.19 Following the Household Survey, in August 2022, the Steering Group undertook a 'Call for Sites'. Rather than being aimed at seeking out sites for new housing development, the purpose was to test the potential for sites to accommodate a range of community uses that has been identified through the Survey. These included:

- a town car park;*
- recreational use including formal sport pitches and playing fields;*
- green spaces such as informal amenity areas, nature reserves, community woodlands, community orchards, etc;*
- community uses e.g., sites that would allow for the expansion of existing community uses or new ones e.g., community buildings, educational, heritage/tourist uses, cemetery expansion etc; and*
- land suitable for energy generation.*

8.20 The result was the submission of four sites as follows:

- Land at Hall Close, submitted for housing and open space on behalf of the landowner (Site HNP1);*
- Land at Hardingham Road, submitted for housing, community uses, parking and open space, on behalf of the landowner (Site HNP2);*
- Land at Ladies Meadow, Attleborough Road, submitted for community uses including car park, cemetery extension and open space by Hingham Town Council (Site HNP3); and*
- Land opposite Hingham Sports Centre, Watton Road, submitted on behalf of the landowner for housing, open space, and community woodland (Site HNP4).*

8.21 In November 2022, AECOM was commissioned to provide Site Options Assessments (SOA) of the four sites against the community uses sought by the Steering Group. The work was concluded in April 2023 and the results are included in the Hingham Site Options Assessment Report. The SOA also revisited the sites formerly put forward through the GNLP Call for Sites in case any of those were also suitable.

8.22 The SOA ruled out several of the original GNLP sites together with Site HNP1 at Hall Close. The SOA identified that Sites HNP2, 3 and 4 all had constraints but, subject to those matters being overcome, there may be scope for suitability for some of the community uses being sought. After consideration of the results of the SOA, the Steering Group concluded that the scale of development being proposed for HNP2, its

physical distance from the town centre and the highways constraints identified that it would not be taken forward. Site HNP4 was considered as potentially being suitable in the future but it was largely being proposed for housing, which the Neighbourhood Plan was not seeking at this time, and again was not well located in relation to the town centre. Part of this site has subsequently received planning permission for a dog walking/exercise area.

8.23 The remaining site at Ladies Meadow (as shown in Figure 42) is considered by the SOA as potentially suitable for the uses sought. However, it is recognised that achieving safe pedestrian access to the town centre is challenging. In addition, its location adjacent to the Conservation Area with the Church nearby will require careful consideration in the design and layout of the site and the potential for mitigation measures to be incorporated. Nevertheless, the site is the most logical for a cemetery extension due to its proximity to the existing cemetery and its relationship with the town centre when assessed against other sites. In addition, there may well be scope for improved pedestrian connections from the site to the town centre which would require the acquisition of third-party land and/or negotiation with third parties.

8.24 Based on all the available evidence, the Town Council has concluded that Ladies Meadow represents a potential appropriate site for some of the community uses sought, specifically a cemetery extension, a car park to serve the town centre and the Church and an area of open space to the south. Detailed work is continuing the delivery of the proposal, including its connections to the town centre. Engagement between the Town Council and the landowners, on this matter is positive and ongoing. In January 2024 an application was made by the Town Council to South Norfolk Council for 'Pride of Place' funding. The application was approved in March 2024 and provides £19,750 for a feasibility study looking at options to bring forward the car park and other community facilities including options for providing improved pedestrian access into the existing footway network, and vehicular access. The feasibility study will be complete by the end of 2024. Initial meetings and dialogue with the consultant undertaking this feasibility study have been positive.

8.25 Should this exercise demonstrate that the project is viable and deliverable, the Town Council will determine the best way to proceed. This may involve the preparation of a partial review of the Plan (to propose the development of the site) or to include its development in a wider review of the Plan.'

