

# **Great and Little Plumstead Neighbourhood Development Plan**

**Report by Independent Examiner**

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**March 2015**



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## **Report Summary**

I have examined the Great and Little Plumstead Neighbourhood Plan as submitted to Broadland District Council by Great and Little Plumstead Parish Council. The examination was undertaken during February and March 2015 by considering all the documents submitted to me and listed in the report, together with all the representations.

I conclude that the Neighbourhood Plan meets all the requirements, including those set out in paragraph 8(1) of Schedule 4B of the Town and Country Planning Act 1990. However several modifications are required to ensure the Plan meets the Basic Conditions as defined in Paragraph 8(2) of the Schedule.

Subject to making modifications set out in my report, I recommend that the Neighbourhood Plan as amended be submitted to a referendum. I do not see any reason to alter the Plan area for the purpose of holding a referendum.

## **1 Introduction**

- 1.1 I have been appointed by the Broadland District Council (BDC) with the consent of Great and Little Plumstead Parish Council (G&LPPC) to examine the Great and Little Plumstead Neighbourhood Plan and report my findings as an Independent Examiner.
- 1.2 The Localism Act 2011 introduced the means for local communities to produce planning policies for their local areas through the preparation of neighbourhood plans. Great and Little Plumstead Neighbourhood Plan has been produced by the Parish Council as the qualifying body and work has been progressed through a Steering Group comprising of Parish Council members and local residents.
- 1.3 The Neighbourhood Plan area is coterminous with the parish boundary. The Parish lies approximately 6 km to the east of Norwich and is predominantly a rural area with 3 distinct villages, Great Plumstead, Little Plumstead and Thorne End Garden Village. Between Little Plumstead and Great Plumstead new housing development has taken place (and more is planned) on a mainly disused hospital site. The western side of the parish (including Thorpe End) lies within a 'Growth Triangle' (GT) to the north and east of Norwich which is an area where strategic growth is planned.

## **2 Scope and Purpose of the Independent Examination**

- 2.1 The independent examination of neighbourhood plans is intended to ensure that those plans meet four Basic Conditions together with a number of legal requirements.
- 2.2 In order to meet the Basic Conditions<sup>1</sup> a Neighbourhood 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 for the area
  - Not breach and be otherwise compatible with EU obligations

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<sup>1</sup> Paragraph 8(2) Schedule 4B Town and Country Planning Act 1990

2.3 In undertaking the examination I am also required to check whether:

- The Neighbourhood Plan policies relate to the development and use of land for the designated neighbourhood area<sup>2</sup>
- The Neighbourhood Plan meets the requirement to specify the period for which it is to have effect, not to include provision relating to 'excluded development' and not to relate to more than one neighbourhood area<sup>3</sup>
- The Neighbourhood Plan has been prepared for an area that has been properly designated<sup>4</sup> and has been developed and submitted for examination by a qualifying body<sup>5</sup>
- Adequate arrangements for notice and publicity have been made in connection with the preparation of the Neighbourhood Plan<sup>6</sup>

I confirm that subject to the contents of this report, I am satisfied that each of the above requirements have been met.

2.4 As Independent Examiner, I must make one of the following recommendations:

- That the Neighbourhood Plan is submitted to referendum on the basis that it meets the Basic Conditions and other legal requirements or
- That modifications (as recommended in the report) are made to the draft Neighbourhood Plan and that the Plan as modified is submitted to referendum or
- That the Neighbourhood Plan does not proceed to referendum on the basis that it does not meet the basic conditions and other legal requirements<sup>7</sup>

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<sup>2</sup> Section 38A(2) Planning and Compulsory Purchase Act 2004

