



## **South Norfolk District Council**

### **Hingham Neighbourhood Plan - Decision Statement**

#### **1. Summary**

Following an independent examination, South Norfolk Council has received the examiner's report relating to the Hingham Neighbourhood Plan. The report makes a number of recommendations for making modifications to policies within the Neighbourhood Plan. South Norfolk Council has made a decision to approve each of the examiner's recommendations, apart from that relating to Policy HING9, as set out below.

#### **2. Background**

Following the submission of the Hingham Neighbourhood Plan to South Norfolk Council in February 2024, the Neighbourhood Plan was published in accordance with Regulation 16 of the Neighbourhood Planning (General) Regulations 2012 and representations invited. The publication period took place between 10<sup>th</sup> May and 24<sup>th</sup> June 2024.

South Norfolk Council, with the approval of Hingham Town Council (the Qualifying Body), subsequently appointed an independent examiner, Mr Andrew Ashcroft, to conduct an examination of the submitted Neighbourhood Plan and conclude as to whether it meets the Basic Conditions (as defined by Schedule 4B of the Town and Country Planning Act 1990) and consequently whether the Plan should proceed to referendum.

The examiner's report concludes that, subject to making certain recommended modifications, the Neighbourhood Plan meets the basic conditions for neighbourhood planning and should proceed to a Neighbourhood Planning referendum within the adopted neighbourhood area.

#### **3. Decision**

Having considered each of the recommendations in the examiner's report and the reasons for them, South Norfolk Council proposes to approve each of the examiner's recommended modifications, apart from that relating to **Policy HING9 – Allocation of land for community uses**. The Council is proposing an alternative modification, as detailed below, on the basis of new evidence having been presented to the Council following receipt of the examiner's report. This is in accordance with paragraph 13 of Schedule 4B to the Town and Country Planning Act 1990. This decision also includes consequential alternate proposals for supporting text relating to policies HING9 and HING6.

The following table sets out the examiner's recommended modifications and the Council's consideration of those recommendations, and subsequent decision in each case.

Section	Examiner's recommendation	Consideration of recommendation	LPAs decision
<u>Policy HING1</u>  (Pages 57-8)	<u>Sustainable development</u>  At the end of the first paragraph add: ' <b>As appropriate to their scale, nature and location development proposals should:</b> '  Begin the second paragraph with i and delete ' <b>New development should</b> '  Begin the third paragraph with ii and delete ' <b>Development proposals in Hingham should</b> '  Begin the fourth paragraph with iii and delete ' <b>Development proposals should</b> '  Begin the fifth paragraph with iv and delete ' <b>Proposals for new development should</b> '	The Council agrees that the opening element to the policy should include a proportionate element and provide a framework for the other elements.	Accept examiner's recommended modifications.
<u>Policy HING2</u>  (Pages 61-2)	<u>Location</u>  Replace the second and fourth paragraphs of the policy (and as its second paragraph) with:  ' <b>New housing development should be located close to existing development in the settlement boundary particularly to the north, south and west of the town, and with good access to the town centre, and to community facilities and, wherever practicable, create a co-ordinated and balanced settlement pattern. Development proposals should avoid the further continuation or consolidation of development to the east of the town along Norwich Road.</b> '	The Council agrees that these amendments are required in order to achieve the clarity and precision required by the NPPF and allow SNC to apply the policy in a clear and consistent way.	Accept examiner's recommended modifications.

Section	Examiner's recommendation	Consideration of recommendation	LPAs decision
<p><u>Policy HING2</u></p> <p><b>(Pages 61-2)</b></p>	<p><u>Scale</u></p> <p>In the fifth part of the policy replace '<b>are strongly encouraged to</b>' with '<b>should</b>'.</p> <p>Replace the sixth part of the policy with:</p> <p><b>'Proposals for infill or windfall development (including individual houses or small groups) within the existing defined settlement boundary should respond positively to the site concerned and meet the following criteria:</b></p> <ul style="list-style-type: none"> <li>• <b>maintain and enhance the form, character and setting of the site;</b></li> <li>• <b>preserve and where practicable enhance the historic environment or natural environment of the parish;</b></li> <li>• <b>be well-related to the existing pattern of development;</b></li> <li>• <b>incorporate self-contained physical boundaries such as hedges, treelines, highways, waterbodies, or fences;</b></li> <li>• <b>can be satisfactorily accommodated in the local highways network and provide adequate parking for the size of the development proposed; and</b></li> <li>• <b>provide safe pedestrian access to local facilities wherever practicable.'</b></li> </ul> <p>Replace the final part of the policy with:</p> <p><b>'Proposals for new housing development outside of the defined settlement boundary will only be supported where they are consistent with adopted national and strategic policies.'</b></p>	<p>The Council agrees that modification to the policy wording would allow for a clear focus which SNC can apply through the development management process.</p> <p>The Council also agrees with recasting the policy from a negative to positive emphasis.</p>	<p>Accept examiner's recommended modifications.</p>