HING10: Town Centre parking

- 7.65 The context to the policy is that the AECOM Parking Technical Note (March 2023), looked at a range of options for parking in the town including potential locations for a new car park. The Note concluded that only Ladies Meadow (of the promoted sites) was within a desirable walking distance from the town centre and the only one that would reasonably function as a car park to serve the town centre. That site is addressed in Policy HING9.
- 7.66 The Plan also advises that given the length of the Plan period, it is not unreasonable that a site not previously identified or available for car park use, elsewhere in the town

centre might come forward. Should this happen there is a need for policy criteria to be available against which such a proposal can be satisfactorily assessed.

- 7.67 The policy comments that proposals that would provide safe and easily accessible off street, car parking in the town centre available for public use will be supported in principle. It advises that this could take the form of the provision of a public car park. The policy also advises that any new car parking should be well-designed, located close to the town centre and with easy pedestrian access to the centre. It includes a series of criteria.
- 7.68 In the round this is a very distinctive policy which seeks to address a specific issue in the town centre. In addition, its approach is both flexible and non-prescriptive.
- 7.69 In this broader context I recommend that the first paragraph is reworded to include the deletion of 'in principle'. There are sufficient details elsewhere in the policy to ensure proper controls are in place for the development of new car parking facilities. I also recommend a modification to bring clarity to second paragraph. In both cases the recommended modifications will bring the clarity required by the NPPF.
- 7.70 In the third paragraph of the policy I recommend the inclusion of a practicable element. Whilst the criteria are both extensive and locally distinctive, it may not be practicable for every potential site to comply with all the criteria. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of each of the three dimensions of sustainable development.

Replace the first paragraph with: 'Proposals that would provide safe and easily accessible, off-street, car parking in the town centre available for public use (including the provision of a public car park) will be supported.'

In the second paragraph add 'provision' after the first use of 'parking'

Replace the opening element of the final paragraph with 'Where practicable, proposals for a public car park should meet the following criteria:

HING11: Parking in new developments

- 7.71 The context to the policy is HTC's view that adequate and well-maintained parking provision is an important element of new development, whether it is for a single dwelling or for a major housing scheme or business premises. The Plan encourages sustainable transport options whilst acknowledging that that private cars will be used to access services and employment either within or beyond the town.
- 7.72 The policy has three related elements:
- parking in new housing development should make appropriate parking provision for the needs of users, including residents, visitors, delivery drivers and emergency vehicles;
 - individual parking provision should take account of the size and location of the proposal and include adequate off-street parking for the size of the dwelling and take account of the number of bedrooms proposed for that dwelling. Where

garages are proposed they should be of a size that accommodates a range of modern vehicles and allows easy access to and from them; and

- communal parking areas should be well connected to the dwelling, and should be located to allow for natural surveillance, security and include provision for electric vehicle charging

7.73 Plainly car parking is an important issue in Hingham. In this context this is an excellent policy which makes good connection to the Design Guidance and Codes. In addition, I am satisfied that it has regard to Section 13 of the NPPF and meets the basic conditions. It will contribute to the delivery of each of the three dimensions of sustainable development.

HING12: Improving access and safety

7.74 The context to the policy is national policy advice that significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes, which can help to reduce congestions and emissions and improve air quality and public health.

7.75 The policy advises that proposals for new development should maximise opportunities for sustainable transport, including walking and cycling, prioritising these modes as far as possible. It includes detailed sections on walking and cycling and traffic generation.

7.76 SNC considers that Figure 18 should be cross referenced within the policy wording, to provide clarity and guidance to developers and decision-makers as to the layout of the existing footpath and cycleway network within the parish. HTC agreed with this approach in its response to the clarification note. I have considered this matter carefully. Whilst there is no clear place for the cross-reference in the policy, I recommend that it is weaved in to the supporting text. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and environmental dimensions of sustainable development.

At the end of paragraph 9.18 add: 'Policy HING12 addresses these matters. Wherever practicable, the creation of new access arrangement should complement the existing routes in the neighbourhood area as shown on Figure 18.'

HING13: Protecting and enhancing public rights of way

7.77 The context to the policy is that the household survey revealed that Hingham residents attached considerable value to public footpaths and cycle routes. 80 percent of households who responded indicated that they would like to see new country footpaths including safe circular routes. In addition, the NPPF advises that planning policies and decisions should protect and enhance Public Rights of Way and access, including taking opportunities to provide better facilities for users, for example by adding links to existing rights of way networks including National Trails.

