

Rackheath Neighbourhood Plan 2017-2037

The Report by the Independent Examiner

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Summary

Rackheath is a community that is going to face enormous change over the next 10-15 years as a result of the scale of development proposed. The neighbourhood plan is a positive response to this as it aims to achieve effective integration between the existing and new development. It endeavours to ensure that the facilities and services needed by the expanded community are located so as to be accessible by all means of transport to the whole community. This is an important concept which is wholly consistent with sustainable development and is one of the defining themes of the Plan. It also contains a wide range of policies designed to protect the natural environment and distinctive features of the parish, and ensure effective and sustainable transport.

The Plan is a wide ranging and substantial undertaking and it is evident that there has been a thorough and consistent approach to the engagement of the community. The small number of objections to the submission version of the Plan indicates the support of the community for the contents of the Plan.

Because of the scale of growth envisaged, the Plan has had to have regard to an unusually large number of strategic policies in the Broadland, Norwich and South Norfolk Joint Core Strategy, the Broadland Development Management DPD and the Growth Area Triangle DPD. These documents provide a clear strategic context for the Plan up to the end of their plan period in 2026. The focus of the Basic Conditions Statement on the Joint Core Strategy to the exclusion of the other documents has made my examination more onerous.

The Plan includes many policies and in most cases, they have been well drafted and are generally consistent with the basic conditions. In some cases, however the justification for the policies put forward has been superficial or lacking, and this has required me to recommend the deletion of all or part of some policies. I have also found it necessary to recommend other modifications to ensure that the policies are expressed in a way that makes it possible for decision makers to apply them consistently when considering planning applications.

I have concluded that, if the modifications that I have recommended are made:

The Rackheath Neighbourhood Plan has been prepared in accordance with Sections 38A and 38B of the Town and Country Planning Act 1990 and the Neighbourhood Planning Regulations 2012;

Having regard to national policies and advice contained in guidance issued by the Secretary of State it would be appropriate to make the Plan;

The making of the Plan would contribute to the achievement of sustainable development;

The making of the Plan would be in general conformity with the strategic policies of the development plan for the area;

The Plan would not breach and would be otherwise compatible with European Union obligations and the European Convention on Human Rights.

I am therefore pleased to recommend that the Rackheath Neighbourhood Plan should proceed to a referendum subject to the modifications that I have recommended.

I am also required to consider whether or not the referendum area should extend beyond the Neighbourhood Plan Area. I have seen nothing to suggest that the policies of the Plan will have “*a substantial, direct and demonstrable impact beyond the neighbourhood area*”.¹ **I therefore conclude that there is no need to extend the referendum area.**

¹ PPG Does an independent examiner consider the referendum area as part of their report?
Reference ID: 41-059-20140306

Introduction

1. The Localism Act 2011 has provided local communities with the opportunity to have a stronger say in their future by preparing neighbourhood plans which contain policies relating to the development and use of land.
2. Rackheath Parish Council is the qualifying body for the Rackheath Neighbourhood Plan 2016-2026 (which I shall also refer to as the (RNP or the Plan). The Plan area covers the whole of the parish of Rackheath. It has been prepared by a working group of Parish Councillors and local residents.
3. Rackheath lies about 5 miles north-east of Norwich. The village has a long history, but most of the development there is at the south-eastern corner of the parish and dates from the second half of the twentieth century. Rackheath also contains a substantial industrial estate which is fairly centrally situated in the parish on the site of a former military airfield. The parish lies within the Growth Triangle on the north-east side of Norwich which is allocated as a major urban extension in the Joint Core Strategy for Broadland, Norwich and South Norfolk. 7000 new houses are due to be accommodated in the Growth Triangle up to 2026 in the parishes of Rackheath, Thorpe St Andrew, Sprowston, and Old Catton. Of these approximately 3500 are due to be accommodated in the parish of Rackheath. This development will be accommodated mainly in the eastern part of the village and will be the subject of a comprehensive master-planning process. The Norwich Northern Distributor Road is also under construction and will run through the south-western part of the parish. Rackheath will therefore experience substantial change in the coming years.
4. If, following a recommendation from this examination, the Plan proceeds to a local referendum and receives the support of over 50% of those voting, it can be made and will then form part of the statutory development plan. As such it will be an important consideration in the determination of planning applications, as these must be determined in accordance with development plan policies unless material considerations indicate otherwise.

Appointment of the Independent Examiner

5. I have been appointed by Broadland District Council (BDC) with the agreement of Rackheath Parish Council (RPC) to carry out the independent examination of the RNP.
6. I confirm that I am independent of both Broadland District Council and Rackheath Parish Council and have no interest in land in the parish.
7. I am a Chartered Town Planner with over 30 years' experience in local government, working in a wide range of planning related roles, including 15 years as a chief officer. Since 2006 I have been an independent planning and regeneration consultant. I have completed 19 neighbourhood plan examinations and three health checks. I therefore have the appropriate qualifications and experience to carry out this examination.

The Scope of the Examination

8. The nature of the independent examination is set out in Sections 8-10 of Schedule 4B of the Town and Country Planning Act 1990.
9. I must:
 - a) decide whether the Plan complies with the provisions of Sections 38A and 38B of the Planning and Compulsory Purchase Act 2004. These requirements relate primarily, but not exclusively, to the process of preparing the Plan and I shall deal with these first.
 - b) decide whether the Neighbourhood Development Plan meets the basic conditions contained in Schedule 4B paragraph 8(2) of the Town and Country Planning Act 1990. This element of the examination relates mainly to the contents of the Plan.
 - c) make a recommendation as to whether the Plan should be submitted to a referendum, with or without modifications, and

whether the area for the referendum should extend beyond the Plan area.

10. The Plan meets the basic conditions if:
 - a) having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the Plan;
 - b) the making of the Plan contributes to sustainable development;
 - c) the making of the Plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area);
 - d) the making of the Plan does not breach, and is otherwise compatible with, EU obligations.
11. Paragraph 9 of Schedule 4B indicates that as a general rule the examination should be carried out on the basis of written representations unless a hearing is necessary to allow adequate consideration of an issue or to allow a person a fair chance to put a case. In carrying out the examination I was satisfied that it could be completed on the basis of written representations. However, I did seek clarification from BDC by e mail on some issues and the e mail exchange is attached at Appendix 1.
12. The documents which I have referred to in the examination are listed below.
 - Rackheath Neighbourhood Plan 2017-2037 Submission Draft December 2016
 - Rackheath Neighbourhood Plan Consultation Statement December 2016
 - Rackheath Neighbourhood Plan Basic Conditions Statement December 2016
 - Rackheath Neighbourhood Plan Sustainability Appraisal December 2016
 - Rackheath Neighbourhood Plan Sustainability Appraisal Scoping Report May 2016
 - Rackheath Neighbourhood Plan Habitats Regulations Assessment (HRA) Screening January 2017

- Responses received to publicity in accordance with Regulation 16 of the Neighbourhood Plan Regulations
- The Broadland, Norwich and Norfolk Joint Core Strategy 2008-2026 (JCS)
- Broadland District Council Development Management DPD 2015
- Old Catton, Sprowston, Rackheath and Thorpe St Andrew Growth Triangle Action Area Plan June 2016.
- Broadland District Council, Parking Standards, Supplementary Planning Document 2007
- The Neighbourhood Planning (General) Regulations 2012 as amended in 2015 which are referred to as the NPR
- The Environmental Assessment of Plans and Programmes Regulations 2004 (EAPPR)
- The Conservation of Habitats and Species Regulations 2010 (CHSR)
- The National Planning Policy Framework which is referred to as the NPPF
- National Planning Practice Guidance referred to as PPG

13. These documents include all of those that are required to be submitted with a neighbourhood plan under regulation 15 of the NPR.
14. I made an unaccompanied visit to Rackheath on 6 April 2017 to familiarise myself with the Parish and help me to understand the implications of the Plan policies. I spent most of a day walking and driving round the parish and its surroundings to view all the key locations referred to in the Plan.

The Preparation of the Plan

15. The dates for the initial designation of the neighbourhood area given in the consultation statement are contradictory and I sought clarification of this by e mail (attached at Appendix 1). An application for the designation of the whole of the Parish of Rackheath as a Neighbourhood Area was submitted by RPC to BDC on 15 May 2015. The Council undertook consultation as then required by regulation 6 of the NPR from 22 May 2015 to 19 June and the neighbourhood area was adopted on 8 June 2015. The designation was subsequently

published on the Council's website in accordance with regulation 7(1) of the NPR.

16. Section 38B (1) (a) of the Planning and Compulsory Purchase Act 2004 requires the Plan to state the period for which it is to have effect. The Plan states clearly that it relates to the period 2017-2037.
17. The Plan must not include any provision about development that is excluded development as defined in Section 61K, which is inserted into the 1990 Town and Country Planning Act. Excluded development includes "*county matters*" such as mineral extraction and waste disposal and major infrastructure projects. With the exception of a reference to some waste disposal related uses which I have dealt with under policy BUS1, I am satisfied that the submitted plan contains no such provision.
18. I am also satisfied that the RNP does not relate to more than one neighbourhood area.

Public Consultation

19. The Consultation Statement clearly sets out the stages of consultation throughout the preparation of the Plan and the means of publicising these. There were four stages:
 - Introducing the Neighbourhood Plan: events were held at Holy Trinity Church and Rackheath Live to explore support for preparing a neighbourhood plan in June/July 2015;
 - Development of ideas: between February and March 2016 meetings were held with a range of interest groups to present draft aims and objectives for the Plan and to develop policy ideas. A drop-in session was also held for Rackheath businesses and there was email correspondence with key stakeholders.
 - Development of policies: three public workshops were held for residents and businesses to drop in to comment on policy ideas for the Neighbourhood Plan in April 2016 at Holy Trinity Church, the Village Hall and the café on the Rackheath Industrial Estate. These events, and the opportunity to comment online were publicised with the

distribution of a flyer to every household. 145 people attended the workshops and 73 responded online. Focussed events were also held at Rackheath Primary School with children in years 5 and 6 and at Broadland High School with year 8 Geography students.