<sup>3</sup> Section 38B(1) Planning and Compulsory Purchase Act 2004

<sup>4</sup> Section 61G Town and Country Planning Act 1990

<sup>5</sup> Section 38C Planning and Compulsory Purchase Act 2004

<sup>6</sup> Section 38A(8) Planning and Compulsory Purchase Act 2004

<sup>7</sup> Paragraph 10(2) Schedule 4B Town and Country Planning Act 1990

- 2.5 Modifications may only be recommended to ensure that the Neighbourhood Plan meets the Basic Conditions, that it is compatible with Convention Rights, or for the purpose of correcting errors.<sup>8</sup>
- 2.6 If recommending that the Neighbourhood Plan should proceed to referendum, I am required to consider whether the Referendum Area should extend beyond the Great and Little Plumstead Neighbourhood Area and if so what that extended area should be.<sup>9</sup>
- 2.7 The general rule is that an examination is undertaken through consideration of written representations<sup>10</sup> unless the examiner considers that a public hearing is necessary to ensure adequate examination of an issue or issues to ensure that a person has a fair chance to put a case. I judged that the consultation responses which have been submitted to the District Council, (the 'Regulation 16 responses'), could be considered on the basis of written representations. However I e-mailed a series of questions to BDC and the G&LPPC requesting points of clarification.
- 2.8 I undertook an unaccompanied site visit around the parish on Friday 20<sup>th</sup> February 2015.

### **3 Background Documents**

- 3.1 As part of the examination I have reviewed the following documents:
- Great and Little Plumstead Neighbourhood Plan 2014-2034
  - Implementation Plan September 2014
  - Sustainability Appraisal Scoping Report May 2014
  - Sustainability Appraisal Report May 2014
  - Consultation Statement September 2014
  - Basic Conditions Statement September 2014
  - Joint Core Strategy for Broadland, Norwich and South Norfolk adopted March 2011 amendments adopted January 2014
  - Broadland District Local Plan (Replacement) 2006

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<sup>8</sup> Paragraph 10(3) Schedule 4B Town and Country Planning Act 1990

<sup>9</sup> Paragraph 10(5) Schedule 4B Town and Country Planning Act 1990

<sup>10</sup> Paragraph 9(1) Schedule 4B Town and Country Planning Act 1990

- Habitat Regulations Assessment (HRA) Screening September 2014 and HRA Screening Opinion November 2014
- Plumstead Housing Needs Survey 2013
- National Planning Policy Framework
- National Planning Practice Guidance
- Town and Country Planning Act 1990 (as amended)
- Planning and Compulsory Purchase Act 2004 (as amended)
- Localism Act 2011
- Neighbourhood Plan (General) Regulations 2012
- 8 representations (which include those in support of the Neighbourhood Plan)

## **4 Consultation**

- 4.1 Effective consultation with the local community provides the foundation for a successful Neighbourhood Plan, creating a sense of public ownership and helps achieve consensus. The policies of the Neighbourhood Plan will become the basis for planning decisions and legislation requires that the production of those plans be supported by public consultation.
- 4.2 A Consultation Statement has been submitted in accordance with the Neighbourhood Planning Regulations (Regulation 15). This sets out who was consulted and how, together with the outcome of the consultation.

- 4.3 After the Neighbourhood Plan area was formally designated, a Steering Group was formed in October 2013 and a community workshop held to launch the Plan. Further evidence gathering and publicity took place and more community workshops and events were held throughout the period December 2013 to April 2014. A detailed breakdown of these events is included in the Consultation Statement together with the responses received. Various other methods were used to ensure the community was consulted during the Neighbourhood Plan preparation including newsletters, leaflets, e-mail updates and information posted on the dedicated website ([www.plumsteads.co.uk](http://www.plumsteads.co.uk)). The pre-submission consultation (regulation 14) took place between 19th May 2013 and 30th June 2014. A workshop drop-in event coincided with the publication of the Draft Plan. A list of those statutory consultees and stakeholders who were consulted is included in the Consultation Statement and the responses received, and the Steering Group's comments and actions, are set out in a clear table at the end of the statement.
- 4.4 The Examination Version September 2014 has been the subject of a Regulation 16 publicity period between 8<sup>th</sup> December 2014 and 26<sup>th</sup> January 2015. 8 representations were submitted during this period.
- 4.5 The Steering Group are to be congratulated on the extensive consultation that has taken place and the wide variety of methods that have been used to ensure that the local community has had an opportunity to be involved. The consultation carried out clearly exceeds that which is required by the Regulations.