Section	Examiner's recommendation	Consideration of recommendation	LPA's decision
Supporting text (Page 60)	<u>New housing development</u>  Replace the final sentence of paragraph 7.13 with: <i>'The final part of Policy HING2 is consistent with national and local policies in relation to new housing proposals outside the settlement boundary.'</i>	The Council agrees with replacing supporting text to have regard to national and local planning policies.	Accept examiner's recommended modifications.
Policy HING3 (Page 67)	<u>Housing mix</u>  Replace the second part of the policy with:  <b>'The mix of new housing in the parish should be provided in accordance with current and future local needs identified in the AECOM Housing Needs Assessment produced in August 2022 (or relevant successor document) and the most up-to-date Strategic Housing Market Assessment.'</b>	The Council agrees the policy wording could be made more appropriate to a neighbourhood plan and that the mix of new housing in the parish should be informed by relevant and up-to-date evidence, including the HNA.	Accept examiner's recommended modifications.
Policy HING4 (Pages 70-3)	<u>Design</u>  Replace ii with:  <b>'New development should be attractive and incorporate soft landscaping and retaining existing natural features, and be assimilated into the surrounding landscape. New development on the edge of the settlement should protect existing public views of the Church and ensure that its design and layout respond positively to the existing rural setting of the town and its rural context.'</b>  In xii replace 'Existing features' with 'Existing natural features'  In xviii delete 'to ensure that parking is not visually intrusive.'  In xxiii delete 'to help reduce surface water pooling and localised flooding.'	The Council agrees that the recommended modifications will better express Hingham Town Council's intent that new development on the edge of the settlement should protect existing public views of the Church and ensure that its design and layout respond positively to the existing rural setting of the town and its rural context.	Accept examiner's recommended modifications.

Section	Examiner's recommendation	Consideration of recommendation	LPAs decision
<u>Policy HING5</u>  (Pages 77-8)	<u>Historic Environment</u>  In the second paragraph of the policy (section b) replace:  <b>'through the use of appropriate, high-quality materials, reclaimed materials and reuse of existing materials where possible'</b> with <b>'through the reuse of existing materials where practicable, appropriate, high-quality materials, or reclaimed materials as appropriate to the site concerned'</b> .  Replace the first sentence of the third paragraph with:  <b>'New development must avoid or fully mitigate any potential harmful impact on heritage assets with particular consideration given to preserving Hingham's Georgian heritage.'</b>	The Council accepts the modification to the wording used so that reclaimed materials appear within a range of potential options for new development and that the choice of the various options relates to the site concerned.  The Council also agrees that the addition of wording to the third paragraph helps address comments made by the Council.	Accept examiner's recommended modifications.

Section	Examiner's recommendation	Consideration of recommendation	LPAs decision
<u>Policy HING6</u>  (Page 82)	<u>Community infrastructure</u>  In the first part of the policy replace ' <b>Major new development will need to demonstrate that sufficient supporting infrastructure</b> ' with ' <b>As appropriate to their scale, nature and location, proposals for major development should incorporate and/or deliver appropriate supporting infrastructure (either on or off-site)</b> '.  Delete the second part of the policy.  In the third part of the policy delete ' <b>potential</b> '.	<p>The Council agrees that the opening element to the policy should include a proportionate element and acknowledge that infrastructure can be delivered both on site and off site. This will bring the clarity required by the NPPF and allow SNC to apply its intentions through the development management process.</p> <p>As regards the recommendation for the second part of the policy, the Council agrees that (despite the authority's proposal to retain the allocation for HING9) this element of HING6 does not provide the clarity required by the Community Infrastructure Regulations. In addition, the Council agrees that it is impractical to seek to make connections between developer contributions for proposals in the town centre and a car park proposal on the outskirts of town that is proposed as an allocation.</p> <p>The Council agrees that removing ambiguous wording is required in order to achieve the clarity and precision required by the NPPF.</p>	Accept examiner's recommended modifications.

Section	Examiner's recommendation	Consideration of recommendation	LPAs decision
Supporting text (Page 81)	<u>Community Infrastructure</u>  In paragraph 8.10 delete <i>'The single most requested piece..... rather than seen as an afterthought.'</i>	As the Council is proposing to retain Policy HING9, albeit in a modified form, it is proposed that this section of supporting text, which references the HING9 proposal, can also be retained.	Propose to retain this section of supporting text within paragraph 8.10.  This proposal will be subject to consultation before a final decision is made.
<u>Policy HING7</u>  (Page 84)	<u>New sports provision</u>  Replace the opening element of the policy with:  <b>'Proposals for new or improved sports and leisure facilities in Hingham including sports pitch provision and multi-use all weather games areas will be supported.'</b>	The Council agrees that greater policy weight could be given to proposals which are "supported" than "encouraged".	Accept examiner's recommended modifications.
<u>Policy HING8</u>  (Page 85)	<u>Allotments and green spaces</u>  Replace the policy with:  <b>'Proposals for new allotments, children's play areas and spaces, community orchards, new wildlife areas and outdoor meeting spaces will be supported. Where practicable, such provision should be well-connected to the village in terms of safe access by walking and cycling.'</b>	The Council again agrees that the use of qualifying and explicit language will bring the clarity required by the NPPF.	Accept examiner's recommended modifications.

