

Reedham Neighbourhood Development Plan

Examiner's Clarification Note

This Note sets out my initial comments on the submitted Plan. It also sets out areas where it would be helpful to have some further clarification. For the avoidance of any doubt, matters of clarification are entirely normal at this early stage of the examination process.

Initial Comments

The Plan provides a clear and concise vision for the neighbourhood area.

The presentation of the Plan is good. The difference between the policies and the supporting text is very clear. The Plan includes various high-quality maps and photographs.

The Plan addresses a series of issues which are very distinctive to the neighbourhood area. It is commendably supported by a series of detailed Assessments which inform the relevant policies in the Plan.

Points for Clarification

I have read the submitted documents and the representations made to the Plan. I have also visited the neighbourhood area. I am now able to raise issues for clarification with the Parish Council.

The comments made on the points in this Note will be used to assist in the preparation of the examination report and in recommending any modifications that may be necessary to the Plan to ensure that it meets the basic conditions.

I set out specific policy clarification points below in the order in which they appear in the submitted Plan:

Policy 1

This policy addresses two separate issues. The first is to retain the separation between the two parts of the village (paragraph 41). The second is a supportive approach towards development on Middle Field that will bring overriding benefits for the community (including development uses such as a new village hall, new school and playing field) (paragraph 42).

In my view there is clear tension between these two matters. It would be helpful if the Parish Council explained its thinking on this policy.

Planning is always a balance between harm and benefits and between different objectives. Although the community would like to see Middle Field retained for its openness, some impact on this could be acceptable when balanced against overriding community benefits afforded by the provision of a new village hall or school. The group is, however, supportive of the suggested version of the policy presented by BDC in its representation, namely:

Development within the area of land identified in Figure 7, will be permitted where:

- ***It is for an appropriate community use or development, such as a new village hall, school or playing field or where it accords with another specific policy or allocation of the development plan;***

and,

- *would not significantly erode or otherwise undermine the sense of openness between the two parts of the village settlement.*

In addition, please can the Parish Council advise about any emerging or costed proposals for a new village hall, new school and playing field.

No, there are no costed or emerging proposals

Policies 2 and 3

It would be helpful if the Parish Council responded to the District Council's comments on these policies.

The District Council's concern seems to be around a conflict between the Reedham HNA (which refers to 40% affordable housing being required) and the JCS and emerging GNLP (which refer to 33%). It is suggested by the District Council that an erratum be attached to the HNA to address the conflict and avoid any confusion. This seems a sensible way of dealing with it.

Has the implication of the policies on commercial viability been tested?

No. The Reedham HNA does say that while AECOM has made suggestions for the split of different affordable products within the tenure split, this should be considered indicative as it will be subject to wider considerations of costs, viability and the availability of funding for particular products. This could be explained more clearly in the plan itself.

Policy 4

This is an excellent policy. It sets out a very good local response to Section 12 of the NPPF.

Is the policy intended to be applied proportionately?

The groups feels that the policy would need to be adhered to as much as possible, with any divergence from it being fully justified by exceptional circumstances.

Policy 5

Is the policy necessary now that it has been decided not to proceed with the site (GNLP3003) following the Inspector's report on the Local Plan?

It has indeed been removed from the GNLP. However, the Group would prefer to keep the policy (modified accordingly, such as references to GNLP 3003 removed) in case an application comes forward anyway given the landowners clear intentions.

Policy 6

It would be helpful if the Parish Council responded to the District Council's comments on this policy.

The plan could refer to SUDS and cross-reference Policy 11 on flood risk.

Regarding the minimum size of a garage, this is from Figure 68 (p57) of the Design Codes. The county council's parking standards referred to by the District Council concern parking spaces rather than garages and so this is different. It is known that garages are used for all sorts of things such as storage and bikes and this needs to be taken into account or the garage simply will not be used for parking the car, or could even deter cycle ownership and use if there is nowhere to store the bike securely.

Policy 7

I am minded to recommend modify to the policy based on the factual comments made by the District Council. Does the Parish Council have any comments on this proposition?

Agreed that changes should be made to reflect changes to the NPPF etc. NPPF references could just delete the paragraph numbers as this could continually change during the life of the plan. It is noted that regulations for BNG have been further delayed beyond January 2024. Perhaps it would be better simply to remove the BNG detail in para 84 of the plan and avoid any references to dates/ timescales.

Policy 9

In the round this is an excellent policy. It is properly underpinned by Views Assessment.

Policy 12

This is a distinctive policy which applies existing Local Plan policies to community facilities in the parish.

Policy 13

The first part of the second section of the policy reads as a statement of fact rather than as a land use policy. Please can the Parish Council explain its thinking on the matter? Does it relate to the contents of paragraph 121 of the Plan?

It does partly relate to para 121, but is not restricted to that as it is wider support for other development proposals that would provide for better social interaction. The reference to 'significant weight' is meant to indicate how important it is and that due weight should therefore be given to such proposals. The NPPF also uses terms such as 'substantial weight' to emphasise the high level of support for particular policy areas.

Policy 14

In the first part of the policy what is meant by 'certain types of commercial use'?

It would be helpful if the Parish Council responded to the District Council's comments on this policy.