## **5 Basic Conditions**

- 5.1 This section of the report considers whether the Neighbourhood Plan taken as a whole has regard to national policy, contributes to the achievement of sustainable development, is in general conformity with strategic local planning policy and addresses EU obligations.

### **5.1.1 National Policy**

National planning policy is set out in the National Planning Policy Framework 2012(NPPF). At the heart of the NPPF is a presumption in favour of sustainable

development<sup>11</sup> which when applied to neighbourhood planning means that neighbourhoods should support the strategic development needs set out in Local Plans and which plan positively to support and shape local development. Included in the 12 Core Principles in the NPPF, is a requirement to produce neighbourhood plans which set out a positive vision for the future of the area and which provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency. National Planning Practice Guidance (NPPG) reinforces this point, stating that a policy in a Neighbourhood Plan should be clear and unambiguous. It should be drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications. It should be concise, precise and supported by appropriate evidence.<sup>12</sup> My report contains a number of recommendations including deletion of some policies and modifications to others. Subject to these recommendations, the Neighbourhood Plan, taken as a whole, reflects the broad principles embedded in the NPPF.

#### 5.1.2 The Development Plan

To meet the Basic Conditions, the Neighbourhood Plan is required to be in general conformity with the strategic policies of the Development Plan. This ensures that neighbourhood plans cannot undermine the overall development strategy set out in the Development Plan. The current Development Plan comprises the Joint Core Strategy (JCS) for Broadland, Norwich and South Norfolk (adopted March 2011 with amendments adopted January 2014) and the 'saved' policies of the Broadland District Local Plan (Revised 2006) which have not been superseded by the Core Strategy.

5.1.3 Within the JCS, Great Plumstead and Little Plumstead are identified together as a service village having an allocation for small-scale housing development (10 to 20 dwellings). It is also identified as being in the Norwich Policy Area and may be considered for additional development to assist the delivery of smaller sites. Small parts of the parish including Thorne End Garden Village lie within the Growth Triangle identified in the JCS as an urban extension.

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<sup>11</sup> NPPF paragraph 14

<sup>12</sup> NPPG paragraph 041

5.1.4 An Area Action Plan (December 2014) for the Growth Triangle (mentioned in paragraph 5.1.3 above), a Development Management Development Plan Document (DPD) 2014 and a Site Allocations (DPD) 2014, the policies of which cover all or part of the Great and Little Plumstead Parish, have all been submitted to the Secretary of State for examination. However there is no requirement for the Neighbourhood Plan policies to be assessed against the policies in these three documents.

#### 5.1.5 Sustainable Development

The Neighbourhood Plan sets out land use policies to manage proposals for new housing, commercial and other forms of development. As mentioned in paragraph 5.1.1 above, a number of policy deletions and modifications are recommended in the report but subject to these being made, I am satisfied that the Neighbourhood Plan is capable of supporting the provision of sustainable development.

#### 5.1.6 EU Obligations and European Convention on Human Rights

A screening opinion on the need for a Strategic Environmental Assessment (SEA) in accordance with the Environment Assessment of Plans and Programmes Regulations 2004 and European Directive 2001/42/EC concluded that a SEA would be required as the Neighbourhood Plan will have a significant effect on the environment. The initial Sustainability Scoping Report was published in February 2014 and circulated to the statutory bodies and amended based on the comments received. A Final Scoping Report was published in May 2014 together with the initial screening opinion. The Sustainability Appraisal which incorporates the requirements of an environmental assessment in line with the SEA directive was published alongside the Pre-Consultation Draft Neighbourhood Plan as part of the Regulation 14 consultation. Comments from English Heritage and Natural England were received and incorporated into the Plan.

5.1.7 A Habitat Regulations Assessment (HRA) Screening Opinion concluded that there is likely to be no significant negative effect on European Designated Sites resulting from the policies within the Neighbourhood Plan and therefore an HRA is not required.