Section	Examiner's recommendation	Consideration of recommendation	LPAs decision
<p><u>Policy HING9</u></p> <p>(Page 87)</p>	<p><u>Allocation of land for community uses</u></p> <p>Delete the policy.</p>	<p>Due to new evidence being presented to the Council, subsequent to the delivery of the examiner's report, the Council proposes to retain Policy HING9, albeit in a slightly revised form.</p> <p>For a detailed explanation of the Council's reasoning and an indication of the proposed policy wording, please refer to Appendices 1 and 2 of this Decision Statement.</p>	<p>The Council proposes to decline the examiner's recommended modification.</p> <p>It is proposed to retain Policy HING9, albeit with modified policy wording.</p> <p>The Council's proposed modifications are set out in Appendix 2 of this Decision Statement and will be subject to consultation before a final decision is made.</p>



<p>Supporting text</p> <p>(Pages 85-6)</p>	<p><u>Ladies Meadow</u></p> <p>In the text associated with Figure 42 replace ‘<i>identified</i>’ with ‘<i>being considered</i>’.</p> <p>In the key in Figure 42 delete Policy HING9 and replace ‘<i>identified</i>’ with ‘<i>being considered</i>’.</p> <p>Replace paragraphs 8.19 to 8.23 with:</p> <p><i>‘8.19 Following the Household Survey, in August 2022, the Steering Group undertook a ‘Call for Sites’. Rather than being aimed at seeking out sites for new housing development, the purpose was to test the potential for sites to accommodate a range of community uses that has been identified through the Survey. These included:</i></p> <ul style="list-style-type: none"> <li><i>• a town car park;</i></li> <li><i>• recreational use including formal sport pitches and playing fields;</i></li> <li><i>• green spaces such as informal amenity areas, nature reserves, community woodlands, community orchards, etc;</i></li> <li><i>• community uses e.g., sites that would allow for the expansion of existing community uses or new ones e.g., community buildings, educational, heritage/tourist uses, cemetery expansion etc; and</i></li> <li><i>• land suitable for energy generation.</i></li> </ul> <p><i>8.20 The result was the submission of four sites as follows:</i></p> <ul style="list-style-type: none"> <li><i>• Land at Hall Close, submitted for housing and open space on behalf of the landowner (Site HNP1);</i></li> <li><i>• Land at Hardingham Road, submitted for housing, community uses, parking and open space, on behalf of the landowner (Site HNP2);</i></li> </ul>	<p>Due to the proposed retention of HING9, the Council proposes alternate modifications to this supporting text.</p> <p>For a detailed explanation of the Council’s reasoning and an indication of the proposed wording, please refer to Appendices 1 and 2 of this Decision Statement.</p>	<p>The Council proposes to decline the examiner’s recommended modification.</p> <p>Alternate modifications to this supporting text are proposed.</p> <p>The Council’s proposed modifications are set out in Appendix 2 of this Decision Statement and will be subject to consultation before a final decision is made.</p>
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	<ul style="list-style-type: none"> <li>• Land at Ladies Meadow, Attleborough Road, submitted for community uses including car park, cemetery extension and open space by Hingham Town Council (Site HNP3); and</li> <li>• Land opposite Hingham Sports Centre, Watton Road, submitted on behalf of the landowner for housing, open space, and community woodland (Site HNP4).</li> </ul> <p>8.21 In November 2022, AECOM was commissioned to provide Site Options Assessments (SOA) of the four sites against the community uses sought by the Steering Group. The work was concluded in April 2023 and the results are included in the Hingham Site Options Assessment Report. The SOA also revisited the sites formerly put forward through the GNLP Call for Sites in case any of those were also suitable.</p> <p>8.22 The SOA ruled out several of the original GNLP sites together with Site HNP1 at Hall Close. The SOA identified that Sites HNP2, 3 and 4 all had constraints but, subject to those matters being overcome, there may be scope for suitability for some of the community uses being sought. After consideration of the results of the SOA, the Steering Group concluded that the scale of development being proposed for HNP2, its physical distance from the town centre and the highways constraints identified that it would not be taken forward. Site HNP4 was considered as potentially being suitable in the future but it was largely being proposed for housing, which the Neighbourhood Plan was not seeking at this time, and again was not well located in relation to the town centre. Part of this site has subsequently received planning permission for a dog walking/exercise area.</p> <p>8.23 The remaining site at Ladies Meadow (as shown in Figure 42) is considered by the SOA as potentially suitable for the uses sought. However, it is recognised that achieving safe pedestrian access to the town centre is challenging. In addition, its location adjacent to the Conservation Area with the Church nearby will require careful consideration in the design and layout of the site and the potential for mitigation measures to be incorporated. Nevertheless, the site is the most logical for a cemetery extension due to its proximity to the</p>		
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	<p><i>existing cemetery and it is relationship with the town centre when assessed against other sites. In addition, there may well be scope for improved pedestrian connections from the site to the town centre which would require the acquisition of third-party land and/or negotiation with third parties.</i></p> <p><i>8.24 Based on all the available evidence, the Town Council has concluded that Ladies Meadow represents a potential appropriate site for some of the community uses sought, specifically a cemetery extension, a car park to serve the town centre and the Church and an area of open space to the south. Detailed work is continuing the delivery of the proposal, including its connections to the town centre. Engagement between the Town Council and the landowners, on this matter is positive and ongoing. In January 2024 an application was made by the Town Council to South Norfolk Council for 'Pride of Place' funding. The application was approved in March 2024 and provides £19,750 for a feasibility study looking at options to bring forward the car park and other community facilities including options for providing improved pedestrian access into the existing footway network, and vehicular access. The feasibility study will be complete by the end of 2024. Initial meetings and dialogue with the consultant undertaking this feasibility study have been positive.</i></p> <p><i>8.25 Should this exercise demonstrate that the project is viable and deliverable, the Town Council will determine the best way to proceed. This may involve the preparation of a partial review of the Plan (to propose the development of the site) or to include its development in a wider review of the Plan.'</i></p>		