7.78 The policy has two related elements:

- where an existing Public Right of Way is likely to be affected by development proposals, these should take account of its route and incorporate it into the overall layout of the scheme; and
- proposals for new development should seek to extend the footpath network and consider the creation of new routes. Existing Public Rights of Way which are incorporated into new developments including bridleways and footpaths should be protected and enhanced.

7.79 As with the previous policy I recommend that the policy is linked to the details about the public rights of way (in Figure 18) and other revised wording to bring the clarity required by the NPPF. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and environmental dimensions of sustainable development.

Replace the policy with:

‘Where relevant, development proposals should take account of existing Public Rights of Way (as shown on Figure 18) and incorporate routes in a sensitive way into the overall layout of schemes. Where this requirement cannot be achieved, appropriate revised or replacement routes should be provided that are safe, equally accessible, and convenient for users.

Where relevant and practicable, proposals for new development should seek to extend the local footpath network.’

HING14: New and existing business

7.80 The context to the policy is that the household survey results indicated that two thirds of household respondents, thought there was a need for more employment in the town. The household survey results also indicated support for measures to facilitate homeworking (such as support for small scale proposals to create home offices), small business and retail units and some interest in green businesses and the sustainable construction of new business units.

7.81 Policy HING14 addresses these issues and provides support in principle for new business enterprise. The policy has four key elements as follows:

- proposals for new employment development and expansions to existing businesses will be supported where they do not have a significant adverse impact upon the character of the area, adjoining uses, or the amenity of residents. Proposals should make adequate provision for parking for employees and customers;
- proposals for new business and employment development on existing employment sites will be supported and these sites will be protected for future employment use;
- proposals involving the change of use or sub-division of buildings in existing employment uses which would enable the creation of new small business units/workshops will also be supported, as appropriate; and

- proposals that would enable or support people to work from home such as small-scale changes of use or extensions will be supported.

- 7.82 SNC supports the protection of existing employment sites. However, it questions how these sites will be protected in the future. As written, the policy would prevent a site concerned from being used for any other purpose and does not provide any flexibility to respond to changing circumstances. I recommend a modification to address this issue. I also recommend the inclusion of additional supporting text to explain how the policy approach would operate.
- 7.83 I also recommend that the final part of the policy (on green/sustainable businesses) is recast to address two matters. The first is the definition of the businesses concerned. The second is to avoid unintended consequences by ensuring that such proposals otherwise need to conform with other development plan policies.
- 7.84 I also recommend consequential modifications to the supporting text. Otherwise the policy meets the basic conditions. It will contribute to the delivery of each of the three dimensions of sustainable development.

Replace the second part of the policy with:

‘Proposals for new business and employment development on existing employment sites will be supported. Existing employment uses will be protected unless it can be demonstrated that the premises concerned are no longer capable of meeting business needs following a period of marketing at a level which acknowledges the existing use of the premises and its location.’

Replace the final part of the policy with: ‘Proposals for businesses which deliver sustainable products or technology will be supported where they comply with other development plan policies.’

At the end of paragraph 10.6 add:

The second part of the policy comments about the retention of employment uses. The Plan acknowledges that the needs of businesses may vary in the Plan period and that some premises may no longer be attractive to (or viable for) modern business operations. In this context any proposals for the conversion of employment premises to non-employment uses, or their redevelopment for other purposes) should be supported by appropriate marketing arrangements of at least six months and at a realistic price,’

HING15: Retail And town centre

- 7.85 The context to the policy is that to preserve the town centre and to retain the footfall required for a vibrant town centre, there is a need to retain a diverse mix of shops to make people want to return to the town in the future. The Plan acknowledges that encouraging new shops is a challenge but would retain the attractive character of the town. However, to ensure that the vitality and viability of the town centre is maintained and enhanced, the Plan recognises that town centre planning policies need to be

flexible to enable businesses to thrive. The policy also responds to the flexibility for retail and business uses now provided by the Use Classes Order.