5.1.8 No Equalities Impact Assessment has been undertaken but the Basic Conditions Statement states that the Neighbourhood Plan has regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights and complies with the Human Rights Act 1998. I have no reason to disagree with this statement.

5.1.9 I am satisfied that the Neighbourhood Plan meets the basic conditions in relation to EU and human rights obligations.

## **6 Overall Structure of the Plan and Introductory Paragraphs**

6.1 I find the overall structure of the Plan is well presented and the document is generally easy to follow with introductory paragraphs setting the background of the Plan preparation, the location and history of the parish, and a vision which is to be achieved by 6 objectives. The objectives of the JCS are also listed and assessed in relation to the parish. The relevant objectives are then clearly linked after each of the policies in the subsequent paragraphs.

6.2 Paragraph 7 sets out the wider spatial context of the Neighbourhood Plan and in particular its location within the Growth Triangle (GT) mentioned above. In the third section of paragraph 7.1 the Plan states:

*'.....the Neighbourhood Plan does not seek to set out the growth details within the GT. Broadland District Council, through the Area Action Plan (AAP) will undertake this exercise. Instead, the Neighbourhood Plan will focus on aspects of character, design, and integration of new and existing communities.'*

- 6.3 It appears therefore that although the Neighbourhood Plan does not seek to set out growth figures or site allocations in the GT, the Plan's policies would still apply (where applicable) to new development in the areas of the parish which fall within the that area. Representations have been made from developers of potential sites in the GT to several policies in the Neighbourhood Plan which would as currently written apply to their land. Once the AAP is adopted, policies in that Plan would be favoured by the decision maker if there were to be a conflict with the Neighbourhood Plan policies, in that the AAP would be the last document to become part of the Development Plan. However in other cases where there is no conflict, planning applications would have to be considered in relation to both the AAP and the Neighbourhood Plan.
- 6.4 It appears to me that the Neighbourhood Plan in general deals with issues appropriate to a rural area. For example, the Vision for the Neighbourhood Plan uses terms such as 'rural aspect' and 'village atmosphere.' The word rural also appears in some of the policies and accompanying text. It should be made absolutely clear to meet the basic conditions, which Neighbourhood Plan policies are applicable to the land within the GT and if applicable which areas within the GT. (For example some may apply in Thorpe End Garden Village but not on the allocated sites.) BDC and G&LPPC will need to discuss this issue after considering the remainder of my report and my recommendations on modifications to some of the policies.
- 6.5 For the purposes of clarity, the Map on page 23 should mark the Parish boundary. The map on page 17 covers a much wider area of the AAP and is not relevant.

### **Recommendation**

**Set out clearly in which areas of the Parish, each policy should apply.**

**Mark the Parish boundary on Map (page 23).**

**Delete Map (page 17).**

## **7 The Planning Policies**

- 7.1 The Neighbourhood Plan contains 16 policies covering 6 themes, Growth, Housing, Design, Transport, Environment and Landscape and the Local Economy. This is followed by 8 site specific policies.
- 7.2 In considering whether the Neighbourhood Plan policies meet the basic conditions I have been mindful of the advice in the NPPF.<sup>13</sup> Unclear or ambiguous policies are likely to cause problems for those responsible for making decisions on planning applications and appeals. In addition, proportionate and robust evidence should support the choices made and approach taken. Many of my recommendations to modify policies have been based on this advice.
- 7.3 For clarification, recommendations where I have used the word 'consider' are not required to meet the basic conditions.

### **Growth Policy 1**

- 7.4 This policy seeks to retain the three individual villages within the wider parish area as distinct settlements with their own distinctive local character. This policy has regard to the NPPF and JCS in respecting conserving and enhancing the natural environment and respecting local distinctiveness. The policy refers to preventing coalescence with adjoining settlements which are outside the Neighbourhood Plan area. I recommend therefore that reference to those settlements be deleted. Whilst I do understand the Parish Council's wish that Thorpe End Garden Village retains its character as a 'garden village' and that it lies on the border of the parish, I note that the settlement is protected by a settlement boundary in the emerging Site Allocations DPD and a Landscape Buffer in the emerging Growth Triangle Area Action Plan.