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<u>Policy HING10</u>  (Pages 93-4)	<u>Town centre parking</u>  Replace the first paragraph with:  <b>'Proposals that would provide safe and easily accessible, off-street, car parking in the town centre available for public use (including the provision of a public car park) will be supported.'</b>  In the second paragraph add <b>'provision'</b> after the first use of <b>'parking'</b> .  Replace the opening element of the final paragraph with:  <b>'Where practicable, proposals for a public car park should meet the following criteria:'</b>	The Council agrees that these amendments are required in order to achieve the clarity and precision required by the NPPF.	Accept examiner's recommended modifications.
Supporting text  (Pages 95-6)	<u>Access and safety</u>  At the end of paragraph 9.18 add:  <i>'Policy HING12 addresses these matters. Wherever practicable, the creation of new access arrangement should complement the existing routes in the neighbourhood area as shown on Figure 18.'</i>	The Council agrees that reference made to Figure 18 addresses comments made by the Council and provides clarity.	Accept examiner's recommended modifications.

Section	Examiner's recommendation	Consideration of recommendation	LPAs decision
<u>Policy HING13</u>  (Pages 97-8)	<u>Protecting and enhancing Public Rights of Way</u>  Replace the policy with:  <b>'Where relevant, development proposals should take account of existing Public Rights of Way (as shown on Figure 18) and incorporate routes in a sensitive way into the overall layout of schemes. Where this requirement cannot be achieved, appropriate revised or replacement routes should be provided that are safe, equally accessible, and convenient for users.</b>  <b>Where relevant and practicable, proposals for new development should seek to extend the local footpath network.'</b>	The Council agrees that these amendments are required in order to achieve the clarity and precision required by the NPPF.	Accept examiner's recommended modifications.
<u>Policy HING14</u>  (Page 101)	<u>New and existing business</u>  Replace the second part of the policy with:  <b>'Proposals for new business and employment development on existing employment sites will be supported. Existing employment uses will be protected unless it can be demonstrated that the premises concerned are no longer capable of meeting business needs following a period of marketing at a level which acknowledges the existing use of the premises and its location.'</b>  Replace the final part of the policy with:  <b>'Proposals for businesses which deliver sustainable products or technology will be supported where they comply with other development plan policies.'</b>	The Council agrees that these modifications are necessary to address the issue of changing circumstances for employment sites and to have regard to national and local planning policies.	Accept examiner's recommended modifications.

Section	Examiner's recommendation	Consideration of recommendation	LPAs decision
Supporting text (Page 100)	<p><u>Business and employment</u></p> <p>At the end of paragraph 10.6 add:</p> <p><i>'The second part of the policy comments about the retention of employment uses. The Plan acknowledges that the needs of businesses may vary in the Plan period and that some premises may no longer be attractive to (or viable for) modern business operations. In this context any proposals for the conversion of employment premises to non-employment uses, or their redevelopment for other purposes) should be supported by appropriate marketing arrangements of at least six months and at a realistic price'.</i></p>	The Council agrees that these modifications are necessary to address the issue of changing circumstances for employment sites and to have regard to national and local planning policies.	Accept examiner's recommended modifications.
<u>Policy HING15</u> (Page 105)	<p><u>Retail and town centre</u></p> <p>In the first part of the policy after 'town centre' add '(as shown on Figure 44)'.</p> <p>Replace the second part of the policy with:</p> <p><b>'Development proposals which would assist with the diversification, adaptation and/or retention of existing retail uses within the town centre will be supported.'</b></p>	The Council agrees that these changes are required to identify the extent of the town centre and to ensure that the intent of the policy is adequately expressed.	Accept examiner's recommended modifications.
<u>Policy HING16</u> (Page 106)	<p><u>Rural diversification</u></p> <p>Replace the second part of the policy with:</p> <p><b>'Proposals for the change of use of redundant agricultural buildings to business uses will be supported where they otherwise comply with development plan policies.'</b></p>	The Council agrees that these changes are required to broaden the policy compliance issue.	Accept examiner's recommended modifications.