- The Draft Plan regulation 14 consultation This consultation ran from 14 October to 25 November 2016. The Plan was exhibited early in the period at the Village Hall, Holy Trinity Church and on the Industrial Estate. Hard copies of the Plan were made available in several community locations and it was available online. E mails inviting comments were sent to statutory consultees, neighbouring Parish Councils, Developers and landowners and Rackheath businesses. The events were publicised with a flyer to all households and a press release. The responses to the consultation are summarised clearly in the consultation statement and an additional schedule sets out the changes that were made to the policy wording following the comments.

20. I am satisfied that the approach to public consultation was thorough and organised and that it clearly meets the requirements of the regulations.

The Development Plan

21. The statutory development plan relating to Rackheath is made up of:
- The Broadland, Norwich and South Norfolk Joint Core Strategy 2008-2026.
 - The Broadland District Council Development Management Development Plan Document 2015 (DMDPD)
 - The Old Catton, Sprowston, Rackheath and Thorpe St. Andrew Growth Triangle Area Action Plan (GTAAP)
 - The Norfolk Core Strategy and Minerals and Waste Development Management Policies Development Plan Document 2010-2026 (adopted September 2011)

- Norfolk Minerals Site Specific Allocations Development Plan Document adopted October 2013)
 - The Norfolk revised PDF policies map and revised interactive policies map which includes site specific allocations and Mineral Safeguarding Areas
22. All the Core Strategy policies are strategic and thus the policies of the Neighbourhood Plan need to be tested against them for general conformity. There are also many strategic policies in the DMDPD and GTAAP that are relevant, particularly the policies in the GTAAP relating to residential allocations in Rackheath. In this context a statement on page 9 of the Plan that the masterplan for the proposed development of site GT16 North Rackheath *“is separate and independent of the Rackheath Neighbourhood Plan”* is a little misleading. It is a separate process but it is not entirely independent, because if and when the RNP is made its policies will need to be taken into account by the masterplan as they will form part of the development plan.
23. There are no strategic Minerals or Waste Policies that are affected by the Plan proposals.

The Basic Conditions Test

24. The consideration of whether the Plan meets the basic conditions is at the heart of the independent examination process. It is therefore essential to be clear on the meaning of each of the basic conditions. Broad consideration of the performance of the Plan against each of the first three conditions is given in this section with more specific consideration carried out in relation to the policies of the Plan. The requirements relating to EU requirements and to the European Convention on Human Rights are fully considered at the end of this section.

“having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the plan”.

25. There are two important points to emphasise in relation to this. The first is that this requirement means that an examiner must consider this requirement in relation to the making of the plan; it thus applies to the plan as a whole, rather

than to individual policies. The second point is the use of the phrase “*having regard to*”. This means that the examiner must consider the national policy and advice but it does not mean that each policy must be in absolute conformity with it. It provides for an element of flexibility. PPG explains that “*having regard to national policy*” means that “*a neighbourhood plan must not constrain the delivery of important national policy objectives*”. The Plan as a whole is clearly the sum of its policies and it is therefore necessary to consider the extent to which each policy complies with national policy and guidance.

However, in reaching my conclusion on this basic condition it is the relationship of the plan as a whole with national policies and guidance rather than individual policies which is the key consideration.

26. The Basic Conditions Statement submitted with the RNP sets out in tabular form the relationship between its policies and the NPPF. It helpfully summarises how the policies relate to specific paragraphs of the NPPF as advised by PPG.² I will look at this in more detail relation to individual policies. Clearly every location is different and some elements of the NPPF are not directly applicable in Rackheath.
27. Also, relevant to the basic conditions test is “*guidance issued by the Secretary of State*” as set out in PPG. The PPG provides a great deal of advice on procedural and policy related matters related to neighbourhood plans³. It provides clear explanations on what can or cannot be done in a neighbourhood plan and useful advice on the requirement for policies to be adequately justified and clearly expressed.⁴ Significant departure from the PPG is likely result in a conflict with the basic conditions. The Basic Conditions Statement does not consider the relationship of the Plan to PPG but I have had frequent need to relate aspects of the Plan to it.

² PPG Which National Policies are relevant to a neighbourhood plan? Reference ID: 41-070-20140306

³ PPG Neighbourhood Planning: Reference ID: 41 paragraphs 001-087

⁴ PPG What Evidence is needed to support a neighbourhood plan? Reference ID 42-040-20160211 and How should the policies in a neighbourhood plan be drafted? Reference ID 41-041-20140306

“The making of the plan contributes to sustainable development”

28. Sustainable development is the fundamental principle guiding the planning process⁵ and the assessment of this basic condition is therefore of prime importance. The NPPF spells out the three dimensions of sustainable development: economic, social and environmental and emphasises the interdependent nature of these. Again, it is important to note that the assessment to be undertaken relates to the plan as a whole, but clearly the contribution of each policy needs to be considered to enable a conclusion to be reached and policies which fail to contribute to sustainable development are likely to require modification or deletion. There may, on occasions, be a tension between the different dimensions of sustainable development which requires the definition of an appropriate balance. Clearly there is a big overlap between consideration of this basic condition and the previous one as the guiding theme of the NPPF is the achievement of sustainable development.
29. Section d) of The Basic Conditions Statement links the three themes of sustainable development to the policies of the RNP and identifies how the individual policies of the Plan contribute to each of these themes. As the NPPF points out⁶ local circumstances vary greatly and that influences the way in which contributions to sustainable development can be made.
30. PPG suggests that a sustainability appraisal may be a helpful way of meeting the requirement for the plan to demonstrate its contribution to sustainable development.⁷ The RNP is accompanied by a full sustainability appraisal which uses 23 sustainability objectives drawn from the framework prepared for the Broadland, Norwich and South Norfolk Joint Core Strategy to evaluate the policies of the Plan. The appraisal tests both the objectives of the RNP and the policies against the sustainability objectives. I shall consider the Sustainability Appraisal in more detail in relation to European Obligations and SEA, but it effectively demonstrates in a clear way that the policies of the Plan will mostly have a neutral or positive effect on the sustainability objectives with only a few

⁵ NPPF para 6

⁶ NPPF paragraph 10

⁷ PPG Does a neighbourhood plan require a sustainability appraisal? Reference ID: 11-026-2014030

small negative impacts which are clearly outweighed by positive effects. I will consider individual policies later in this report but the sustainability appraisal demonstrates the generally positive contribution of the Plan to sustainable development.

The making of the plan is in general conformity with the strategic policies contained in the development plan for the area.

31. As with the previous two conditions the test applies to the plan as a whole, but this requires consideration of individual policies against relevant strategic policies in order to reach an overall conclusion. The test of “*general conformity*” is fundamentally that the neighbourhood plan policies should not undermine the strategic policies of the Local Plan. The test is spelt out more fully in PPG⁸. It does not preclude some variation from a strategic policy to reflect local circumstances providing the proposal upholds the general principle that underlies the strategic policy.
32. The table in the Basic Conditions Statement that I referred to in relation to the NPPF also relates the policies of the Plan to the JCS and identifies no conflict with it. It also includes a list of strategic policies in the SADPD, the DMDPD and the GTAAP. Many of these policies have no relevance to the RNP, however, it does not attempt to identify those that are relevant or to describe the relationship between these policies and the RNP. In this regard, it does not meet the requirement in regulation 12(d) of the NPR to submit “*a statement explaining how the neighbourhood plan meets the requirements of paragraph 8 of Schedule 4b to the 1990 Act*” (my emphasis). In the case of the RNP, the relationship with the policies of the GTAAP is particularly important and a Basic Conditions Statement which followed the regulations would have looked carefully at the relationship between policies GT16, GT17, GT18 and GT19 rather than listing many policies that clearly have no bearing on the RNP. Many of the policies refer specifically to GT16 and therefore to ignore in the Basic Conditions Statement a policy which is highly relevant and clearly identified as strategic is inexplicable. One of the purposes of the Basic Conditions Statement is to assist the examination process; this requires a thoughtful

⁸ PPG What is meant by ‘general conformity’? Reference ID: 41-074-20140306

approach to its contents rather the mechanical and to an extent meaningless approach here. I am conscious that I have emphasised this point much more here than in my recent examination of the Salhouse Neighbourhood Plan, but that is because there is clearly here an important relationship with the GTAAP which has not been addressed. I will need to carefully consider this relationship in relation to individual policies but will first consider the question of the overall level of housing need.

33. One of the key requirements for neighbourhood plans is that they should not *“promote less development than set out in the Local Plan or undermine its strategic policies”*. The RNP does not contain policies which make specific provision for new housing. Policy 10 of the JCS Makes provision for the development of at least 7,000 dwellings by 2026 in the Old Catton, Sprowston, Rackheath, Thorpe St Andrew Growth Triangle and envisages that this may increase to 10,000 beyond 2026.
34. The GTAAP adopted in 2016 sets out more detailed proposals for the development of the Growth Area Triangle. Policy GT16 envisages the development of 160ha of North Rackheath for mixed use development including 3,000 dwellings up to 2026. It also proposes the protection of 58ha for further development beyond this period. Policies GT17, GT18 and GT19 also propose residential development on three sites adjoining the existing built up area of Rackheath which could accommodate up to 550 dwellings. It is evident that strategic policies envisage development on a very large scale for Rackheath up to 2026 and beyond. The RNP acknowledges this development and aims to plan for it. While the strategic context to the end of the plan period for the RNP is not entirely clear, it is clear that the plan is in general conformity with strategic policies contained in the development plan for the scale of housing development and development.