#### **Recommendation**

**Delete references to the settlements of Sprowston and Thorpe St Andrew.**

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<sup>13</sup> NPPF paragraph 17

## **Housing and Design Policies**

- 7.5 I begin my initial comments on these two policy topics together as I consider there are overlaps between the two themes and it is not clear in some cases which policies apply to housing and which to all development. Under the housing theme, policies 3 and 6 refer to development proposals and not specifically to housing. In the design theme, all policies except for policy 7 relate to housing. After consideration of my report and recommendations, it may be clearer if these two themes are combined. However this is a matter for discussion between BDC and G&LPPC.
- 7.6 The supporting text to the design theme (page 27), advocates the use of Building for Life 12 (BfL12) in assessing development proposals. This is the industry standard endorsed by government for well designed homes and neighbourhoods. It is designed to help local planning authorities assess the quality of proposed and completed developments. The initiative contains 12 questions and ideally each question should score green in each area. An explanation as to how developers will be expected to use BfL12 is set out in Appendix 1 of the Neighbourhood Plan.
- 7.7 I have assessed each policy under the housing and design themes as to whether it meets the basic conditions but also whether the policy is in accordance with the general principles of BfL12 which the Neighbourhood Plan endorses.

## **Policy 2**

7.8 This policy sets an absolute density requirement for new housing of 25 dwellings per ha. National policy no longer sets a minimum density requirement but suggests density should reflect local circumstances.<sup>14</sup> The Neighbourhood Plan considers the density prescribed in policy 2 will preserve the rural feel of the parish. However although that density may be appropriate in some locations, to insist on such a 'blanket approach' across the whole of the parish area is prescriptive and does not allow any flexibility. It may for example stifle new design. Furthermore the density requirement will use additional land to meet the housing requirement and is in discord with policy 4 which requires inclusion of one and two bedroom dwellings in housing schemes. For these reasons the policy does not meet the basic conditions. BfL12 also advocates varying the density, built form and appearance or style of development to help create areas with different character.

### **Recommendation**

**Delete policy as written and consider incorporating into a comprehensive more flexible policy which takes account of BfL12.**

## **Policy 3**

7.9 This policy seeks to ensure all development proposals integrate into their surroundings. It has regard to the NPPF<sup>15</sup> and BfL12. It meets the basic conditions. However for clarity and based on my comments in paragraph 7.4 above, consideration should be given to incorporating it into a comprehensive policy.

### **Recommendation**

**Consider incorporating it into a comprehensive policy on housing and design.**

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<sup>14</sup> NPPF paragraph 47

<sup>15</sup> NPPF paragraph 61

## **Policy 4**

7.10 This policy seeks to include a mix of housing types on new development including smaller dwelling sizes which is supported by local evidence. It has regard to the NPPF<sup>16</sup> to provide a mix of housing based on current future demographics. It meets the basic conditions. It is also falls within the BfL12 criteria 'Meeting Local Housing Requirements'.

### **Recommendation**

**Consider incorporating into a comprehensive policy on housing and design.**

## **Policy 5**

7.11 This policy seeks to provide self build plots on housing schemes. Self build is an initiative that is being promoted nationally and has support from BDC. This policy is flexible in that it only encourages rather than requires. It meets the basic conditions.

### **Recommendation**

**Keep as a 'stand alone' policy or incorporate into a comprehensive policy.**

## **Policy 6**

7.12 This policy is unclear as it is uncertain whether all new roads should be built to adoptable standards or as required by the Highway Authority whose design standards allow the use of private roads in certain circumstances. BfL12 suggests a hierarchy of streets in designing new developments.