Section	Examiner's recommendation	Consideration of recommendation	LPAs decision
<u>Policy HING17</u>  (Page 107)	<u>Renewable energy</u>  Replace the opening element of the policy with:  <b>'Proposals for the development of decentralised, renewable, and low carbon sources of energy will be supported where they satisfy the following criteria:'</b>	The Council agrees that the addition of a reference to appropriate locations addresses comments made by the Council.	Accept examiner's recommended modifications.
<u>Policy HING19</u>  (Page 111)	<u>Landscape character and important public views</u>  In the second paragraph of the policy replace ' <b>a development</b> ' with ' <b>development proposals</b> ' and ' <b>these</b> ' with ' <b>such features</b> '.  In the third paragraph of the policy replace ' <b>should take account of</b> ' with ' <b>should respond positively to</b> ' (second sentence), and ' <b>Developments,</b> ' with ' <b>Development proposals</b> ' (third sentence).	The Council agrees that these amendments are required in order to achieve the clarity and precision required by the NPPF.	Accept examiner's recommended modifications.
<u>Policy HING20</u>  (Page 128-9)	<u>Biodiversity</u>  Delete the first sentence of the fourth part of the policy.  In the second sentence of the fourth part of the policy replace ' <b>This will include</b> ' with ' <b>Wherever practicable, the local delivery of the national requirement for biodiversity net gain should include</b> '.  Replace the fifth part of the policy with:  <b>'Wherever practicable, new planting should use native species. The planting should be supported by a method statement for the ongoing care and maintenance of that planting or feature or as a last resort, the delivery of compensation measures.'</b>	The Council agrees that these changes are required for clarity and to respond to national regulatory changes.	Accept examiner's recommended modifications.

Section	Examiner's recommendation	Consideration of recommendation	LPAs decision
<p><u>Policy HING21</u></p> <p>(Page 130-1)</p>	<p><u>Climate change and flood risk</u></p> <p>In the first paragraph of the policy replace <b>'Proposals are encouraged to'</b> with <b>'Wherever practicable, development proposals should'</b>.</p> <p>In the third paragraph of the policy replace <b>'Particular encouragement is given for the inclusion of the following:'</b> with <b>'The incorporation of the following measures within development proposals will be particularly supported:'</b>.</p> <p>Replace the penultimate paragraph of the policy with:</p> <p><b>'As appropriate to their scale, nature and location, development proposals should use appropriate sustainable drainage systems (including drainage lagoons), wetland and water features, to protect against pollution, provide drainage and wider amenity, recreational and biodiversity benefits.'</b></p> <p>Replace the final part of the policy with:</p> <p><b>'Wherever practicable, development proposals should demonstrate the way in which they can mitigate their own flooding and drainage impacts, avoid an increase of flooding elsewhere and seek to achieve lower than greenfield runoff rates.'</b></p>	<p>The Council agrees that these changes are required to make an appropriate distinction between a land use policy and the associated supporting text, and also to achieve the clarity and precision required by the NPPF.</p>	<p>Accept examiner's recommended modifications.</p>



Section	Examiner's recommendation	Consideration of recommendation	LPAs decision
Supporting text (Page 130)	<p>At the end of paragraph 11.35 add:</p> <p><i>'Developments should seek to improve the four pillars of SuDs – water quality, water quantity, amenity, and biodiversity. Development proposals should take account of the advice and guidance on surface water drainage and the mitigation of flood risk obtainable from Norfolk County Council (as Lead Local Flood Authority) and the relevant Internal Drainage Board (as the statutory Drainage Board for the Plan area). In addition, development proposals should secure the necessary consents and approvals from those bodies which lie outside the planning system.'</i></p>	<p>The Council agrees that these changes are required to make an appropriate distinction between a land use policy and the associated supporting text.</p>	<p>Accept examiner's recommended modifications.</p>

Section	Examiner's recommendation	Consideration of recommendation	LPA's decision
<u>Policy HING22</u>  (Page 134)	<p><u>Dark skies</u></p> <p>In the second paragraph replace '<b>will be expected to</b>' with '<b>should</b>'.</p> <p>At the end of the third paragraph of the policy add:</p> <p><b>'Lighting schemes should respond positively to the following criteria:</b></p> <ul style="list-style-type: none"> <li>• <b>have a minimal impact on the landscape;</b></li> <li>• <b>minimise light pollution and the adverse effects on wildlife, and be shielded with lighting beams directed downward. No 'permanently on' external lighting should feature in new developments, and security lighting should be motion-activated; and</b></li> <li>• <b>reduce the consumption of energy by promoting efficient outdoor lighting technologies.'</b></li> </ul> <p>In the fourth paragraph of the policy replace '<b>Where appropriate to the development proposal, planning applications</b>' with '<b>Where appropriate, development proposals</b>'.</p> <p>Delete the final part of the policy.</p>	<p>The Council agrees that these changes are required to ensure a cohesive policy and to achieve the clarity and precision required by the NPPF.</p>	<p>Accept examiner's recommended modifications.</p>
General	<p>Modification of general text (where necessary) to achieve consistency with the modified policies and to accommodate any administrative and technical changes.</p>	<p>South Norfolk Council will liaise with the Town Council to identify any further minor, factual amendments to general text that are required.</p>	<p>Make any further minor, factual amendments to general text that are required, as necessary.</p>

#### 4. Next Steps

Given South Norfolk Council's proposal to make a decision which differs from that recommended by the examiner (in relation to HING9 and its supporting text, and a consequential decision to retain an element of text that supports HING6), there will now follow a six week period during which Hingham Town Council, all those who submitted representations to South Norfolk Council during the Regulation 16 publication stage, and any consultation body that has previously been consulted on the Neighbourhood Plan will be invited to make comments on this particular proposal (in accordance with section 13[1] of Schedule 4B of the Town and Country Planning Act 1990).