“The making of the Plan does not breach, or is otherwise compatible with EU obligations”

35. As this condition relates to the process of plan preparation I shall deal with it in detail at this stage.

a) Strategic Environmental Assessment

36. PPG indicates that *“where a neighbourhood plan is likely to have significant environmental effects it may require a strategic environmental assessment”*⁹, subsequently referred to as SEA. An SEA requires the preparation of an environmental report. In order to determine whether the plan is likely to have significant environmental effects, a screening assessment is necessary.
37. Regulation 15 of the NPR requires that the submission of a neighbourhood plan must include:
*“either (i) an environmental report prepared in accordance with paragraphs (2) and (3) of regulation 12 of the Environmental Assessment of Plans Regulations (EAPPR) or
(ii) where it has been determined under regulation 9(i) of these Regulations that the proposal is unlikely to have significant environmental effects (and accordingly does not require an environmental assessment), a statement of reasons for the determination”.*
38. BDC encourages the preparation of a Sustainability Appraisal to accompany neighbourhood plans and that is the approach that has been taken at Rackheath. The Sustainability Appraisal is intended to incorporate the requirement of the Strategic Environmental Assessment Regulations and go beyond them by including economic and social impacts as well as environmental ones. No screening assessment of the need for SEA was undertaken as the intention was always to prepare a Sustainability Appraisal which would meet the requirements of SEA.
39. As required by the regulations a Scoping Report was prepared which took into account relevant policies plans and programmes, available baseline information, and key issues including ones drawn from the JCS. From these a sustainability framework was developed by identifying a series of sustainability

⁹ PPG Does a neighbourhood plan require a strategic environmental assessment? reference ID: 11-027-20150209

objectives against which the Plan could be tested. These were based on the sustainability framework developed for the JCS.

40. In accordance with the EAPPR the Scoping Report was subject to consultation with the consultation bodies: Natural England, Historic England and the Environment Agency. Norfolk County Council and the Broads Authority were also consulted. Minor amendments were made based on the result of this consultation.
41. The Sustainability Appraisal considers each of the policies of the Plan against the sustainability objectives and, as I have already described in considering the contribution of the Plan to sustainable development, identified that the policies would have a generally neutral or positive effect. A few minor negative effects were associated with the small scale of housing proposed.
42. One of the requirements of the EAPPR is that a SEA should consider reasonable alternatives to the policies proposed. As the Plan does not make site specific allocations for development the range of reasonable alternatives to the policies is limited and the appraisal compares the effects of the policies with the effects of the “*do nothing*” policy of not preparing the Plan. In effect this is the baseline against which the Plan is assessed, as otherwise decisions would be taken in the context of the JCS, DMDPD and GTAAP which have already been the subject of full sustainability assessment. I sought clarification on this approach to alternatives and this is supplied in Appendix 1. In many cases the effects are similar but in others the effects of the Plan would be more positive as they would more specifically address local issues. This is a very limited consideration of alternatives, but the Plan does not make allocations for new development and the existing development plan documents have all been subject to a full Sustainability Appraisal. PPG indicates that SEA “*does not need to be done in any more detail, or using more resources, than is considered to be appropriate for the content and level of detail in the neighbourhood plan*”¹⁰. I am satisfied that the nature of the policies in the Plan means that the SEA contained within the Sustainability Appraisal meets

¹⁰ PPG What level of detail is required in a strategic environmental assessment. Reference ID: 11-030-20150209

requirements of the legislation.

b) Appropriate Assessment under the Habitats Directive

43. Regulation 102 of the Conservation of Habitats and Species Regulations 2010 (CHSR) requires that where a plan is likely to have a significant effect on a European designated site, *“the plan-making authority must, before the plan is given effect, make an appropriate assessment of the implications of the site in view of that site’s conservation objectives”*. Schedule 2 to the NPR inserted Regulation 102A to the CHSR: *“A qualifying body which submits a proposal for a neighbourhood development plan must provide such information as the competent authority may reasonably require for the purposes of the assessment under regulation 102 or to enable them to determine whether that assessment is required.”*
44. Included with the submission documents is a Screening Assessment of the need for an appropriate assessment under the Habitats Regulations. Three European Sites are identified close to the Rackheath Neighbourhood Area: the Broadland Special Protection Area, The Broadland Ramsar Site and The Broads Special Protection Area. The likely effect of each of the policies in the Plan on these areas is considered and the conclusion is reached that the Plan is not likely to have a significant effect and a full Appropriate Assessment is therefore not required. Natural England were consulted on this conclusion and confirmed their agreement with it.
45. I therefore conclude that the making of the RNP would not breach and would be otherwise compatible with EU obligations.

Human Rights

46. I am also satisfied that nothing in the RNP is in conflict with the requirements of the European Convention on Human Rights.

The Vision: 2037

47. The Plan sets out a vision which describes what the community wish their parish to be like in 2037.

“By 2037 Rackheath will be a small attractive rural town with a village feel, developed in a way that is sensitive to its rural location and heritage. It will have a strong and vibrant resident community and thriving local businesses. There will be an excellent range of services and facilities with good connections within Rackheath and between other settlements. It will be a place where people want to live, work and get involved, now and for future generations.”

48. This Vision will not have the status of a development plan policy. It describes the anticipated outcome of the policies of the RNP and other development plan policies and has no direct bearing on the policies themselves. The term “with a village feel” is used frequently in the policies of the Plan and is clearly central to the vision. It is not explained or defined in the Plan but a representation from the developers of North Rackheath includes a quotation from a member of the Neighbourhood Plan Team that it is “the ability to retain a level of greenness and see the countryside from within the settlement”. However, this description has no status and the response to the representation related to it was to decline to define the term. It is therefore a rather vague and ill-defined term and that limits its effectiveness in the delivery of policies. However, I am satisfied that the vision described is entirely consistent with sustainable development.
49. The Plan then sets out a total of 17 objectives under 6 main headings:
- Housing and the Built Environment
 - Environment and Landscape
 - Community
 - Business and Employment
 - Services
 - Transport and Access
50. The objectives describe the intended outcomes of the Plan which collectively will achieve the Vision. The policies of the Plan are set out in relation to each of the objectives. I am satisfied that there is no conflict between the intentions of the objectives and the basic conditions.

Neighbourhood Plan Policies

51. I have considered all the policies of the Plan in relation to the basic conditions. In doing so I have taken account of all the comments that have been made on the Plan as it has been developed and in particular those comments made in response to the Regulation 16 consultation on the submitted plan. While I have not referred explicitly to every comment that has been made, I have taken them all into account. Some of the comments express opposition to the scale and location of development envisaged in Rackheath. This is a matter that is covered in the existing Development Plan Documents, in particular the JCS, and the GTAAP and as these are strategic policies the neighbourhood plan cannot change or override them.
52. I am only empowered to recommend modifications that I consider are necessary to meet the basic conditions or to correct errors. This includes modifications to improve the clarity of the wording of policies as one of the important elements of PPG is 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.”*¹¹
53. PPG also indicates that *“Proportionate, robust evidence should support the choices made and the approach taken. The evidence should be drawn on succinctly the intention and rationale of the policies in the draft neighbourhood plan.”*¹² Under each objective there is a brief description of the rationale behind the policy or policies which relate to it. In some cases, where this description is lacking in any specific detail that would clearly justify the policy, I have found it necessary to delete policies or parts of policies. The policies are presented in groups under thematic headings. Under each objective there is a section providing background and justification. This means that there is not always a clear and separate justification for each policy. In many cases this is not a

¹¹ PPG Neighbourhood Planning How should the policies in a neighbourhood plan be drafted? Reference ID: 41-041-20140306

¹² PPG Neighbourhood Planning What evidence is needed to support a neighbourhood plan? Reference ID 41-040-20160211

serious issue as the policies under the main heading are complementary and the justification for one policy overlaps with another.

Housing and the Built Environment

Objective 1: To provide sufficient diversity of affordable and adaptable high quality housing within a balanced housing market.

Policy HOU1: Mixed type and tenure of housing

54. The policy requires new development to include a mix of housing type and tenure and identify several specific types of homes with the aim of meeting housing need and enabling social diversity. In general terms, this is consistent with the approach in paragraph 50 of the NPPF, but that paragraph also places emphasis on the mix of housing being based on the evidence of need. Policy 4 of the JCS which addresses this issue relates the mix of housing to the latest published objective assessment of housing need and there is therefore no need to repeat this. Policies GT16, GT17, GT18 and GT19 do not specify the types of housing envisaged.
55. The policy states that *“proposals for new residential development should not include significant amounts of flatted accommodation to contribute to a rural village feel.”* No justification for this is given other than the reference to *“rural village feel”*. The scale of development envisaged at Rackheath will, as the Vision recognises, result in a settlement the size of a small town. The policy aims to provide a variety of house types to meet different needs and flats can be suitable for people who don’t want the responsibility of maintaining a garden. The relatively high density associated with flats can also contribute to sustainability by increasing the numbers of people within walking distance of services. Higher densities around shops and transport routes are envisaged in Policy HOU2. Given the generally low rise character of Rackheath, I accept that large scale developments of flats would substantially change the character, but *“significant”* could cover relatively small scale developments. I have therefore recommended a modification to allow more flexibility in relation to flats in the interests of sustainable development, potentially adding to the benefits

shown in the sustainability appraisal for objectives SOC1 and SOC4. A fuller justification would have permitted a more carefully drafted policy.

56. While no specific justification has been given for the list of dwelling types in the second part of the policy, it represents a broad choice addressing many evident needs.

Recommendation

In the third line of Policy HOU1 delete “significant” and insert “large scale”.

Objective 2: To provide appropriate size, scale, density, design and layout, including mixed-use developments, which complement the character of Rackheath.