### **Recommendation**

**Reword this policy (see paragraph 7.18 bullet point 6) and consider as part of a comprehensive policy.**

## **Policy 7**

7.13 This policy seeks to ensure all new development respects local character and distinctiveness. It has regard to good design in the NPPF<sup>17</sup> and BfL12. It meets the basic conditions.

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<sup>16</sup> NPPF paragraph 50

<sup>17</sup> NPPF paragraph 58

## **Recommendation**

**Consider as part of a comprehensive housing and design policy.**

### **Policy 8**

7.14 This policy requires a minimum space standard for new dwellings but does not appear to be based on any evidence. It also refers to a document 'RIBA The Case for Space' and requires new dwellings to meet the standards recommended in that document. However this document does not set a standard. It is a basis for discussion on whether current new builds are providing adequate space for modern living and uses the London Housing Design Guide as a benchmark only to compare with dwelling sizes elsewhere. A representation has also been made on the relevance of using this document to set minimum housing sizes for similar reasons. This policy does not meet the basic conditions.

## **Recommendation**

**Delete policy 8**

### **Policy 9**

7.15 This policy sets a minimum parking standard for each new dwelling. The NPPF has removed the requirement for maximum parking stands and suggests that local authorities should develop their own parking standards. The Neighbourhood Plan states that car parking has become an issue on recent developments in the parish with inadequate provision. BDC currently sets its standards through the Broadlands Parking Standard SPD 2007 where requirements are minimum standards. I understand that due to the inadequacy of public transport there is a high dependency on the use of cars. The Sustainability Scoping Report identifies that 60% of all households in the parish have 2 or more vehicles. Standards over and above the SPD can be justified but there needs to be some flexibility in the policy to allow for circumstances where the standards cannot be met. Consideration should also be given as to whether parking standards are applied to all developments and not just housing.

- 7.16 The requirement to not permit parking courts is inflexible. It may be required for example to meet the car parking requirements for smaller dwellings as required by policy 4. BfL12 also recommends not relying on a single car parking treatment.

**Recommendation**

**Revise policy wording (see paragraph 7.18 bullet point 7) and consider as part of a comprehensive policy on housing and design.**

**Policy 10**

- 7.17 This policy sets a minimum garage size as specified in the Broadlands Parking Standards SPD. BfL12 also suggests that garages should be designed to fit a modern family size car. However the requirement to build the garage within the curtilage of each dwelling is inflexible.

**Recommendation**

**Reword policy (see paragraph 7.18 bullet point 5) and consider as part of a comprehensive policy on housing and design.**

**Policy 11**

- 7.18 This policy seeks to ensure there is sufficient storage space in new dwellings. This is part of good design and is advocated in BfL12. It meets the basic conditions.

**Recommendation**

**Consider as part of a comprehensive policy on housing and design.**

**Recommendation for policies 2,3,4,5,6,7,9,10 and 11 as a whole**

- 7.19 I have suggested the following comprehensive policy based on my assessment of the housing and design policies above and wherever possible suggested using the existing policy wording. However it is for BDC and G&LPPG to consider whether a combined policy including the housing and design topics is appropriate and agree together the final wording based on my recommendations.

'New development should deliver high quality design and should:

- Demonstrate how it will integrate into and enhance the existing villages and communities
- Be of an appropriate scale and density in relation to the wider parish context
- Respect and be sensitive to the local character and natural assets of the surrounding area, taking every opportunity through design and materials to reinforce a strong sense of place through individuality and local distinctiveness
- Provide a mix of housing types to meet local needs to include one and two bedroom dwellings for first time buyers and local residents wishing to downsize
- Provide a garage for each dwelling of a minimum size as set out in the Broadlands Parking Standards SPD with garages within dwelling house curtilages being the preferred option
- Provide roads that meet the requirements of the Highway Authority
- Provide where feasible and practical, car parking for each new dwelling based on the standards below (insert table from policy 9)
- Provide adequate external storage space for refuse, composting and recycling
- Encourage the provision of at least 5% of land as self build plots on developments of 20 or more dwellings

## **Transport Policy 12**

7.20 This policy seeks to maximise walking and cycling between the 3 villages in the Parish. This meets one of the key objectives of the Neighbourhood Plan to improve linkages within the Parish. The approach also has regard to the NPPF which recognises the importance transport policies have to play in facilitating sustainable development and also contributing to wider sustainable and health objectives. It meets the basic conditions. However there is a reference to linkages which improve biodiversity. I mention this in paragraph 7.22 of my report regarding my recommendation to include a policy on biodiversity.