This consultation period will take place between **9.00am on 25<sup>th</sup> April and 5.00pm on 9<sup>th</sup> June 2025**.

This Decision Statement proposal will be published, during the aforementioned six week period, on the South Norfolk Council website ([www.southnorfolkandbroadland.gov.uk/neighbourhood-plans](http://www.southnorfolkandbroadland.gov.uk/neighbourhood-plans)).

Following the consultation period, South Norfolk Council may refer the issue to a further independent examination, if it considers it appropriate to do so.

Following the representation period, and receipt of the examiner's report (should a further examination be deemed necessary), South Norfolk Council will publish a final Decision Statement which will include the final modification proposals and the Council's decision on whether or not the Plan should proceed to a referendum.

## **APPENDIX 1: Council consideration of examiner's recommendation – Policy HING9 'Allocation of land for community uses'**

### **1. Introduction**

- 1.1 South Norfolk Council proposes to take a different view to the examiner in respect of Policy HING9 – Allocation of land for community uses. The examiner recommends the deletion of the policy. In light of evidence presented following delivery of the examiner's report, South Norfolk Council proposes to retain the policy, albeit with modifications to the original wording.

### **2. Recommendation of the Independent Examiner**

- 2.1 In the discussion regarding Policy HING9 (pages 23-27 of the Hingham Neighbourhood Plan Examiner's Report), the examiner concludes with the following remarks (paras. 7.62-7.64) –

*'The policy raises a series of issues. On the one hand, I am satisfied in principle that the range of uses proposed in the policy could be accommodated in a satisfactory way on the site. In addition, the proposal is ambitious and driven by the local community. The recent successful application for a Pride of Place funding (from SNC) indicates that progress is being made in developing a robust and viable proposal for the use of the site as anticipated in the Plan.'*

*However on the other hand the application for a Pride in Place funding to test the feasibility of the development of the site highlights that the proposal is emerging and, at this stage, its feasibility is unclear. Plainly further work needs to be undertaken on the package of uses proposed for the site and securing safe and convenient pedestrian access between the site and the town centre. As such it is not possible to conclude that the proposal will be deliverable in the Plan period.'*

*Based on all the available information, I recommend that the policy is deleted from the Plan. Whilst it takes a very ambitious approach, the policy offers no assurance that the proposal can be delivered in the Plan period. Whilst I acknowledge that this recommendation will be a disappointment to HTC, it reflects the evidence available and the early stage which the proposal has reached. I have considered the appropriateness or otherwise of retaining the supporting text on this matter in the Plan in the absence of a policy. On the balance of the evidence, I am satisfied that, with modifications, the supporting text should remain in the Plan. It highlights the ongoing work on the project, and the way in which it may be addressed as the feasibility work progresses.'*

- 2.2 The examiner's report was delivered to South Norfolk Council on 22<sup>nd</sup> September 2024. Shortly after receipt of the report, on 7<sup>th</sup> October, Hingham Town Council approached South Norfolk Council to request that the decision on whether to approve the examiner's recommendations be postponed until the results of the separate feasibility study, referred to within the examiner's comments above, are available and could be taken into account. South Norfolk Council agreed to this request on the basis that the results of the study may provide the necessary evidence to overcome the examiner's concerns.

### 3. Ladies Meadow Feasibility Study

3.1 The 'Feasibility Study for Mixed-Use Development at Ladies Meadow, Hingham' was produced by Pinnacle Consulting Engineers on 9 December 2024. It was commissioned by Hingham Town Council using funding secured via South Norfolk Council's 'Pride in Place' grant. The study comprised a transport assessment, a flood risk assessment, and a due diligence report. The study sought to address the following development constraints regarding the proposal at Ladies Meadow (chiefly identified through AECOM's Site Options and Assessment report that was produced in support of the pre-submission Neighbourhood Plan):

- i. **Potential site access constraints** – the suitability of the Ladies Meadow site for development of community uses, with constrained access from Attleborough Road due to the geometric and speed limit constraints along the road;
- ii. **Safety and capacity of the off-site public road network in the vicinity of the proposed site** – at the Fairlands crossroads junction (B1108 Watton Road- Attleborough Road- Dereham Road) and along Attleborough Road in particular; and
- iii. **Potential pedestrian/ Non-motorised unit (NMU) access constraints** – narrow and/or discontinuity of footpaths presenting constraints for walking and cycling accessibility and disjointed permeability (connectivity) of walking routes between the proposed site car park through the Fairland crossroads and town centre.

3.2 The feasibility study and associated documents are available to view at [www.southnorfolkandbroadland.gov.uk/planning/future-development/neighbourhood-plans/emerging-neighbourhood-plans-south-norfolk/hingham-neighbourhood-plan](http://www.southnorfolkandbroadland.gov.uk/planning/future-development/neighbourhood-plans/emerging-neighbourhood-plans-south-norfolk/hingham-neighbourhood-plan).

3.3 The three constraints, listed above, are discussed in turn, below.

#### 4. Potential site access constraints

4.1 As regards the site access constraints, two options were considered – one at the site of the existing farm access into Ladies Meadow and the other located slightly further to the south of the site. The transport assessment concludes that both options have turning radii of 6m and achieve visibility splays of 2.4m x 43m towards each direction along Attleborough Rd from the proposed access point. However, the northern access option would not be orientated perpendicular at its junction with Attleborough Road. The southern access option is deemed to be preferable as it would be more flexible to accommodate the overall scheme desirable junction layout. However, it would require extending the existing 30mph speed limit further south along Attleborough Road, beyond the access point.