Policy HOU2: Character, density and massing

57. Policy HOU2 aims to ensure that the character of new development maintains a rural character and respects the scale and character of existing development. It also aims to promote connectivity for pedestrians and cyclists. The policy has regard to paragraph 58 of the NPPF and is in general conformity with Policy 2 of the JCS. It sets out broad principles without being unduly prescriptive. For instance, the reference to generally low buildings does not rule out higher ones where they respect the established character. I find it a carefully worded policy that is consistent with the basic conditions.

Policy HOU3: High quality public realm

58. The policy defines some principles for the relationship between new housing development and the public realm. It seeks to achieve some large front gardens, particularly on major routes, well designed cycle parking and boundary treatment and high quality street furniture. It also addresses the design of waste storage areas where they have to be at the front of the property. Again, I find this a carefully thought through set of requirements which are not excessively prescriptive and are consistent with the NPPF and JCS Policy 2.

Representation by Mr Phil Harvey on behalf of Lanpro

59. The representation by Mr Harvey advocates the inclusion of a new policy HOU4 which would allow for the provision of 142 dwellings and the development of a new country park on land to the west of Green Lane, which he suggests should be identified as Local Green Space in Policy ENV7. His representation also relates to policies COM2, COM3, COM6 and COM7 which he suggests could be amended to refer to the potential of the proposed country park to accommodate new facilities such as a football pitch, cricket pitch and allotments. As I have pointed out earlier, I am only empowered to recommend modifications which are necessary to meet the basic conditions. I made it clear that in paragraphs 32 and 33 that the Plan takes full account of the allocations in the GTAAP which are large enough to accommodate the amount of housing developed required by the JCS. It is therefore not necessary for me to make specific allocations for additional housing. Moreover, I don't not have sufficient evidence on the implications of the development being advocated by Lanpro to conclude that it should be allocated. It would also not be appropriate to identify the proposed country park as a Local Green Space as this designation is designed to relate to existing green spaces which meet the criteria in paragraph 77 of the NPPF.

Environment and Landscape

Objective 3: To protect the environment, by minimising flooding and pollution on land, in water and in the air.

60. In relation to the supporting text under this objective it is stated that "*there is insufficient capacity at the Whitlingham waste water treatment works*". While this reflects a comment of the Environment Agency at the regulation 14 consultation stage, Anglian Water who are responsible for the Whitlingham Water Recycling Centre state that this is incorrect.

Recommendation

In the second paragraph of the supporting text under Objective 3 replace "insufficient" with "sufficient" and at the end of the sentence add "to accommodate the amount of development envisaged."

Policy ENV1: Drainage

61. The policy aims to ensure that new development will not increase the risk of flooding and to set standards for the design of sustainable drainage systems. It is broadly compatible with paragraph 100 of the NPPF and Policy 1 of the JCS. Policy CSU5 of the DMDPD is also relevant and the policy is broadly compliant with it. By highlighting areas which are prone to flash flooding the policy provides a useful pointer to developers and decision makers. However, two of the locations listed in the map and shown on Figure 16 lie outside the parish boundary, f Green Lane East, just before the railway crossing and e Green Lane East approach to Broad Lane and a neighbourhood plan may not include policies for land outside its area.
62. The requirement for sustainable drainage systems to appear natural and capable of contributing to biodiversity is consistent with sustainable development.

Recommendation

Delete points e and f in policy ENV1 and on Figure 16.

Policy ENV2: Climate change

63. The policy aims to ensure that new buildings are designed to anticipate climate change, minimise resource use and be capable of adaptation. It also seeks to optimise the use of solar gain. The Ministerial Statement of March 2015 presented the results of the Housing Standards Review. It indicated that, from the introduction of amendments to the Planning and Energy Act 2008 in 2016, the government would incorporate energy use requirements into the building regulations equivalent to level 4 of the Code for Sustainable Homes, which would be discontinued.¹³ From that date planning policies should not set out standards for energy use for new houses. While this policy does not set out standards, it is difficult to see how it can have any effect with regard to new homes in the light of the Ministerial Statement. The only issue for a decision

¹³ Ministerial Statement of Secretary of State for Communities and Local Government 25 March 2015

maker will be application of the national standard. Homes that do not meet it will not be acceptable and for those that do, no more can be asked. Thus, the application of Policy ENV2 to new homes is not consistent with government policy and does not meet the basic conditions. This policy also relates to business premises and community buildings and may be applied to them. There is very little justification for the policy and so it is not clear why solar gain is to be optimised rather than other sources of renewable energy though support for passive solar gain as well as solar PV panels is appropriate.

Recommendations

In Policy ENV2 delete “homes” and “Where possible cost effective and efficient passive solar gain should be optimised.”

In the last sentence of the policy after “...supports” insert “cost effective and efficient passive solar gain and”.

Objective 4: To protect and improve biodiversity (e.g. wildlife habitats), whilst facilitating access to the countryside.

Policy ENV3: Tree belts and wildlife habitats

64. Policy ENV3 aims to protect existing tree belts and to ensure that, where they are incorporated in development, access through them on foot, cycle or bridle path should be provided. It also requires new development to support the creation of new wildlife habitats and enhancing ecological networks. The NPPF in paragraphs 109 and 118 seeks to protect the natural environment and to encourage new development to contribute to biodiversity. Policy 1 of the JCS sets out a detailed approach to the protection of environmental assets and refers to the importance of green networks. Policy ENV1 of the DMDPD confirms this and sets out the approach to be taken to development proposals that are harmful to biodiversity. Policy ENV3 of the DMDPD also requires new development to “*maximise opportunities for the creation of a well-managed network of wildlife habitats.*” I am satisfied that RNP policy ENV3 is consistent with the NPPF and the strategic development plan policies. PPG that requires that neighbourhood plan policies “*should be distinct and respond to the unique characteristics and planning context of the specific neighbourhood area for*

*which it has been prepared”*¹⁴. By identifying the strategic tree belts that are a distinctive feature of Rackheath the policy responds appropriately to this requirement.

Policy ENV4: Trees and soft site boundaries

65. This Policy seeks to retain significant trees or woodland and to incorporate significant tree planting into new developments. It also requires new development to have soft boundary to give a rural edge. The policy is consistent with paragraph 118 of the NPPF and Policy 2 of the JCS and with Policy ENV2 of the DMDPD which encourages new development to “*protect and enhance where appropriate ...green spaces and semi-natural features... which make a significant contribution towards defining the character of an area*”.
66. There is a slight ambiguity in the second part of the policy as it is not clear whether the phrase “*where adjacent to the countryside*” is intended to apply to the whole of the paragraph or just to “*using trees and native hedgerows*”. In my judgement, it should apply to the whole paragraph as defining internally the boundaries of separate elements of the proposed development would potentially be prejudicial to achieving effective integration within the new development and with the existing community. This would not be consistent with sustainable development. I have therefore proposed a modification to clarify this.

Recommendation

Reword the last paragraph to read: “Where site boundaries and entrances are adjacent to the countryside they should be soft, using trees and native hedgerows, giving a rural character to the development edge.

Objective 5: To respect the history and heritage of Rackheath.

Policy ENV5: Local landscape character and historical development

¹⁴ PPG How should the policies in a neighbourhood plan be drafted? Reference ID 41-041-20140306

67. The policy requires new development to take account of landscape character and historical features in their layout and design. It identifies a list of eight Local Heritage Assets which should be protected from loss or significant harm. It is important to be clear about the status of these assets. The identification of non-designated heritage assets is a function of the local planning authority.¹⁵ They may be identified in Local Plans against a clear list of criteria.¹⁶
68. It has been confirmed to me that the assets identified in Policy ENV5 have not been identified by the local planning authority as non-designated heritage assets. (Appendix 1). The supporting text could be modified to indicate that RPC will discuss the possible inclusion of these buildings and structures in the list of non-designated heritage assets, but this is not a formal recommendation as it is not essential.
69. I can see no objection in terms of the basic conditions to the identification of these buildings and features as structures of historic interest. However, the policy to be applied to them will need to take careful account of the approach set out in the NPPF in paragraphs 131-135. These paragraphs set out a hierarchy of heritage assets and the different approach to be taken to development that would affect them. For designated heritage assets, the test to be applied is very strict, particularly if the harm would be substantial. Where the harm to a designated heritage asset is less than substantial, or in the case of non-designated heritage assets, the harm must be balanced against the benefits of the development.
70. The wording of Policy ENV5 does not allow for any balancing exercise of this sort and is closer to that which the NPPF applies for substantial harm to designated assets. The status of the buildings and structures that have been identified in this policy would be below that of non-designated heritage assets. Thus, while reflecting the principles in paragraph 126 of the NPPF, the policy is not consistent with paragraph 135 as it does not consider circumstances in which the loss of or serious damage to these buildings would be acceptable.

¹⁵ PPG What are non-designated heritage assets and how important are they? Reference ID: 18a-039-20140306

¹⁶ PPG How are no-designated heritage assets identified? Reference ID 18a -041-20140306

Policy 2 of the JCS refers to the need to “*respect landscape character and the historic environment*” but otherwise strategic development plan policies do not add to the NPPF with regard to the historic environment. It follows from the non-conformity with the NPPF and to clarify the status of these buildings that some modifications to the policy are necessary.

Recommendations

Modify the second paragraph of policy ENV5 to read:

“proposals requiring consent which affect any of the buildings and structures of historic interest (as identified below) must take account of their significance and, where possible, avoid harm to or the loss of them. The renovation or alteration of the buildings or structures below should be designed sensitively and with careful regard to the heritage asset’s historical and architectural interest and setting.

Where a proposal would result in the loss of or significant harm to one of these buildings or structures the harm should be weighed against the potential benefits in terms of sustainable development of the proposals.

Change the title of Figure 20 to Buildings and structures of historic interest and important views.

