

Statement to Examiner Dickleburgh & Rushall Neighbourhood Plan Hearing

Submitted by A&J Patching, L. Liggins and R. Walkley 7th October 2025

Introduction

The Dickleburgh and Rushall Neighbourhood Plan and accompanying Strategic Environmental Assessment, passed through Regulation 14 in March 2023. These documents appeared on the Parish Council website at the time and have remained there unchanged to date, the Plan being described as **'The Final Plan'**.

Recently, sites 8,10,11,13 and 14, appearing in a new Strategic Environmental Assessment, published in December 2024, were designated reasonable alternatives. As well as introducing new sites, 3 of the previously preferred sites, reasonable alternatives, were removed. This new document replaced the 2023 Strategic Environmental Assessment and was submitted with the Neighbourhood Plan at Regulation 16 in January 2025.

We are concerned that the village, and in particular, residents in the location of these sites, (Rectory Road, Harleston Road, Merlewood, Harvey Lane), have not been properly notified of, nor consulted on, these new potential development sites.

Statement

As requested by the Examiner, this outlines the processes used to select the housing allocation to the west of Norwich Road (Policy DR20), and the reasonable alternatives considered. In particular:

a) The site selection process for the proposed housing allocation, and the way in which reasonable alternatives were considered:

As outlined below, the selection process evolved through Steering Group (SG) and community consultation and was supported by the 2023 Strategic Environmental Assessment (SEA).

HELAA Evidence - using South Norfolk's HELAA criteria, suitability comparisons were produced for all sites (including 3 additional sites presented after the initial 'call for sites'). SG member Allan Eavis, qualified by experience and knowledge gained through his planning background, conducted this exercise in conjunction with SG members. The scoring was scrutinised and fine tuned by the SG.

Steering Group - work by the SG took the form of site surveys, discussion and debate of the pros and cons of each site whilst remaining mindful of the outcomes in the HELAA table.

SEA - reasonable alternatives identified in the 2023 SEA aligned with the HELAA outcome and supported the choice of the SG's preferred potential development sites.

Community Consultation - Parish wide surveys/questionnaires prior to and at Regulation 14 confirmed the same choices.

As a result of the process, four preferred sites were earmarked for allocation in the Neighbourhood Plan (NP)

These top 4 sites (known to the SG as numbers 1,2,3 and 4 and shown as such in both SEAs) were highest rated in all aspects of the process. Prior to the 2023 SEA, in Sept 2020, an SG meeting (**Appendix 1**) voted for Sites 1 and 2 as the sites to take forward, keeping site 4 as a back up site should 1 or 2 fail for any reason. Site 3 was ruled out for development *at this time* primarily due to a well established mature hedgerow which was judged to be too important for wildlife to be disturbed. (The hedgerow has since been removed leaving site 3 available should it still warrant inclusion in the preferred sites).

Site 2, formerly Chenery's garage, in dire need of improvement for many years now, is a brownfield site. The new SEA incorrectly states there are no brownfield sites. This is only the case because it excludes site 2 (for reasons outlined below). Criteria within the NP policies allowed site 2 to accommodate a proportion of the required housing allocation, and consequently it was earmarked in 2021 for 10 houses, the remaining 15 being on site 1, although this was later overturned by the PC. Site 3, if reinstated, could accommodate additional houses by combining it with development on site 2, a suggestion made by Allan Eavis early on in the process, who also suggested that cooperation between owners/

developers of these sites could result in one ingress/egress onto Ipswich Road. Site 4, the most favoured site in the 2023 SEA outcomes, was also rated highest by the SG and also by Community voting.

The 2023 SEA concurred with the residents' choices and SG selected sites and so no further consideration was given to other sites which had, for various legitimate reasons, been judged inappropriate and ruled out. The 3 'preferred sites' held good throughout the Plan's lengthy process and were still included at Section 8, Site Selection in July 2024 when the 'finished' plan was circulated to the SG. **(Appendix 2)**. In a zoom meeting with Rachel Leggett, the Consultant, she informed the SG that South Norfolk District Council (SNDC) had indicated that in their opinion the SG may not have made the right choice of allocated site and as a consequence the SG should consider making the justification for the site more robust. It was agreed in that meeting that this would be done, alongside providing more information about why the remaining 2 reasonable alternatives, had not been selected.

It is important to note here that the writers (of this Statement) were of the mistaken understanding that the reasonable alternatives, contained in the text at Section 8 of the NP, Site Allocation, would carry planning weight in future development considerations. This perception was corrected by SNDC in answer to a question raised at the Reg.16 response stage. The reply to a resident's question raised in the PC meeting in December 2024, **(Appendix 3)** (reply undated but received on the 20th December) was confusing, but was subsequently clarified by SNDC **(Appendix 4)**.