7.86 The policy has three related elements:

- proposals will be supported that contribute to achieving a vibrant and viable town centre comprising a mix of retail, service sector, business, hospitality, cultural and residential uses;
- the retention of existing retail uses within the town centre will be encouraged; and
- proposals for residential development at first floor level above existing retail uses e.g. 'living over the shop' will be supported.

7.87 In general terms the policy takes a positive approach to the town centre and has regard to Section 7 of the NPPF. In this broad context, I recommend a modification to the first part of the policy to identify the extent of the town centre and to the second part to ensure that the intent of the policy is adequately expressed (and to acknowledge that planning permission would not be needed simply to retain existing retail uses). Otherwise, the policy meets the basic conditions. It will contribute to the delivery of each of the three dimensions of sustainable development.

In the first part of the policy after 'town centre' add '(as shown on Figure 44)'

Replace the second part of the policy with: 'Development proposals which would assist with the diversification, adaptation and/or retention of existing retail uses within the town centre will be supported.'

HING16: Rural Diversification

7.88 The context to this policy is the significant commercial activity which takes place outside of the main built-up area of the town. Much of this is related to agriculture either directly through farming practices or indirectly through other enterprises that are linked to and provide support for farming. The supporting text advises that the types of buildings required for modern farming activity are different to those that were traditionally required. Modern farm buildings are subject to several agricultural regulations which will dictate their scale, form, and appearance to meet either animal welfare or crop traceability regulations. Such buildings also provide opportunities for improving sustainability for example, large roofs can be ideal for solar panel installation and other sustainability measures such as rainwater harvesting.

7.89 The policy has two elements:

- new small-scale businesses appropriate to a rural area, particularly those that result in the re-use of redundant or unused historic or farm buildings, will be supported where they meet a series of criteria; and
- proposals for the change of use to redundant agricultural buildings to business uses will be supported subject to compliance with other policies in this Plan.

7.90 The policy takes a positive approach to these matters and has regard to Section 6 of the NPPF. In the second part of the policy, I recommend a modification to broaden the

policy compliance issue. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of each of the three dimensions of sustainable development.

Replace the second part of the policy with: ‘Proposals for the change of use of redundant agricultural buildings to business uses will be supported where they otherwise comply with development plan policies.’

HING17: Renewable Energy

- 7.91 The context to the policy is the need to move towards more sustainable sources of energy and achieving Net Zero Carbon Emissions by 2050. The policy comments that proposals for the development of decentralised, renewable, and low carbon sources of energy will be supported in appropriate locations.
- 7.92 The policy takes a positive approach to this matter and has regard to Section 14 of the NPPF. I recommend a modification to the opening element to address SNC’s point about appropriate locations. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of each of the three dimensions of sustainable development.

Replace the opening element of the policy with: ‘Proposals for the development of decentralised, renewable, and low carbon sources of energy will be supported where they satisfy the following criteria:’

HING18: Local Green Spaces

- 7.93 The context to the policy is that the household survey included a question on Local Green Spaces and asked the community to identify spaces that would meet the criteria and should be protected because of their value to the local community. The policy proposes the designation of fifteen local green spaces (LGSs). Their designation is underpinned by the details in Appendix C.
- 7.94 I looked carefully at the proposed LGSs during the visit. I saw that they ranged from the two allotment areas (LGS4 and LGS8) to the green spaces in the town centre (LGS5 and LGS6).
- 7.95 I am satisfied that the proposed LGSs meet the criteria in paragraph 106 of the NPPF. In coming to this overall judgement, I note that the proposed designations have not attracted objections from their owners.
- 7.96 In addition, I am satisfied that their proposed designation would accord with the more general elements of paragraph 105 of the NPPF. Firstly, I am satisfied that their designation is consistent with the local planning of sustainable development. They do not otherwise prevent sustainable development coming forward in the neighbourhood area and no such development has been promoted or suggested. Secondly, I am satisfied that the LGSs are capable of enduring beyond the end of the Plan period. They are an established element of the local environment and have existed in their current format for many years. In addition, no evidence was brought forward during the examination that would suggest that the proposed LGSs would not endure beyond the end of the Plan period.