Policy ENV6: Views and vistas across the parish

71. The policy seeks to protect the view from Stone Hill looking north-west towards All Saints Church from development that would be harmful to it. It also seeks the protection and creation of views along streets to the surrounding countryside. I am satisfied that this is consistent with paragraph 109 of the NPPF which supports the protection and enhancement of the natural and local environment. While the Basic Conditions Statement correctly identifies that no Core Strategy policies are of direct relevance to this policy, Policy EN2 of the DMDPD points to the need to “*protect and where possible enhance ... Visually sensitive skylines and important views.*” Policy ENV6 is consistent with this and I am satisfied that it meets the basic conditions.

Objective 6: To create a high quality and green public realm

Policy ENV7: Green Space

72. Policy ENV7 aims to ensure that new development includes quality outdoor amenity space and in particular that the development of North Rackheath in accordance with policy GT16 of the GTAAP should include a large green space capable of acting as a focal point for the Parish. It also designates 5 existing areas as Local Green Spaces. While the intentions of the policy are understandable and in broad terms consistent with sustainable development I have a number of concerns with the detailed wording and the lack of justification.
73. The policy does not define either in text or on a map what is included within the definition of “*green spaces within the parish*”. It could apply to all undeveloped land, public open space or something in between. The Basic Conditions Statement refers to paragraph 74 of the NPPF in support of the first part of the policy. However, it does not refer to the circumstances in which the loss of existing open spaces may be acceptable which also form part of that paragraph. Also, it may not always be consistent with the presumption in favour of sustainable development to require the enhancement of existing green spaces. While it would be possible to address some of these points with modifications, in the absence of any definition of what constitutes “*green spaces within the parish*” it is necessary to recommend deletion of this part of the policy.
74. The second part of the policy seeks the identification of a large area of green space in a centrally located position within the parish within the development of North Rackheath. Here the failure of the Basic Conditions Statement to relate policies to those of the GTAAP is not helpful. Policy GT16 refers to “A large public parkland within the identified North Rackheath buffer zone”. Map 3 of that document does not identify a North Rackheath buffer zone but it does identify a large area with a public open space designation on the northern and eastern edges of the allocation. I sought clarification as to whether the open space allocation is the North Rackheath buffer zone and it has been confirmed that it is (Appendix 1). This is not in the right place to accommodate the

“centrally located” green space envisaged in Policy ENV7 but it does not preclude the provision of an additional green space in a central location.

75. This is the first of four policies which refers to new facilities being “*centrally located*”. The others are COM2 referring to a community hub, BUS3, referring to a local centre and SER2 relating to medical facilities. I will address this concept in relation to all four policies here. This is a very important underlying principle of the Plan as it addresses the need for effective integration between the existing and new development in Rackheath. The creation of facilities that are collectively located for the community as a whole has the potential to bring people together in a way that is entirely consistent with paragraph 69 of the NPPF. It also has the potential to maximise the accessibility of these facilities for the community as a whole which would contribute to sustainable development.
76. This concept, as expressed in the four separate policies, places an important requirement on the masterplan required for North Rackheath, effectively saying that North Rackheath will not be a self-contained new development but part of an enlarged village that will become a small town. In this way, it goes beyond the requirements of Policy GT16 but it does not in any way conflict with or undermine it. Neither is it unreasonably prescriptive and I note that, although there were concerns expressed by the North Rackheath developers at the regulation 14 consultation stage about this concept, no objections were raised at the regulation 16 stage. There is considerable flexibility in the concept of a central location as it is not precisely defined. The map at Figure 13 shows an indicative rather than a definitive area. The area shown on this map is quite extensive being about 600m from east to west and 350m from north to south. Although this area is not definitive the policy should cross refer to Figure 13 and the supporting text to make it clear what the policy means.
77. Turning to the specific proposal in Policy ENV7, the term “large” is not defined and may not be justified in light of the very substantial allocation of green space to be made in the North Rackheath buffer zone. Possible uses of the space are a village green and/or a cricket pitch. I have recommended a modification to reflect these points.

78. The third part of the policy proposes the designation of 5 areas as Local Green Spaces. The Basic Conditions Statement refers to paragraph 76 of the NPPF but not to paragraph 77 which sets out the criteria which Local Green Spaces should meet and clearly states that such designation will not be appropriate for most green spaces. There is also no clear justification for the designation of these spaces against these criteria in the NPPF, other than the reference to them emerging through community consultation which in part meets the requirement to be “*demonstrably special to the local community*”. Also, the extent of the proposed Local Green Spaces is not shown on a map. Although they are shown with a dot on Figure 22 titled Community Facilities in Rackheath, there is no cross reference to this Map in the policy. If an area is to be designated it is necessary to define its extent on a map to enable the policy to be enforced. For instance, the dot relating to Newman Woods is located just north of Salhouse Road to the west the allocation for new housing development made by Policy GT18 of the GTAAP and BDC state that this is actually March Covert. The justification refers to it containing the Old Scout Hut (Colonel Showers) which is shown just west of Green Lane West on Figure 20 Local Heritage Assets. I asked for a Map to be supplied to assist my consideration. This has been supplied and is attached at Appendix 2.
79. Policy ENV7 does not clarify what is meant by “*special protection*” in the third paragraph. Paragraph 78 of the NPPF indicates that “*Local policy for managing development within a Local Green space should be consistent with policy for Green Belts*”. Notwithstanding this Green Belt Policy cannot be directly applied to Local Green Spaces as Green Belts differ by nature from Local Green Spaces as they generally cover extensive areas of land. Also, there are many types of development that are considered “*not inappropriate*” in Green Belts¹⁷ but may well not be acceptable in a small Green Space. Where Local Green Spaces and Green Belts are similar is that they should be “*capable of enduring beyond the plan period*”. The important thing is that any development that does take place should complement the function of the Local Green Space. Thus, a sport pavilion may be appropriate in association with a sports field, but not in a

¹⁷ NPPF paragraphs 89 and 90

piece of woodland. I have recommended a modification to clarify this. I have considered each of the proposed Local Green Spaces against the criteria in the NPPF.

80. Newman Woods Newman Woods is a small area of apparently publicly accessible, mostly deciduous, woodland which lies between Green Lane West and the line of the Northern Distributor Road which is currently under construction. It is close to the existing built-up area of Rackheath and is capable of playing an important role in maintaining the “village feel” sought by the Plan. I am satisfied that it meets the requirements for Local Green Space designation.
81. Rackheath Park Rackheath Park is a large area of Historic Parkland which is some distance from the built-up area of the village. In my view, it does not meet the requirements to be “*in reasonably close proximity to the community it serves*” and “*not an extensive tract of land*”.
82. Jubilee Park This is a public park next to the Primary School in New Rackheath. It is clearly an important local recreational facility in an area where there is relatively little public open space. I am satisfied that it meets the criteria for Local Green Space designation.
83. Stracey Sports Park This is a sports ground with pitches, changing rooms, a multi-use games area and a bowling green opposite the entrance to Rackheath Industrial Estate from Green Lane West. This is clearly an important facility for the village and appropriate for Local Green Space designation.
84. Rackheath Primary School Field This is the school playing field and lies next to Jubilee Park. No specific evidence on its particular community significance, other than its use in association with the school has been given and I am therefore not satisfied that it meets the criteria for Local Green Space designation.
85. The final section of the policy welcomes further woodland planting to extend existing woods. This is not a land use policy as the planting of woods is not subject to planning control.

Recommendations

Delete the first sentence of Policy ENV7.

Reword the second paragraph of Policy ENV7 to read “detailed proposals for the area identified in the Growth Triangle Area Action Plan as GT16 should include a green space, large enough to function as a village green and possibly a cricket pitch, which is centrally located (see Figure 13 and related text) within the settlement of Rackheath and provides a focal point for the Parish.”

In the third paragraph of policy ENV7 add “s” to Space and delete “for special protection” and add “as shown on Figure 21”. Delete “b. Rackheath Park” and “e. Rackheath Primary School field”.

After this section insert “In these spaces development will not be permitted unless it is compatible with their character and function as Local Green Spaces”.

Delete the last line of Policy ENV7.

Insert new Figure 21 with the areas shown for b. and e removed.

Policy ENV8: Approaches to Rackheath and village landscape

86. This Policy encourages new developments to enhance the approaches to Rackheath where they are located at the entrances to the village. It also encourages landscaping to create a village character on new junctions, footpaths and car parks to create a village feel and for new developments to look out over green spaces where they are located next to them.
87. The Basic Conditions Statement quotes paragraph 109 of the NPPF in support of this policy, but that relates particularly to the protection of the natural environment, whereas this policy is about landscaping in relation to new development. In my view paragraph 59 of the NPPF which refers to the need for Local and neighbourhood plans to set out design policies is more relevant, in particular the requirement to “establish a strong sense of place, using streetscapes and buildings” as design includes appropriate planting. Also, the requirement to “*create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life and community cohesion*” is relevant to the part of the policy about natural surveillance.

Paragraph 66 of the NPPF is also relevant as it expects applicants “*to work closely with those directly affected by their proposals to evolve designs that take account of the views of the community.*”

- 88. Again, policies GT16, GT17, GT18 and GT19 all require a comprehensive landscape strategy which would need to take account of this policy.
- 89. I am satisfied that the policy meets the basic conditions.

Objective 7: To enable friendly, co-operative and helpful behaviour in neighbourhoods.

Policy COM1: Linked community

- 90. Policy COM1 requires that new developments should contribute to improved connections within the parish as a whole in a variety of ways. Good connectivity is consistent with the NPPF and paragraph 35 is relevant as well as paragraph 70. It is also consistent with JCS policy 2. I am satisfied that the policy meets the basic conditions.

Policy COM2: New Community Facilities

- 91. The policy supports the provision of new community infrastructure which will encourage a strong sense of community identity. In particular, it supports the provision of a new community hub building to be provided at the southern end of the Rackheath North development. It suggests that this should be identified in the masterplan for this development. I have considered the general concept of centrally located community facilities in relation to Policy ENV7 and the general approach of the policy is entirely consistent with sustainable development and paragraphs 69 and 70 of the NPPF in particular. It is also in general conformity with the requirement of Policy GT16 which requires the provision of at least one community building. It is entirely appropriate for the neighbourhood plan to influence the location of this. I am satisfied that the policy meets the basic conditions subject to a cross reference to Figure 13.