In the 2024 SEA, the reasonable alternatives changed and new sites, previously excluded, were introduced. The new reasonable alternatives were never considered by the SG as the SG were never consulted. Paragraph 1.4.11 of the SEA says '**The NP Steering Group responded to this assessment and identified Option1 as the preferred approach for the DRNP, allocating Site 1 under this option**'. The SG did not respond to this assessment, at least not in the period up to the resignations of 3 members of the SG. The October version of the new SEA, first received by the SG from the Consultant on the 29th October 2024, was undertaken unilaterally by the Chairman. Emails 29th and 30th July 2024 from Chairman to SG inform the SG that input is not required. **(Appendix 5 & 6)**. We have no knowledge of whether a belated exercise was carried out between the 20th November resignations **(Appendix 7)** and the later revised

December SEA submitted at Regulation 16. Further, an email from the chairman to the SG on the 8.10.24 (**Appendix 8**) suggested it was to be reviewed 'in light of the finished plan.....to see if the SEA needs updating or changing in any way'. There was no indication that massive changes had already been made to the SEA.

b) The way in which the second Environmental Report (December 2024) was a natural iteration of the first Report (January 2023):

In our opinion the December 2024 SEA **is not** a natural iteration of the January 2023 SEA. Instead, it adopted a new methodology, requiring one site to take the full allocation whilst also excluding supported preferred sites and introducing new ones previously legitimately excluded, the outcome of due consideration by the SG over many years i.e. to protect the Settlement Gap between Dickleburgh and Langmere. The Settlement Gap policy was a key objective of the Plan which responded to the strong aspirations of the residents. In addition, these sites had previously scored lower in all tables.

c) The extent to which the second Environmental Report properly underpins the site selection process both generally, and in the context of the contents of Table 3.2:

The December 2024 SEA **does not** properly underpin the site selection process but is a material redirection of the NP preferred sites and the first SEA. As previously explained, there was no further site selection process after the second SEA was produced. The December 2024 version of the new SEA, 58 pages compared with the previous 100 pages, still appears inaccurate in its content, especially at Table 3.2, despite a massive undertaking to amend numerous errors (**Appendix 9**) discovered in the first version produced in October. This exercise was carried out in November 2024 by designated core members of the SG, when the new error riddled SEA emerged.

The new SEA applied new criteria and reassessed sites in a way that fundamentally altered the outcomes. Table 3.2 (**Appendix 10**) not only shows Site 1 scoring relatively poorly but undermines the argument for site 1 to be the preferred site. It ranks well only in transportation (1st) and community wellbeing (2nd). Despite this, site 1 is retained as the sole preferred allocation. In contrast, in the 2023 SEA, Sites, 2 (Chenery), 3, and 4, scored highly, the latter coming top in the rankings.

No valid justification to support this new SEA was provided, other than that Policies had been 'adapted, merged or dropped' (**Appendix 5**) and the whole process was carried out solely by the SG Chairman, apparently, from July onwards. Aforementioned emails from the Chair to the SG on 29th and 30th July 2024 (**Appendix 5 & 6**) informed the SG that AECOM had said a new SEA was required but no input would be needed from them, he would deal with any queries. A document provided to the PC (**Appendix 11**) in a meeting on the 8th July 2024 states at Page 40 paragraph 6.8 that the '**amendments to the Plan**' did not '**result in the issue of any new policies or an alteration of the broad direction or impact of those policies**'.

The PC signed off the NP in that meeting on the 8th July 2024, 3 weeks prior to notification to the SG of a new SEA. Were the PC aware of a new SEA? If so, what justification was given for it? No indication of the massive changes to the SEA appear to have been communicated to the PC. The document produced for that meeting shows the Basic Conditions to be based on the 2023 SEA.

The 2024 SEA excludes sites 2 and 3 as allegedly having been 'withdrawn by the landowner'. No evidence for this has been produced other than an email from the developer, Last and Tricker, confirming their withdrawal from the project on site 2. This email was written in 2022, several months before the 2023 SEA was carried out, but the SEA in 2023 included site 2. There is no evidence that the **owners** withdrew site 2. Site 3 was allegedly withdrawn but the only evidence of any change here appears to be in October 2024, when the owner refused to give permission for the site to be used as a Green Space. Site 3 was originally not considered for allocation primarily because it was bordered on one side by a well established hedge, as already mentioned, but this hedge has since been removed by the owner. Site 4 was removed, apparently by way of its inclusion in the newly introduced cluster arrangement.