### **Recommendation**

**Consider removing the reference to biodiversity and including in a further policy.**

### **Transport Policy 13**

7.21 This policy requires an assessment of traffic levels to accompany proposals for new development. This policy has regard to the NPPF in promoting sustainable transport. However this policy would not apply to all new development proposals so I recommend inserting the words where appropriate.

#### **Recommendation**

**Insert 'where appropriate' after proposals.**

### **Environment and Landscape Policy 14**

7.22 I understand this policy requires developers, when providing open space and other recreational land as part of their development proposals to ensure that the long term maintenance of these areas is assured. (Clarification is required as currently the policy uses the term 'they will be required' without defining who 'they' are). This requirement has regard to the NPPF<sup>18</sup> in creating access to high quality open spaces and enhancing the natural environment. It accords with several JCS policies in respect of environmental assets and access to green space.

7.23 The policy also requires connectivity with existing open spaces. This part of the policy is reflected in the justification and evidence section preceding the policy which mentions maintaining, enhancing and creating new wildlife corridors. I have noted in paragraph 7.19 above that Transport Policy 12 refers to linkages to improve biodiversity. I recommend that consideration be given to including a new policy on green corridors and biodiversity.

#### **Recommendation**

**Consider a further policy relating to green corridors and biodiversity.**

### **The Local Economy Policy 15**

7.24 This policy seeks to encourage small scale employment uses in the parish. This policy is supported by the NPPF<sup>19</sup>, 'Supporting a prosperous rural economy' and policies in the Core Strategy and Local Plan 2006. It meets the basic conditions.

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<sup>18</sup> NPPF paragraph 74

<sup>19</sup> NPPF paragraph 28

## **The Local Economy Policy 16**

7.25 This policy supports broadband infrastructure which is supported by the NPPF<sup>20</sup> which states that high quality communications infrastructure is essential for sustainable economic growth. The policy is also supported by Policy C6 of the Core Strategy regarding fast broadband connections. It meets the basic conditions.

## **Policy 17 Roseberry Road Exception Site**

7.26 This policy indicates support for the development of affordable housing and some market housing on a site in Roseberry Road. The site is referred to as an 'exception site'. Although there is no definition in the Plan's glossary, a 'rural exception site' with reference to affordable housing is generally taken to mean a site on which market housing would not be permitted but could be suitable for affordable housing if a local need can be proven. The site lies outside the settlement limit in the Local Plan 2006 and the emerging Site Allocations DPD 2014. Policy 4 of the Core Strategy and Policy HOU18 of the Local Plan 20016 contain such an 'exceptions policy' for affordable housing (although the latter does not consider market housing is appropriate). The NPPF<sup>21</sup> also promotes rural exception sites for affordable housing with some market housing if this facilitates the development.

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<sup>20</sup> NPPF paragraph 42

<sup>21</sup> NPPF paragraph 54

7.27 I note that the policy does not specifically allocate the site for affordable housing. If it were to do so then I would expect there to be a rationale as to why this site has been selected over and above any other sites that may be available. In addition, strong evidence would be required as to the local need for affordable housing. Whilst the Plumstead Housing Needs Survey 2013 identified a need for 21 affordable homes, I understand that 24 affordable houses have been provided on the old hospital site and a further 20 are planned as part of the planning application on the remainder of this site. There does not appear to be currently sufficient evidence to support more affordable housing on a rural exception site. Furthermore the site is I understand, constrained by a mains gas pipeline and the need for road improvements to serve the site, so currently the policy is undeliverable. The requirement for a sustainable use for the remainder of the site is also vague and imprecise. I recommend the policy is deleted. However the Parish Council may wish to consider keeping the general support for such a development as a community aspiration or stance on a potential development proposal (which I mention later in my report), although I note that as part of the community feedback on this policy 57% of those consulted disagreed with this policy.