Recommendation

In Policy COM2 after “...centrally located” insert “(see Figure 13 and

related text)”).

Objective 8: To enable social inclusion, good community engagement, feeling safe and a sense of community identity

Policy COM3: Social spaces, play spaces and parks

92. Policy COM3 requires the provision of landscaped play areas and parks and sets out requirements for them in terms of location near community buildings, accessibility, natural surveillance and the facilities to be provided. It reflects the approach advocated in paragraphs 69 and 70 of the NPPF and policies 7 and 8 of the JCS. It is also in general conformity with and complements Policies GT16, GT17, GT18 and GT19 of the GTAAP. All of these require the provision of open space and play areas in accordance with the Council’ standard policies. The list of facilities to be provided reflects what could reasonably be expected and I am satisfied that the policy meets the basic conditions.

Policy COM4: Community Safety

93. The policy aims to ensure that new developments have good natural surveillance, active frontages, permeable routes and buildings that face onto the public realm. It also encourages the application of the requirements of “Secured by Design”. The intentions of the policy are entirely compatible with paragraph 69 of the NPPF and the reference in JCS Policy 2 to “*designing out crime*”. The reference in policy GC4 vii of the DMDPD to “*creating safe environments addressing crime prevention and community safety*” is also relevant. The reference to “Secured by Design” however is not sufficiently clear to provide clear guidance to a decision maker. The reference to “*encouraged*” does not make it clear in what circumstances proposals will be expected to achieve conformity with “Secured by Design”. I have therefore recommended a modification to provide a clearer approach.

Recommendation

In Policy COM4 reword the last sentence to read “Development proposals will be expected to meet the requirements of “Secured by Design” unless they can demonstrate a clear justification for any departure or an alternative approach that would not compromise community safety.

Policy COM5: Existing community facilities

94. This policy supports the improvement and extension of existing community facilities and resists development that would result in the loss of community facilities unless one of a series of tests is met. It also encourages sustainable construction methods and the use of alternative energy sources in community facilities. A positive approach to the provision of community facilities is consistent with the NPPF paragraphs 28 and 70. Policy 7 of the JCS supports new and expanded community facilities and particularly refers to their role in the integration of new and existing development. JCS Policy 8 supports new cultural facilities. Policies CSU1, relating to new community facilities, CSU2, relating to the retention of community facilities and CSU3, relating to the provision of community facilities within large scale residential development, of the DMDPD are also relevant. Policy COM5 is in general conformity with these policies and, I am satisfied that it meets the basic conditions.

Policy COM6: New sports facilities

95. As well as generally encouraging the provision of new indoor and outdoor sports facilities, the policy identifies particular support for: football pitch(es), a cricket pitch, multi-purpose courts and pavilions with changing rooms. It also sets out location criteria in terms of access by all means of transport and adequate parking provision. While paragraph 73 of the NPPF highlights the benefits of open spaces and facilities for sport and recreation, it also suggests that policies should be *“based on robust and up to date assessments of the needs for open space, sports and recreation facilities and opportunities for new provision.”* While the supporting text refers to current aspirations and views expressed by the community it does not present any evidence of specific needs or quantitative or qualitative deficits or surpluses. Given the scale of new development anticipated it is reasonable to suppose that some additional provision will be required and Policy GT16 requires the provision of sports pitches in accordance with the Council's standards, which are contained in Policy RL1 of the DMDPD. With more evidence the policy could well have been more robust in terms of requiring the provision of new facilities. In the absence

of evidence of need, the middle section of the Policy identifying specific aspirations really provides no additional guidance to a decision maker over the first section which offers general support for sports facilities but, as phrased, it does not conflict with the basic conditions.

Policy COM7: Allotments

96. The policy supports the provision of new allotments and identifies possible locations within easy access of existing and proposed residential development which may well not be suitable for other forms of development. Although allotments are not mentioned specifically in either national or strategic local policies their provision is certainly consistent with the references in NPPF paragraph 73 and JCS Policy 7 to opportunities for healthy lifestyles. I am satisfied that the policy meets the basic conditions.

Objective 10: To provide sufficient land and buildings to support local economic development

Policy BUS1 New and expanding businesses

97. The policy supports the provision of land for light industry and resists heavy or polluting industry. It also states that further expansion of the Rackheath Industrial Estate should not be permitted without a new access which should not run through a residential area and ideally link direct to the A1151 to the north.
98. The NPPF provides strong support for economic development in Section 1 and for the rural economy in section 3. Policy 5 of the JCS supports the identification of new allocations of land for employment development and Policy 9 identifies a requirement for 25 hectares of additional employment land in Rackheath. This is picked up in Policy GT16 of the GTAAP which indicates that this should be for use classes B1, B2 and B8.
99. Norfolk County Council objects to the reference in this policy to “*incineration, ...hazardous waste, landfill*” as these are excluded matters which should not be included in a neighbourhood plan. This is correct as even the exclusion of

these uses is a policy related to these matters and a modification that this should be deleted is recommended.

100. I also note the comment of BDC regarding the inappropriateness of the term “rural village feel” in relation to industrial development, particularly having regard to the existing substantial industrial estate in Rackheath. I have previously expressed some concern over the use of this term and agree that it has no clear meaning in this context. I will return to this in relation to Policy BUS3.
101. While there is strong public support for a second access to serve the Rackheath Industrial Estate, there is no clear evidence other than the reference to two explosions in the last five years to support a policy resisting further development until such an access is provided. The NPPF provides firm guidance in paragraph 32 that “*Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.*” It is not clear from the very limited information provided within the Plan what the effects of additional development with only one access would be. The requirement that industrial traffic movement should be designed to lead away from residential areas towards the most direct route onto the Northern Distributor Road is consistent with the requirement in paragraph 35 of the NPPF to “*minimise conflicts between traffic and cyclists or pedestrians.*”

Recommendation

In the second paragraph of Policy BUS1 delete “incineration”, “hazardous waste, landfill” and “fit within a rural/village feel and”.

In the third paragraph delete “A second access point onto the current Rackheath Industrial Estate is required. Further expansion of the Rackheath Industrial Estate should not be permitted without this. This should not be through a residential area and ideally will link directly onto the A1151.”

Policy BUS2: Buffer between residential and industrial

102. This policy requires that there should be an effective buffer between residential and industrial uses which could take the form of amenity space, tree belts or allotments. I can find no direct link between this policy and National or local strategic policy. Broadland District Council has pointed out that B1 employment uses are, by definition, acceptable in residential areas and it is therefore not consistent with the presumption in favour of sustainable development to require a buffer in such circumstances. A modification on the lines suggested by BDC is therefore necessary. Rackheath Industrial Estate is separate from the main residential areas of the village, and contains a mix of B1 and B2 uses and therefore the provision of a reasonable buffer between residential areas and the existing industrial estate would be consistent with sustainable development.

Recommendation

Reword Policy BUS2 to read: “A significant and effective buffer must be provided between all residential development and all existing or proposed industrial uses other than B1 uses.*”

*** “B1 uses are office, research and development and light industry.”**

Objective 11: To create an economically viable and attractive centre

Policy BUS3: Local Centre with a rural village feel

103. The policy supports the provision of a local centre in a position that will be central to the whole settlement of Rackheath when the new developments that have been proposed are complete. This is the third of the policies which seek to locate important new facilities in a location which will draw the existing community of Rackheath and the new developments together. It suggests that the Centre should have a “*rural village feel*” and accommodate residential, retail and business uses. The NPPF in Paragraph 23 says that “*local planning authorities should recognise town centres as the heart of their communities and pursue policies to support their viability and vitality*”. Although the Basic Conditions Statement states that “*there is no policy in the JCS that this policy conforms with*”, JCS Policy 10 relating to the Growth Triangle provides for “*a district centre ...this may be provided by building on the proposed centre at Blue Boar Lane or by the creation of a second district centre elsewhere in the growth triangle. The development will also require new local centres.*” The JCS

does not provide guidance on local centres in association with major new development, but Policy GT16 of the GTAAP requires the provision of “*at least one local centre which provides for a range of facilities, services and employment uses*”. The concept of a local centre is thus entirely consistent with the basic conditions. Also, the location of this centre in the central location indicated on figure 13, is consistent with the strong theme running through this plan of integrating the extensive new development envisaged with the existing community of Rackheath.

104. I have concerns about the requirement for this centre to have a “*rural village feel*” as I do not find it meaningful or realistic in the context of the development of a centre of this sort. The proposed centre will be the focal point for a community of about 10,000 people, which would normally be considered a small town, and may even serve a wider role within the Growth Triangle. I understand the frequent use of the phrase in other parts of the Plan as guidance on the need to retain a rural character and a sense of greenness and openness in the extensive residential development. However, a centre which is to accommodate the range of retail, service, employment and community uses envisaged, will inevitably have a somewhat urban character if it is to have the vitality necessary for it to thrive. I therefore do not find the phrase consistent with the basic conditions as it is not consistent with the function envisaged for the centre and therefore cannot provide a basis for decision making. Related to this is the reference to “*small retail units*”. While most retail units may well be small, the mix of uses will depend on the role that the centre plays in the retail hierarchy, but as a local centre for around 10,000 people it is quite probable that one or more larger units may be required and it would be too prescriptive to restrict the development to small retail units.

Recommendations

In Policy BUS3 delete “with a rural village feel”

After “(see figure 13” and insert “and related text”.

In the fourth line delete “small” and insert “a range of”.