In addition to removing sites, new sites 8,10,11,13 and 14 were added, again without explanation, justification or consultation. Their previous legitimate exclusion was in compliance with a key objective of NP Policy 4, Settlement Gaps, but their inclusion appears to be as a result of the wording of the Settlement Gap objective being, again, unilaterally changed when the new SEA was created. This revised wording is used in the new SEA to justify the inclusions.

We also submit that the not inconsiderable work carried out by the SG through due process over a 7 year period to establish the preferred sites and produce a sustainable plan, has been wiped out by a unilateral decision to remove and add sites without discussion or justification. **How can this underpin the process?**

In light of the foregoing, we respectfully suggest that at the very least, the 2023 SEA should stand and that a reappraisal of preferred sites/reasonable alternatives should be carried out, focusing on the SG and community preferred sites, 2,3 and 4, should their removal prove to be unfounded.

Multiple allocations would preserve local control and provide flexibility to meet future housing pressures, which appear likely due to the direction the new government is taking, evidenced by the substantial increased housing numbers required in neighbouring Scole (**Appendix 12**) a situation raised by Councillor Hudson at the November 2024 PC meeting, not minuted and not shared with the SG or the Parish. Multiple sites would negate the undesirable impact (flooding, traffic and sewage issues) of additional housing needs being accommodated on site 1 (beyond the current demand). Resident's question to the PC in December (**Appendix 3**) raised this issue. As the Site Allocation Policy currently stands this is the only site legally permitted to accommodate all future development. Negative issues with site 1 were highlighted in both SEAs and raised by residents in 2018 (**Appendix 13**). A reappraisal would encompass clear updated communication with the Parish giving rise to a new consultation justified by the shortcomings in the new SEA. These are outlined below:

1. Transparency and Consultation Failures:

- No resolution or record: No Parish Council minutes recording the commissioning or reason for the revised October draft of the SEA or the published December 2024 SEA.
- Notification to residents: Residents and the Steering Group were not notified of changes to the SEA. Dickleburgh & Rushall PC website continues to show the January 2023 SEA at Sep. 2025 (**Appendix 14**)
- Objections ignored: Questions raised and detailed written feedback on the erroneous October 2024 draft (**Appendix 9**) apparently ignored in the final December 2024 SEA.

2. SEA Compliance Concerns

The December 2024 SEA failed:

- to consider sites transparently due to flawed inclusion and exclusion of sites.
- to use accurate evidence due to the many serious errors in the October/December SEA.
- to ensure Steering Group and public consultation prior to submission.

Precedent for similar compliance concerns:

Henfield NP (2016, High Court) — Plan quashed.

Fairford NP (2017) — Examiner required new SEA and consultation.

3. Failures of Parish Council Recording and Correspondence

- Failure to properly record SG resignations.
- Failure to notify, or properly report back to the SG with details of the July 8th 2024 PC presentation at which the NP was signed off.
- Failure to publish December 2024 and January 2025 minutes, nor any after the minutes uploaded for February 2025, despite agendas showing NP updates, meaning residents have not been kept informed of NP progress (**Appendix 15**).

4. Planning Status of RASs and Housing Pressures

- South Norfolk Council confirmed RASs are not reserve sites and only allocations in the Site Allocation Policy in the NP (Site 1) will carry planning weight (**Appendix 4**). Site 1 must, therefore, accommodate all future housing needs until a formal review in 5 years time.
- If housing needs rise, extra homes will be allocated through the Local Plan review, not on the community's preferred sites. SNC will decide the new development sites.

- Allocating more than one site, e.g. including site 2 (Chenery, widely seen as an eyesore needing redevelopment) and/or sites 3 and 4, the Parish will retain greater control over managing such changes in line with the residents' wishes.

Summary

As laid out in this statement and for the reasons outlined, we respectfully submit that the **December 2024 SEA is inaccurate, procedurally flawed, and undermines confidence in the Neighbourhood Plan's site allocation**. It does not represent a natural "iteration" of the January 2023 SEA but instead a material redirection of the plan undertaken unilaterally and without transparency, proper consultation, or consistent methodology. In support of these assertions we also suggest that the analysis of the new SEA 2024 Table 3.2 shows Site 1 performs poorly across most indicators but this is not taken into account. The 2024 SEA introduced new criterion that required each site to be able to accommodate the full housing allocation on its own. The previous 2023 SEA outcomes reflected the HELAA table, the SG conclusions and the wishes of residents (**Appendix 16**).