- 7.97 The policy itself seeks to follow the matter-of-fact approach as set out in paragraph 107 of the NPPF. I am satisfied that it meets the basic conditions. It will contribute to the delivery of the social and economic dimensions of sustainable development.

HING19: Landscape character and important public views

- 7.98 The context to the policy is HTC's view that the Plan should recognise the intrinsic value and special qualities of this area of landscape and to ensure that distinctive features of the parish are protected. The supporting text provides a summary of the details in two landscape character types in the neighbourhood area - the Tiffey Tributary Farmland and the Hingham-Mattishall Plateau Farmland (as described in the South Norfolk Landscape Character Assessment, 2012).

- 7.99 The policy has two key elements:

- the visual scenic value of the landscape and countryside within the Neighbourhood Area, outside the defined development boundary for Hingham, will be protected from development that may adversely affect this character; and
- development proposals within or which would affect the identified important public views should take account of the view concerned.

- 7.100 In the round I am satisfied that the policy takes a positive approach to landscape matter and has regard to Section 15 of the NPPF. The approach taken towards landscape setting carefully relies on existing published information on the character of the parish. I looked at a selection of the identified important public views. I saw their significance and importance in the parish. In addition, both parts of the policy take a balanced and non-prescriptive approach.

- 7.101 Within this broader context, I recommend modifications to the wording of both elements of the policy to bring the clarity required by the NPPF. The approach intended by HTC is unaffected by the recommended modifications. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and economic dimensions of sustainable development.

In the second paragraph of the policy replace 'a development' with 'development proposals' and 'these' with 'such features'

In the third paragraph of the policy replace 'should take account of' with 'should respond positively to' (second sentence), and 'Developments,' with 'Development proposals' (third sentence).

HING20: Biodiversity

- 7.102 The context to the policy is that it seeks to protect locally designated sites such as County Wildlife Sites from development that would damage their wildlife value. The policy is comprehensive and addresses the delivery of biodiversity net gain. In general terms it does so to good effect and has regard to Section 15 of the NPPF.

- 7.103 I sought HTC's comment on the need for biodiversity net gain to feature in the policy as the matter is now addressed nationally. In its response to the clarification note HTC advised that:

Given the change in circumstances since April 2024 in relation to Biodiversity Net Gain, there would not be an objection to the removal of the reference in the first sentence of the fourth paragraph. However, the remainder of the paragraph sets out how this net gain would be achieved and contains some local specificity and therefore the preference is that this part should be retained.

- 7.104 I recommend accordingly.

- 7.105 I also recommend that the fifth part of the policy (on tree planting) is recast so that its purpose is clearer. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and economic dimensions of sustainable development.

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

In the second sentence of the fourth part of the policy replace 'This will include' with 'Wherever practicable, the local delivery of the national requirement for biodiversity net gain should include'

Replace the fifth part of the policy with: 'Wherever practicable, new planting should use native species. The planting should be supported by a method statement for the ongoing care and maintenance of that planting or feature or as a last resort, the delivery of compensation measures.'

HING21: Climate change and flood risk

- 7.106 The context for this policy is that the Plan period looks ahead to 2043 and that HTC wishes to consider the issues of climate change and future sustainability including taking account of flood risk. In addition, national policy supports the transition to a low carbon future in a changing climate.

- 7.107 The policy has three key elements:

- proposals are encouraged to include features in their design which would increase energy efficiency, conservation of water quantity and quality, the development of community green energy generation and reduce carbon emissions;
- all new development (including minor development) is required to use appropriate sustainable drainage systems (including SuDS and drainage lagoons), wetland and water features, to protect against pollution, provide drainage and wider amenity, recreational and biodiversity benefits; and
- all development will be expected to demonstrate how it can mitigate its own flooding and drainage impacts, avoid increase of flooding elsewhere and seek to achieve lower than greenfield runoff rates.