Policy BUS4: Retention of retail premises

105. The policy aims to retain existing retail premises. This is consistent with paragraph 28 of the NPPF (4th bullet point) and JCS Policy 15. I am satisfied that the policy is consistent with the basic conditions subject to a small modification to make the policy read like a policy and not a representation. I appreciate that “should” has been used many times elsewhere in the plan but in most cases, it is in circumstances that offer clear guidance to applicants on what is expected. In this case it is indicating what a decision maker will do.

Recommendation

In Policy BUS4 delete “should” and replace it with “will”

Objective 12: To ensure sufficient provision of educational and training facilities including early years childcare.

Policy SER1: Preschool and school provision

106. Policy SER1 supports the provision of pre-school, primary and secondary schools and requires that they should be provided when they are needed and located close to community facilities. Paragraph 72 of the NPPF does place great weight on the importance of providing adequate school places. This is carried through in Policies 7 and 10 of the JCS.
107. In this policy, the relationship with Policy GT16 of the GTAAP is particularly important as the only part of the policy that effectively adds to that policy is the suggested location in relation to community facilities. The first sentence of the policy is effectively a restatement of the objective and not a land use policy. The wording of the second sentence suggests that the land should be available when the school is needed and not the school. This would not be consistent with sustainable development and I have therefore suggested an amendment.

Recommendation

In Policy SER1 delete the first sentence.

Reword the second sentence to read “The development of North Rackheath in accordance with Policy GT16 should be phased to ensure that land is made available in time for schools to be completed when they are needed.”

Delete the third sentence.

Objective 13: To ensure sufficient provision of accessible local health care and social services

Policy SER2: Primary Health Care

108. The policy aims to ensure that medical facilities are provided to meet the needs of the growing population. This aim is entirely consistent with NPPF paragraph 156 and JCS policy 7. JCS policy 10 does not specifically refer to new health facilities at Rackheath but does refer to new facilities at the new district centre which may be at Blue Boar Lane or elsewhere in the Growth Triangle. Policy GT16 of the GTAAP does refer to new health care facilities in association with the development of that area.
109. The first part of the proposed policy is simply a restatement of the objective and not a land use policy. The second part of the policy effectively complements Policy GT16 by setting out locational requirements for the proposed health centre, though it is not appropriate to simply encourage a new medical facility as it is required by policy GT16. I have recommended modifications to clarify the relationship between this policy and Policy GT16.

Recommendation

In Policy SER2 delete the first sentence. Reword the second paragraph to read “The new healthcare facility required by policy GT16 will be centrally located (see Figure 13 and related text) with adequate car parking and easily accessible on foot or by public transport. The location will be identified on the masterplan for the development of North Rackheath and the facility will be completed as soon as the demand justifies it.”

Objective 14: To provide widely available and effective telecommunications and internet access.

Policy SER3: Internet and mobile connection

110. The policy supports the provision of high quality telecommunications services for the whole parish. Paragraphs 42-46 of the NPPF require a very positive approach to the provision of high quality communications infrastructure as do

Policies 6 and 10 of the JCS with the latter stating that “*each major development location will ensure high quality telecommunications.*” There are no additional policies in either the DMDPD or the GTAAP as there is little that they could add and that is the case here. While the public support is noted, the policy adds nothing to national and strategic policy.

Recommendation

Delete Policy SER3.

Objective 15: To enable transport facilities, including public transport, that help people travel within and between communities and reduce dependence on cars.

Policy TRA1: Public Transport

111. The policy aims to ensure that the road infrastructure provided for new development is designed to accommodate public transport and that there are good links to Salhouse Station by footpath, cycleway and bus. The general support for public transport is consistent with the general support for sustainable transport in Section 4 of the NPPF and in Policy 2 of the JCS for public transport oriented design but I have some concerns about the detail of the policy.
112. The first part of the policy requires that the infrastructure to accommodate buses is in place at the start of any new development. Policy GT16 includes a requirement for proposals to “*include a phasing plan to provide an orderly sequence of development including how co-ordinating infrastructure and services are to be coordinated with development*”. In a large development, it is not unusual for road infrastructure to be built in sections and to provide all road and public transport infrastructure may not be viable or practical. There will be many elements to consider in a phasing plan for such a large development and it may well not leave enough flexibility to be consistent with the presumption in favour of sustainable development to specify this item in isolation.
113. The second part of the policy is to ensure that highway infrastructure is adequate for buses and serves key services and employment areas. Part of it is also effectively covered by policy GT16: “*an internal road network that*

provides connectivity between its external connection points...these routes must be suitable for the passage of buses, be cycle friendly and may need to make provision for on-street parking if it is likely to occur”

114. The final section requires effective links on foot, cycleway and by bus to Salhouse Station. It also requires the provision of new access points to Salhouse Station by the developer. Effective links to Salhouse Station are clearly consistent with sustainable development but there is no evidence to support the need for new access points to Salhouse Station.

Recommendations

In Policy TRA1 delete the first paragraph, the second sentence of the second paragraph and the final sentence of the third paragraph.

Objective 16: To create facilities to encourage safe local walkways, cycleways and bridleways.

Policy TRA2: Pedestrian, cycle and bridleways

115. The policy aims to ensure that new developments make appropriate provision for footpaths, cycleways and bridleways, that roads and footpaths are designed to be user-friendly for people with disabilities and that the developments envisaged fronting Green Lane East and Green Lane West make adequate provision for pedestrian crossings to facilitate safe access to schools.
116. The policy is consistent with the principle of priority for pedestrian and cycle movements in paragraph 35 of the NPPF and with JCS policy 7 promoting healthy communities. Some of these measures are referred to in Policies GT16 and GT18 of the GTAAP, notably an off-road cycle route between Green Lane East and Stonehouse Road and cycle crossing facilities on Green Lane West, close to Newman Road.
117. The use of “contribute to” rather than “provide” suggests that the policy is referring to off-site requirements for pedestrian routes, cycleways and bridleways. Where this is the case, contributions could only be met where they meet the legal requirements for s106 agreements as set out in paragraph 204 of the NPPF. This would also apply to the requirements for pedestrian crossing facilities of Green Lane West and East; while I fully understand the desire for

these, there is insufficient evidence presented to be clear that they would meet the legal requirements. I have recommended modifications to reflect these points.

118. Some of the detail of the policy, relating to provision for people with mobility difficulties is too prescriptive to be consistent with the presumption in favour of sustainable development and falls within the responsibility of the engineer designing the proposals. I have also recommended a modification to reflect this.

Recommendations

Reword Policy TRA2 to read:

“Where the legal requirements for s106 agreements are met, developments will be expected to contribute to sustainable transport by:

- a) providing safe, attractive, convenient and, where possible off-road, pedestrian routes, cycle ways and bridleways. Routes must follow desire lines and clearly link potential destinations, particularly bus stops, schools, employment, shops, community facilities and access to the countryside;**
- b) providing a crossing point from the developments with boundaries on Green Lane West and East development to the other side of the road to enable a safe passage by pedestrians within the village and to schools.**

On-site footpaths, crossing points and parking bays should be designed to accommodate the needs of people with mobility difficulties and pushchairs.”

Policy TRA3: Layout and traffic calming

119. The policy describes requirements for road layouts to prioritise permeability and the safety of pedestrians. These principles are in accordance with NPPF paragraph 35 and paragraph 2 of the JCS. I am satisfied that the policy is consistent with the basic conditions except in two respects. It is not clear what is meant by ‘rat runs’, a term normally related to roads, but apparently here related to pedestrians. A rat run is generally a route which reflects a desire line, and I am not sure how this would be harmful in relation to pedestrian routes.

120. The first line of the second paragraph indicates that “All new developments should improve the general road infrastructure of the parish.” New developments cannot be expected to resolve existing problems, simply to ensure that they do not add to them. This may result in some improvements but this cannot be a requirement as it would not meet the s106 requirements to be “directly related to the development” and “fairly and reasonable related to the development in scale and kind.” I have therefore recommended minor modifications to reflect these points.

Recommendation

In policy TRA3 change the comma after “...access throughout” in the first paragraph to a full stop and delete “whilst avoiding the creation of ‘rat runs’.” Delete the first sentence of the second paragraph.

Objective 17: To provide an appropriate level of parking for residential and business development

Policy TRA4: Residential Parking for new developments

121. The policy sets out requirements for the layout and amount of parking in new developments. The Basic Conditions Statement links the policy to paragraph 39 of the NPPF and policy 6 of the JCS. In fact, there is no meaningful relationship between the policy and either of these references. NPPF paragraph 39 lists factors to be taken into account in setting local parking standards. These include accessibility, the type of development, the availability of public transport and levels of car ownership. In presenting proposed standards, the policy presents no specific evidence on any of these factors and no reasoning for the standards selected against those set out in the Broadland District Council Parking Standards Supplementary Planning Document 2007 that would otherwise apply. This clearly fails to meet the PPG requirement that *“Proportionate, robust evidence should support the choices made and the approach taken. The evidence should be drawn on succinctly the intention and rationale of the policies in the draft neighbourhood plan.”* The reference to the JCS draws on the recognition that *“in the **most** rural areas the private car will remain an important means of travel”* (my emphasis). Rackheath as a village, close to the Norwich built up area, set to grow to the size of a small town and

served by both rail and bus services which are planned to be improved in terms of quality and frequency, is not a “most rural” area. For these reasons the proposed parking standards do not meet the basic conditions.

122. In the absence of specific standards, the first paragraph is simply a restatement of the objective, or repeated elsewhere in the policy.
123. The requirement that vehicles should be able to pass freely to enable a two-way flow of traffic does not take account of the street hierarchy proposed in Policy TRA3. While it is realistic and desirable to avoid any obstruction on the higher-level routes, further down the hierarchy on roads more likely to be directly serving houses, roads are likely to be narrower and designed to reduce speed in the interests of safety rather than maintain a free flow of traffic. For this reason, this element of the policy may not always be in the interests of sustainable development. I have recommended modifications to reflect these points.