Conclusion

At the present time the January 2023 SEA remains the most transparent and community-supported assessment.

The NP and the new December 2024 SEA are undermined by:

Failure to engage with the Steering Group in the redirection of the SEA.

Failure to pay regard to the outcome of the SG due process.

Failure to record SG resignations, thereby withholding concerns from the community.

Failure to record (in the PC minutes on line) specific questions addressed to the PC in December regarding removal of sites.

Failure of the PC website to record any minutes for December/January, key months in the finalisation and submission of the NP and SEA.

Failure to update the PC website with minutes from March onwards providing information about the status and progress of the submitted Plan.

Failure to update the PC website with the updated Plan and SEA.

We request that the Examiner directs that a transparent reappraisal of preferred sites and reasonable alternatives, involving clear communication and consultation with Parish residents, be instigated and that the NP Site Allocation Policy includes more than one site, one of which should be Site 2 (Chenery), if its withdrawal is unfounded. If site 1 is the most suitable site for the current minimum number of houses, this would reinforce the decision. It would also restore faith in the Site Allocation Policy by examining the other preferred sites and allowing these to come forward as allocated sites if appropriate.

Footnote for clarification:

The Steering Group, during the latter half of 2024, consisted of the following active members working to finish the Plan: Andrew Goodman, Julia Deighton, Matt Hill, Lisa Thirkettle, Martin Cottis, Alan Patching, Jackie Patching. Other names shown as members of the Steering Group, did not contribute to the Plan, or attend meetings either in person or by zoom, during this period or for some time prior to that. If any 'one to one' meetings or emails with other members took place, which the above Group were not aware of, they should not have taken place. Rachel instructed **all** members not to enter into 'one to one' correspondence. (Some additional names have been included in e mails during 2024 but have been 'names only'). The Consultant can verify this. Regarding the Parish Clerk, by her own admission, she was not a Steering Group member.

Concerns were also raised by a long-standing SG member about the inclusion of new individuals after Regulation 14, questioning the legitimacy of their involvement in the post regulation decision-making (**Appendix 17**). Neighbourhood guidance states that the Steering Group are within their rights to scrutinise and rule on the responses to the reg. 14 process, whether in agreement with these or not.

Site 1 – Assessment Against Examiner’s Question:

How site 1 'sensitively accommodates the format layout and highway capacity of the village and makes efficient use of the land'.

We submit the following opinion based on our knowledge of the site and also the village generally:

Format and Layout:

The size of the site can accommodate development able to respond to the NP criteria i.e. pleasant spacious arrangement of buildings conforming to design specifications, with scope for landscaping features and practical mitigation measures as required by the Plan. Mitigation of the impact of any development should be an overriding consideration.

Community wellbeing is a key feature of the Plan and the layout capabilities would provide the benefits of space and an attractive environment. The site is also large enough to make best use of the shape of any proposed development to soften the impact of ‘head on’ housing seen from Norwich Road, for instance the unattractive development seen at Poppy Grove when travelling west on Harvey Lane. Development would also sit back off the main road into Dickleburgh and not impinge on the linear nature of the existing individually designed dwellings.

For these reasons, site 1 could contribute sensitively and discretely to the planning requirements of the village, however, we feel the numbers are crucial and if excessive, may neutralise the benefits by introducing negative issues in the area of Dickleburgh stream such as sewage spill, flooding and traffic.

Highway Capacity:

Norwich Road is the main route into Dickleburgh from the Norwich direction. Evidence from surveys carried out for the Neighbourhood Plan show large numbers of all types of vehicles enter Dickleburgh from that direction, being an easy left turn from the A140. It is the route through to the Box factory and general traffic to Harleston. The shop in Dickleburgh is also well visited by outside traffic. This also works in reverse and traffic flows through Dickleburgh back to the A140.

As highlighted above, the numbers on this site are critical. New houses could generate at least two cars per household all entering and exiting the site on Norwich Road. Whilst some will no doubt be exiting the village to the North, there will be a number travelling to the village amenities i.e. shop, church, school, village centre, etc. and also on through The

Street to Ipswich Road, i.e. commuter through exiting the village via the easy option of the roundabout on the A140, especially for travelling South.

Efficient Use of the Land:

This is a debateable point. The site is 'greenfield'. It is also a large area which, if it were accommodating a higher number of houses, which there is space for, may be efficient. However for reasons given in the two foregoing sections, numbers are crucial and, therefore, the potential of the site may not be realised in terms of housing. Maybe commercial decisions outside of our knowledge may have to come into play to offset the negatives.