### **Recommendation**

#### **Delete Policy 17**

**Consider setting out the Parish Council's stance on the use of this site in a separate section of the Plan.**

## **Policies 19,20,22,23 and 24 Site Specific Policies**

- 7.28 Plan making at the local level will inevitably focus on wide ranging aspirations of the community. I have dealt with these five policies together as they are all community aspirations to improve facilities, roads and footpaths in the parish. The justification and evidence to each of the policies and the implementation plan sets out the how these projects will be achieved and includes identifying stakeholders and where appropriate, funding sources such as the Community Infrastructure Levy. All these policies require negotiation and cooperation with other organisations and landowners to be implemented. For example, Policy 24, Woodland Walk Extension promotes a footpath extension at Thorpe End Garden Village. The site owner has made a representation that he has neither been contacted nor consulted about this project and considers policies in the AAP (which delineates an area of protection around the village) adequately deal with this issue. Whether the final detail of that AAP policy covers the Parish Council's proposal is obviously a matter for further discussion.
- 7.29 I visited the sites of all the 'site specific policies' and they appear to all be laudable proposals. However although I see no reason why these policies should not remain in the Neighbourhood Plan, they should be distinguished from policies 1 to 16 as being Community Aspirational Policies or Projects.

### **Recommendation**

**Policies 19,20,22,23 and 24 to be placed in a section entitled 'Community Aspirational Policies' or similar wording.**

## **Policies 18 and 21**

- 7.30 I have assessed these two policies together as they both set out the community's stance on two development proposals in the parish.
- 7.31 Policy 18 relates to the Parish Council's representations to an outline application on the old hospital site for residential development. The Parish Council has requested that consideration be given to a further access to the development from Water Lane. I understand that the plans considered by the planning committee on 22 October 2014 did incorporate this second access and planning permission will be granted subject to a section 106 agreement.

- 7.32 Policy 21 relates to a representation made by the Parish Council to the National Infrastructure Planning Project which proposes a new Northern Distributor Road (NDR) on the northern and eastern side of Norwich. This road bisects the parish and involves road closures between the west and eastern side of the parish. The Parish Council consider a safe cycleway and footbridge should be provided over the NDR. The representation has been considered as part of the examination into the proposed route.
- 7.33 As mentioned above, both these policies should be identified as the Council's stance on proposed developments in the parish and should be distinguished from policies 1 to 16 in the Neighbourhood Plan.

**Recommendation**

**Highlight these policies as being specifically the Parish Council's stance on development proposals.**

## **8 The Next Stage – the Referendum and its Area**

- 8.1 My report contains quite a large number of recommendations, relating to the policies, text and maps. These points will now need to be considered as part of the next stage of the Neighbourhood Plan preparation.
- 8.2 I recommend that the Neighbourhood Plan as amended be submitted to a referendum. I do not see any reason to alter the Plan area for the purpose of holding a referendum.
- 8.3 If the Plan goes forward to a referendum and receives a simple majority of the votes cast, it will then proceed to be 'made' by the Broadland District Council so that it becomes part of the statutory development plan for the area, carrying the weight appropriate to such plans when planning decisions are taken.

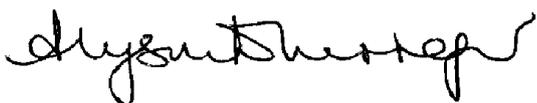
### **Declaration**

In submitting this report I confirm that:

- I am independent of the qualifying body and the local authority
- I do not have any interest in any land that may be affected by the Plan
- I possess appropriate qualifications and 40 years experience in development management, planning policy, community planning and affordable housing gained across the private, public and voluntary sectors

### **Examiner**

Alyson E Linnegar BSc (Hons) MRTPI



Dated 2<sup>nd</sup> March 2015