Recommendations

In Policy TRA4 delete the first paragraph, the second sentence of the second paragraph and the table that follows and the last sentence of the third paragraph.

Policy TRA5: Off road community parking provision

124. This policy aims to provide sufficient off-road parking for non-residential uses. However, it does not define “sufficient” and cannot do so without the necessary evidence. The Policy does not provide any clear guidance to a decision maker, contrary to the guidance in PPG that a policy “should be drafted *with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications.*”¹⁸ In the absence of this policy the standards in the Broadland District Council Parking Standards would be applied and it therefore serves no useful purpose.

Recommendation

Delete Policy TRA5

¹⁸ PPG How should policies in a neighbourhood plan be drafted? Reference ID 41-041-20140306

Summary and Referendum

125. Rackheath is a community that is going to face enormous change over the next 10-15 years as a result of the scale of development proposed. The neighbourhood plan is a positive response to this as it aims to achieve effective integration between the existing and new development. It endeavours to ensure that the facilities and services needed by the expanded community are located so as to be accessible by all means of transport to the whole community. This is an important concept which is wholly consistent with sustainable development and is one of the defining themes of the Plan. It also contains a wide range of policies designed to protect the natural environment and distinctive features of the parish, and ensure effective and sustainable transport.
126. The Plan is a wide ranging and substantial undertaking and it is evident that there has been a thorough and consistent approach to the engagement of the community. The small number of objections to the submission version of the Plan indicates the support of the community for the contents of the Plan.
127. Because of the scale of growth envisaged, the Plan has had to have regard to an unusually large number of strategic policies in the Broadland Norwich and South Norfolk Joint Core Strategy, the Broadland Development Management DPD and the Growth Area Triangle DPD. These documents provide a clear strategic context for the Plan up to the end of the plan period in 2026. The focus of the Basic Conditions Statement on the Joint Core Strategy to the exclusion of the other documents has made my examination more onerous.
128. The Plan includes many policies and in most cases, they have been well drafted and are generally consistent with the basic conditions. In some cases, however the justification for the policies put forward has been superficial or lacking, and this has required me to recommend the deletion of all or part of some policies. I have also found it necessary to recommend other modifications to ensure that the policies are expressed in a way that makes it

possible for decision makers to apply them consistently when considering planning applications.

129. I have concluded that, if the modifications that I have recommended are made:

The Rackheath Neighbourhood Plan has been prepared in accordance with Sections 38A and 38B of the Town and Country Planning Act 1990 and the Neighbourhood Planning Regulations 2012;

Having regard to national policies and advice contained in guidance issued by the Secretary of State it would be appropriate to make the Plan;

The making of the Plan would contribute to the achievement of sustainable development;

The making of the Plan would be in general conformity with the strategic policies of the development plan for the area;

The Plan would not breach and would be otherwise compatible with European Union obligations and the European Convention on Human Rights.

130. **I am therefore pleased to recommend that the Rackheath Neighbourhood Plan should proceed to a referendum subject to the modifications that I have recommended.**

131. I am also required to consider whether or not the referendum area should extend beyond the Neighbourhood Plan Area. I have seen nothing to suggest that the policies of the Plan will have “*a substantial, direct and demonstrable impact beyond the neighbourhood area*”.¹⁹ **I therefore conclude that there is no need to extend the referendum area.**

Richard High

13 April 2017

¹⁹ PPG Does an independent examiner consider the referendum area as part of their report?
Reference ID: 41-059-20140306

Appendix 1 email exchange with Broadland District Council to clarify procedural and policy matters

Dear Richard,

Please see our comments (added to Rachel's), in red, below.

Sorry to hear that you are unwell again, Richard. I hope you make a good recovery soon.

Many thanks,

Richard

Richard Squires

Community Development & Liaison Officer
Broadland District Council

Tel: 01603 430637

richard.squires@broadland.gov.uk

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(for clarification – original e mail from Richard High (examiner to Richard Squires dated 2nd April 2017 – replies from Rachel Leggett consultant to Parish Council in capitals and from Richard Squires in red)
Dear Richard

I have the following queries in relation to the Rackheath Neighbourhood Plan.

1. I have conflicting information on the designation of the neighbourhood area. P 4 of the Consultation Statement says that an application was made on 1 December 2014 and that it was designated on 14 April 2015. The letter of Application from the Parish clerk shown in Appendix 1 is dated 12 May 2015 in Appendix 1. It would be helpful if I could have the correct dates, the dates of the consultation period and copies of relevant documents.

DIANA/RICHARD - CAN YOU CHECK THIS, THANKS.

We received the Neighbourhood Area application on 15th May 2015 (letter dated 12th May). Consultation was undertaken between 22nd May and 19th June 2015. The Neighbourhood Area was adopted on 8th July 2015.

2. SA/SEA The second paragraph in Section 1.3 of the Sustainability appraisal refers to a Screening Opinion provided by Broadland District Council. Unless this is a reference to the Habitats Regulations Screening Report I have not been able to locate this and would be grateful for a copy.

RICHARD S - AM I CORRECT THAT THE SCOPING REPORT WAS USED AS A SCREENING?

There wasn't a formal screening report produced. The District Council provided some advice to the Neighbourhood Plan group, in advance of the Scoping Report being produced, suggesting that the group may wish to adopt the Sustainability Appraisal approach in this instance. The email that we sent is attached.

Related to this is the requirement in the Section 12 of the Environmental Assessment of Plan Regulations that an Environmental Report “shall identify, describe and evaluate the likely significant effects on the environment of:

a) implementing the plan or programme and

b) reasonable alternatives taking into account the objectives and geographical scope of the plan or programme.

With regard to b) p13 of the Sustainability Appraisal states “To help qualify the likely effects of producing a Neighbourhood Plan, a ‘do nothing option has also been assessed, i.e. if there was no Neighbourhood Plan, what would be the sustainability impacts that would occur if only national, regional and district plans were in place.

My reading of the table in Section 4 is that it “identifies, describes and evaluates” the policies of the Plan. With regard to the alternative it only identifies the existing policies that would impinge on the objectives and does not “identify describe or evaluate the likely significant effects”. Is this correct?

I BELIEVE THIS IS CORRECT

The ‘do nothing’ alternative relates to the existing planning policies that are already in place, and these themselves would have been through Sustainability Appraisal / SEA to identify, describe and evaluate their effects. As such, ‘do nothing’ is the baseline against which the Neighbourhood Plan policies are measured. Therefore, if the ‘do nothing’ alternative is followed, then the effects are the current situation, i.e. it will not lead to any change. Therefore, it is not necessary to set out or evaluate any significant effects, as none will arise. If the Neighbourhood Plan policies are followed, then the effects are the difference between the current situation and that which will occur with the Neighbourhood Plan policies, i.e. a change, or an effect, will occur. These effects have been considered in the Sustainability Appraisal.

3. Policy ENV5 Are items a-h on the Broadland District Council register of non-designated heritage assets?

I DON’T BELEIVE THEY ARE. NEEDS DOUBLE CHECKING.

The District Council does not yet have a register of non-designated heritage assets for parishes without Conservation Areas. Rackheath does not have a Conservation Area and so there are no non-designated assets.

4. The green spaces identified on P33 are not shown clearly on a map. While they are identified with a symbol on Figure 22 there is no indication of their extent. Could I please have a plan which shows the areas which it is proposed to designate?

I CAN GENERATE A NEW MAP SHOWING THEIR EXTENT. WHEN DOES THIS NEED DOING FOR?

KInd Regards

Richard

Richard

From: Richard High [<mailto:richardhigh5@btinternet.com>]

Sent: 05 April 2017 23:21

To: Richard Squires

Cc: Rachel Leggett; Diana Dring

Subject: More queries

Policy GT16 of the Growth Triangle Area Action Plan refers to “A large public parkland within the identified North Rackheath buffer zone” Map 4 of that document does not identify a North Rackheath buffer zone but it does identify a large area with a public open space designation on the northern and eastern edges of the allocation. Is this the “buffer zone”.

Policy ENV1 shows a list of points at risk of localized flooding. 2 of these – e. Green Lane East approach to Broad Lane and f. Green Lane East just before railway line crossing appear to lie outside the parish boundary as shown on Figure 4, although the text says that e is “just on the parish boundary”. Could you please confirm.

Kind Regards

Richard

From: Richard Squires [<mailto:richard.squires@broadland.gov.uk>]

Sent: 06 April 2017 11:45

To: Richard High <richardhigh5@btinternet.com>

Cc: Rachel Leggett <rackheathplan@gmail.com>; Diana Dring <Clerk@rackheathparishcouncil.org.uk>

Subject: RE: More queries

Dear Richard,

Please see responses to your queries, below. Rachel and/or Diana may wish to add further detail.

In the GTAAP, policy GT2 Green Infrastructure refers to a number of green infrastructure assets including, in the 4th paragraph: “Three large areas of public open space assets identified on the proposals maps.... (including) the North Rackheath buffer zone”. This area is shown on Map 3, referred to in the key as “GT2 Public Open Space”. So, the north Rackheath buffer zone is this area of public open space (75 ha) identified on map 3, and referred to in GT16. Within the buffer zone GT16 also refers to “a new Public park” (30ha) within the buffer zone, but this is not specifically identified.

ENV1 Drainage identifies “localised flooding areas” including e. Green Lane East approach to Broad Lane (on boundary of Rackheath parish) and f. Green Lane East, just before railway line crossing. These points are shown on fig. 16 which also shows part of the parish boundary (also shown on fig. 4). Both these locations are outside the parish boundary for Rackheath. I think the PC may have included these because they affect people entering / leaving Rackheath, and saw listing the flooding areas as useful information, though the wording of the rest of the policy does not seem to relate to these areas.

I hope this helps. Please note that I am now out of the office until Monday morning so will not be able to deal with any further queries until this time.

Kind regards,

Richard

Appendix 2: Map of Proposed Local Green Spaces