#### 5. Safety/capacity of the off-site public road network in the vicinity of the proposed site

- 5.1 The transport assessment also concludes, following traffic modelling results of a junction capacity analysis, that the Fairland junction in the town (north on Attleborough Road, at its junction with the B1108 and Dereham Road) would have sufficient capacity to cater for the proposed development at Ladies Meadow, having a negligible impact on the operational capacity of the local highway network.
- 5.2 Reference is made to a feasibility study that was prepared in 2023 by Norfolk County Council Highways team ('The Fairland Crossroads & Market Place Safety Improvements & Identification of Formal Crossing Options') and that the preferred improvement proposal within this study (Option 1A – Haunching to Improve Visibility) appears to be the most technically and economically feasible solution. The study also

recommends improving signing and lining at the Fairland junction and at its approaches from the minor and major roads.

- 5.3 It is also worth noting that the Town Council has been seeking to address highway safety issues in the town centre over a significant period of time. In addition to working with Norfolk County Council to develop the 2023 study referenced above (which also explored parking restrictions on Dereham Road, in the vicinity of the Fairland junction, and parking congestion mitigation at Fairland junction, the Market Place and adjoining roads), it has also extended the 20mph limit in the town centre (in 2018) to encompass the Fairland crossroads, and has (in 2024) sought funding for a collision avoidance sign scheme for the crossroads, as well as a feasibility study for a pedestrian priority crossing point at the junction.

## **6. Potential pedestrian/cyclist access constraints**

- 6.1 The study identifies a solution to achieving a permeable pedestrian/cyclist access route to/from the town centre and the Ladies Meadow site, by utilising an extension of the existing footpath that runs between the vicinity of the Fairland crossroads and Rectory Gardens. The extension would require land currently owned by the Diocese, to the rear/west of the Old Rectory.
- 6.2 The provision of a new link between where the footpath emerges onto the green, south of the B1108, and the junction itself will also be required to provide a continuous link and enhance safety along this route. Low level lighting should also be provided along the route to ensure that it is safe and usable at night.
- 6.3 The study also concludes that some pedestrians may still choose to use the existing footway on Attleborough to access the town centre, especially at night. The study states that it would therefore be beneficial to provide an additional drop kerb crossing of the B1108, to the east of the Fairland crossroads, and a second crossing of Attleborough Rd to the north of the war memorial, to link the footways on both sides of the road. This, together with an extension of the speed limit to 20mph, would improve pedestrian amenity along this section of Attleborough Road.
- 6.4 Hingham Town Council has confirmed that the green at the Fairland junction is in its ownership and that the Old Rectory is within the ownership of the Diocese of Norwich, who are supportive of the scheme.

## **7. Proposal by South Norfolk Council**

- 7.1 On the basis that further evidence, in the form of the December 2024 study, has brought to light that there are feasible and deliverable options for bringing forward the proposed community uses at Ladies Meadow, South Norfolk Council is proposing to retain the allocation within the Neighbourhood Plan.
- 7.2 The conclusions of the study address the concerns of the examiner, as raised in paragraph 2.1; principally, the point that *'further work needs to be undertaken on the package of uses proposed for the site and securing safe and convenient pedestrian access between the site and the town centre'* and providing assurance that the proposal can be delivered in the Plan period.
- 7.3 However, given that there are clearly sensitivities regarding the delivery of these proposals, including safe site access, achieving pedestrian links to the town centre, and the effects of the proposals on traffic in the town centre, the Council is recommending modifications to the original wording of the policy to ensure that these matters are dealt with accordingly.

- 7.4 Clearly, a balance needs to be struck between developing a robust policy that addresses the key requirements whilst also being flexible enough to be able to respond to potentially changing circumstances within the Neighbourhood Plan period. This has been the primary factor in modifying HING9.
- 7.5 Modifications have also been provided to the original supporting text relating to the policy, particularly addressing the delivery of the feasibility study and the conclusions therein, as well as details of the other work relating to traffic issues at the Fairland junction in which the Town Council has been engaged (as set out in 5.3).
- 7.6 The modifications to HING9 and the supporting text are set out in Appendix 2. The modifications will be subject to a six-week period of consultation, as set out on page 18 of the proposed Decision Statement.

## **APPENDIX 2: Proposed modifications to Policy HING9 and associated supporting text**

*Proposed Policy HING9, as modified:*

### **HING9: Allocation of land for community uses**

Approximately 9.66 hectares of land at Ladies Meadow, off Attleborough Road is allocated for a mix of community uses including an extension to the existing cemetery, a community building, an area of open space and a public car park (figure 42).

Development on the site will be brought forward using a master-planning approach co-ordinated by Hingham Town Council to ensure that significant community benefit from the uses on the site is derived.