Redundant rural building refers to those covered by Class Q PD rights on the conversion of agricultural buildings, where extensions/ enlargement is not allowed under this PD right. The policy aims to support extensions or enlargement where the proposal is for commercial or community use, so not residential.

The term "certain types of commercial use" is accepted by the Group as vague. It could be replaced by a reference to Use Class E as the policy aimed to exclude large industrial type uses such as Use Class B. So, it could include sports, professional uses such as financial, nursery/ creche, medical, research, retail etc. It is recognised that there are PD rights that could result in these uses being changed in the future to residential (C3). However, the vacant farm buildings could be converted to residential anyway under Class Q PD rights and so this risk seems manageable.

Policy 15

Whilst the policy has two distinct headings, they both make reference to the School. Should the first part simply apply more generally throughout the parish?

Yes it should, and perhaps the title should be, “New Parking Provision, including for Reedham Primary and Nursery School.”

Policy 16

There appears to be a conflict between the title of the policy (non-designated heritage assets) and the policy itself (all heritage assets including the identified on-designated heritage assets).

I note that the supporting text makes no reference to designated heritage assets. In addition, I have concluded that the policy brings no added value to designated heritage assets beyond the content of national and local planning policies.

Am I correct to conclude that the policy should apply solely to non-designated heritage assets?

Yes and so the wording at the start of the policy should be amended.

Representations

Does the Parish Council wish to comment on any of the representations made to the Plan?

Yes, see below.

It would be helpful if the Parish Council responded to the following representations:

- the Broads Authority; RNP-07, RNP-09, - agree with suggested changes.
- RNP-10, local area really just means that enhancements should be delivered as close as possible if within the parish is not possible. RNP-12 refers to Policy 14 and the lack of clarity as to what ‘certain types of commercial uses’ means and this does need clarifying (see earlier).
- Savills; Essentially Savills (RNP-16) set out that Middle Field is ideal for housing and that Policy 1 is restricting this potential by using a type of designation that does not appear as a ‘type’ in either the NPPF or local plan. The Group highlights that ‘important views’ are also common designations in NPs and this also does not appear in the local plan or NPPF. That said, the group could agree with the proposed changes put forward by BDC, which it think largely avoids the ‘designation’ issue but still protects the openness (see earlier).
- Norfolk Constabulary; The full representation (summarised in RNP-17) is that they would like to see policing and crime reflected more in the NP, such as Secure by Design. The Group feels that this is not an issue particular to Reedham and that matters such as Secure by Design are already effectively covered in higher order policies, such as the emerging GNLP Policy 2 (Sustainable Communities).
- Norfolk Wildlife Trust; RNP-18 – The Group does not agree that the following should be added to Policy 7, “Development should incorporate green roofs and green walls as appropriate, including on any new community buildings”. This would be out of keeping with the character of the area and there are better ways of supporting biodiversity.
- NWT also suggested adding the following, “Buffer zones should be implemented around designated and sensitive wildlife sites, including County Wildlife Sites, as appropriate, to minimise development impacts on these sites”. The Group, however, thinks the plan is too advanced to make such a significant change. NWT also

suggested adding a map of green corridors, but again the Group thinks it is too late for this. Agree to minor suggested amendment.

- Norfolk County Council; Re the suggested re-wording of BNG legislation (RNP-26), the group suggests that this should be suitably imprecise given yet further delays (see earlier). The Group has no comment regarding the LLFA and its representation, but welcomes its support and has particularly welcomed its engagement. Regarding the Minerals Authority representation concerning mineral reserves and safeguarding in relation to Middle Field and Policy 1 (RNP-30), the Group understands that this would be an automatic process if an application were to be submitted. That is, the minerals authority would be consulted during the determination of an application and so this matter would be raised. The Group is therefore unsure whether there is anything to be gained by highlighting this in the policy or supporting text.
- and
- the two comments from property owners about the proposed Quay Terrace Local Green Space (LGS3). The Group continues to support the designation of this parcel of land as a Local Green Space. There is no implication in the policy that this provides for public access of recreational use, and the land would remain private. For information, the Broads Authority is looking at allocating the open space on Reedham Quay as amenity green space as shown in the map in its full response which includes the area that the group wish to allocate as Local Green Space.
- Broadland District Council proposes a series of revisions to certain policies in the Plan. It would be helpful if the Parish Council commented on the suggested revisions (beyond the matters already raised in this note on a policy-by-policy basis). Most matters have already been considered above. RNP-40. To explain, opportunities for 'home-working' was included as it was felt by the Group that this would support the community, given its poor access and relative remoteness. Regarding Policy 1, BDC expressed some concern as to whether there is a common link between versions of the policy. The Group feels that the common thread between versions of the policy are the need to maintain a sense of openness and the support for some community infrastructure.

Protocol for responses

I would be grateful for responses to the questions raised by 29 January 2024. Please let me know if this timetable may be challenging to achieve. It is intended to maintain the momentum of the examination.

If certain responses are available before others, I would be happy to receive the information on a piecemeal basis. Irrespective of how the information is assembled, please could it come to me directly from the District Council. In addition, please can all responses make direct reference to the policy or the matter concerned.

Andrew Ashcroft

Independent Examiner

Reedham Neighbourhood Development Plan

4 January 2024