- 7.108 In general terms, the policy is comprehensive and takes a positive approach to climate change and flood risk. It has regard to Section 14 of the NPPF. In this broader context,

I recommend modifications to the wording of the first and second paragraphs of the policy so that they have the clarity required by the NPPF. The recommended modifications acknowledge that the use of the word 'encouragement' has limited weight in policy terms.

- 7.109 I also recommend that the final two paragraphs (on flood risk) are recast to make an appropriate distinction between a land use policy and the associated supporting text. I recommend consequential modifications to the supporting text. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and economic dimensions of sustainable development.

In the first paragraph of the policy replace 'Proposals are encouraged to' with 'Wherever practicable, development proposals should'

In the third paragraph of the policy replace 'Particular encouragement is given for the inclusion of the following:' with 'The incorporation of the following measures within development proposals will be particularly supported:'

Replace the penultimate paragraph of the policy with: 'As appropriate to their scale, nature and location, development proposals should use appropriate sustainable drainage systems (including drainage lagoons), wetland and water features, to protect against pollution, provide drainage and wider amenity, recreational and biodiversity benefits.'

Replace the final part of the policy with: 'Wherever practicable, development proposals should demonstrate the way in which they can mitigate their own flooding and drainage impacts, avoid an increase of flooding elsewhere and seek to achieve lower than greenfield runoff rates.'

At the end of paragraph 11.35 add: 'Developments should seek to improve the four pillars of SuDs – water quality, water quantity, amenity, and biodiversity. Development proposals should take account of the advice and guidance on surface water drainage and the mitigation of flood risk obtainable from Norfolk County Council (as Lead Local Flood Authority) and the relevant Internal Drainage Board (as the statutory Drainage Board for the Plan area). In addition, development proposals should secure the necessary consents and approvals from those bodies which lie outside the planning system.'

HING22: Dark Skies.

- 7.110 The context to this policy is that the NPPF indicates that development proposals should limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes, and nature conservation. The policy also acknowledges that low levels of light pollution are an important aspect of tranquillity.
- 7.111 The policy has three key elements as follows:
- the existing intrinsically dark skies of the parish will be maintained, where appropriate;

- development proposals will be expected to address light spillage and glare and ensure good lighting management and design (including down lighting and environmentally efficient lighting); and
- all outdoor lighting schemes (including street-lighting), should be designed to minimise the overall impact on the environment, including through making use of energy efficient technologies and using technologies that minimise adverse impacts on wildlife.

7.112 In general terms this comprehensive policy takes a positive approach to maintaining dark skies. I saw the importance of this characteristic of the neighbourhood area during the visit. In general terms it has regard to Section 15 of the NPPF. In this broader context I recommend modifications to several paragraphs of the policy so that they have the clarity required by the NPPF.

7.113 The fifth part of the policy takes a very prescriptive approach and does not relate to the earlier parts of the policy. I recommend that it is included as a more general element of the third part of the policy (which already sets out important criteria for lighting).

7.114 Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and economic dimensions of sustainable development.

In the second paragraph replace ‘will be expected to’ with ‘should’

At the end of the third paragraph of the policy add:

‘Lighting schemes should respond positively to the following criteria:

- **have a minimal impact on the landscape;**
- **minimise light pollution and the adverse effects on wildlife, and be shielded with lighting beams directed downward. No ‘permanently on’ external lighting should feature in new developments, and security lighting should be motion-activated; and**
- **reduce the consumption of energy by promoting efficient outdoor lighting technologies.’**

In the fourth paragraph of the policy replace ‘Where appropriate to the development proposal, planning applications’ with ‘Where appropriate, development proposals’

Delete the final part of the policy.

Monitoring and Review

7.115 Section 12 of the Plan addresses the monitoring and review process in a positive way. This is best practice. It acknowledges that circumstances will change in the Plan period and that national and local planning policies will continue to evolve.

Other Matters - General

7.116 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 HTC 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.

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 2038. 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 Hingham 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 Hingham 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 in September 2021.
- 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.

Andrew Ashcroft
Independent Examiner
23 September 2024