Proposals for development on this site will:

- a) Ensure that safe access and egress can be achieved via Attleborough Road. A new access should be provided to the south of the existing farm access to the site, ensuring that suitable visibility splays are achieved. Any trees or hedgerow lost to form the access or visibility splay must be compensated for with new planting within the development.
- b) Provide the necessary highways safety improvements which are essential to appropriately mitigate any adverse highway safety impacts generated directly by the development of the site. These will include, as appropriate, entrance gateway speed reduction measures to the south of the site on Attleborough Road and other necessary visibility enhancements in the vicinity of the site which are proportionate to the specific impacts of the proposed development.
- c) Make provision for safe pedestrian and cycle connections to the town centre and other areas of the town, utilising an extension to the existing footpath that runs between the vicinity of the Fairlands crossroads and Rectory Gardens.
- d) Be accompanied by a detailed heritage statement that identifies any heritage impacts and mitigations as appropriate including on the significance and setting of the adjacent St Andrews Church and any other designated heritage assets.
- e) Ensure that the layout of the car park takes account of any flood risk so that there are no adverse impacts upon surface water drainage and that greenfield run off rates are not increased.
- f) Provide details of the layout of the car park including measures to mitigate potential pollution impacts caused by surface water run-off.
- g) Provide for suitable biodiversity enhancements and landscaping of the site and its boundaries to ensure its assimilation into the surrounding area.
- h) Be in accordance with the Hingham Design Guidance and Codes.



*Proposed supporting text, as modified:*

### **Ladies Meadow**

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

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

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

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

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

8.22 The SOA ruled out a number of the original GNLP sites together with Site HNP1 at Hall Close. The SOA identified that Sites HNP2, 3 and 4 all had constraints but that subject to those being overcome there may be scope for suitability for some of the community uses being sought. After consideration of the results of the SOA, the Steering Group concluded that the scale of development being proposed for HNP2, its physical distance from the town centre and the highways constraints identified that it would not be taken forward through the Neighbourhood Plan. Site HNP4 was considered as potentially being suitable in the future but that it was largely being proposed for housing which the Neighbourhood Plan was not seeking at this time and again was not well located in relation to the town centre. Part of this site has subsequently received planning permission for a dog walking/exercise area.

8.23 The remaining site at Ladies Meadow (as shown in Figure 42), although not owned by the Town Council, has been put forward for consideration by the Council. The site is considered by the SOA as potentially suitable for the uses sought but it is recognised that safe pedestrian access to the town centre is not ideal.

- 8.24 Hingham Town Council commissioned consulting engineers Pinnacle Limited to undertake an engineering feasibility study for a mixed use community hub and car park on the Ladies Meadow site. The study, which reported in December 2024, comprised a transport assessment and a flood risk assessment for the site. The study concluded that suitable access to the site from Attleborough Road could be achieved in accordance with relevant technical guidance. The study also recommended that the 30mph speed limit on Attleborough Road be extended to beyond the visibility splay of the proposed access with a 20mph limit extended to beyond the northern extent of the site to reduce vehicle speeds close to the site access and improve the environment for cyclists between the town centre and the site.
- 8.25 Furthermore the study concluded that pedestrian access to Ladies Meadow can be achieved via an extension to the existing footpath that runs from the Fairlands crossroads to Rectory Gardens . This extension would require land which is currently part of the Old Rectory. This footpath would need to be suitably lit, but would provide a safe route for pedestrians accessing the Ladies Meadow site. Further pedestrian improvements would allow safe crossing of the B1108 and Dereham Road. The green at the Fairlands is in the ownership of the Town Council and the Old Rectory is in the ownership of the Diocese of Norwich who are supportive of the scheme.
- 8.26 The Town Council has proactively sought to address highway safety issues in the Town Centre over a period of time and has worked (and will continue to do so) with Norfolk County Council as Highway Authority to create a safer town centre environment. Specific measures have included:
- 2018 - Extending the 20mph limit to encompass the Fairlands crossroads
  - 2019 - 2023 - Feasibility Study to investigate options for improvements at the Fairlands crossroads, parking restrictions on Dereham Road in the vicinity of the Fairlands junction and parking congestion mitigation at Fairlands, the Market Place and adjoining roads
  - 2024 - Parish Partnership Scheme bid for funding for a collision avoidance sign scheme and a feasibility study for a pedestrian priority crossing point in the Fairlands.
- 8.27 It is acknowledged that the location of Ladies Meadow, adjacent to the Conservation Area with the Church nearby will require careful consideration of heritage implications in the design and the potential for mitigation measures to be incorporated. The site however is the most logical for a cemetery extension being located close to the existing cemetery and it is relatively well related to the town centre when assessed against other sites. The development of Ladies Meadow for community uses would naturally create a new "gateway " feature for the Town and create continuity from the Town centre (Fairland) to the existing cemetery (which is located to the south of Ladies Meadow). This would also allow for better and safer pedestrian access to the cemetery along Attleborough Road, (inside the boundary of Ladies Meadow). The feasibility study indicates that improved pedestrian connections from the site to the Town Centre can be achieved. It is therefore concluded that Ladies Meadow does represent an appropriate site for some of the community uses sought, specifically a cemetery extension, a community building, a car park to serve the town centre and also the Church and an area of open space to the south.

*Note: Anglian Water advise that a water main runs along the road boundary of this land, and would encourage any development to take account of Anglian Water assets when planning for development to ensure they are protected or diversions are put in place if required.*