

## Cabinet

## Agenda

### Members of the Cabinet:

Cllr J Fuller (Chairman)  
Cllr K Mason Billig (Vice Chairman)  
Cllr A Dearnley  
Cllr R Elliott  
Cllr G Minshull  
Cllr L Neal  
Cllr A Thomas

Leader, External Affairs and Policy  
Governance and Efficiency  
Finance and Resources  
Customer Focus  
Clean and Safe Environment  
Stronger Economy  
Better Lives

### Date & Time:

Monday 26 September 2022  
9.00 am

### Place:

To be held in the Council Chamber at South Norfolk House, Cygnet Court, Long Stratton, Norwich, NR15 2XE

### Contact:

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### PUBLIC ATTENDANCE:

This meeting will be live streamed for public viewing via the following link:

<https://www.youtube.com/channel/UCZciRgwo84-iPyRImsTCIng>

If a member of the public would like to observe the meeting in person, or speak on an agenda item, please email your request to [committee.snc@southnorfolkandbroadland.gov.uk](mailto:committee.snc@southnorfolkandbroadland.gov.uk), no later than 5.00pm on Wednesday 21 September 2022.

### Large print version can be made available

If you have any special requirements in order to attend this meeting, please let us know in advance.



# AGENDA

1. To report apologies for absence;
2. Any items of business which the Chairman decides should be considered as a matter of urgency pursuant to section 100B(4)(b) of the Local Government Act 1972. Urgent business may only be taken if, “by reason of special circumstances” (which will be recorded in the minutes), the Chairman of the meeting is of opinion that the item should be considered as a matter of urgency
3. To receive Declarations of interest from Members  
(Please see guidance – page 4)
4. To confirm the minutes from the meeting of Cabinet held on 11 July 2022  
(attached – page 6)
5. Starston Neighbourhood Plan – Consideration of Examiner’s Report;  
(attached – page 16)
6. Tivetshall Neighbourhood Plan – Consideration of Examiner’s Report;  
(attached – page 70)
7. Diss and District Neighbourhood Plan Submission;  
(attached – page 136)
8. Update to the Local Development Scheme;  
(attached – page 298)
9. South Norfolk Allocations Scheme: Family Connection;  
(attached – page 319)
10. Awarding of Contracts in Relation to the Mobilisation of the Horizon Centre;  
(attached – page 323)
11. Using intelligence to achieve a First-Class Customer Service;  
(attached – page 327)
12. Annual Re-Ratification of Strategy for Norfolk Strategic Flood Alliance;  
(attached – page 338)
13. Public Space Protection Order – Dog Fouling;  
(attached – page 346)



**14. Cabinet Core Agenda;**

(attached – page 355)

**15. Exclusion of the Public and Press;**

To exclude the public and press from the meeting under Section 100A of the Local Government Act 1972 for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A to the Act (as amended) \*

**16. Stray Dog Collection Contract;**

(NOT FOR PUBLICATION by virtue of paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972)  
(report attached – page 358)

**17. Options on Provision of a Future Fraud Service**

(NOT FOR PUBLICATION by virtue of paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972)  
(report attached – page 362)

**\*C**



## DECLARATIONS OF INTEREST AT MEETINGS

When declaring an interest at a meeting Members are asked to indicate whether their interest in the matter is pecuniary, or if the matter relates to, or affects a pecuniary interest they have, or if it is another type of interest. Members are required to identify the nature of the interest and the agenda item to which it relates. In the case of other interests, the member may speak and vote. If it is a pecuniary interest, the member must withdraw from the meeting when it is discussed. If it affects or relates to a pecuniary interest the member has, they have the right to make representations to the meeting as a member of the public but must then withdraw from the meeting. Members are also requested where appropriate to make any declarations under the Code of Practice on Planning and Judicial matters.

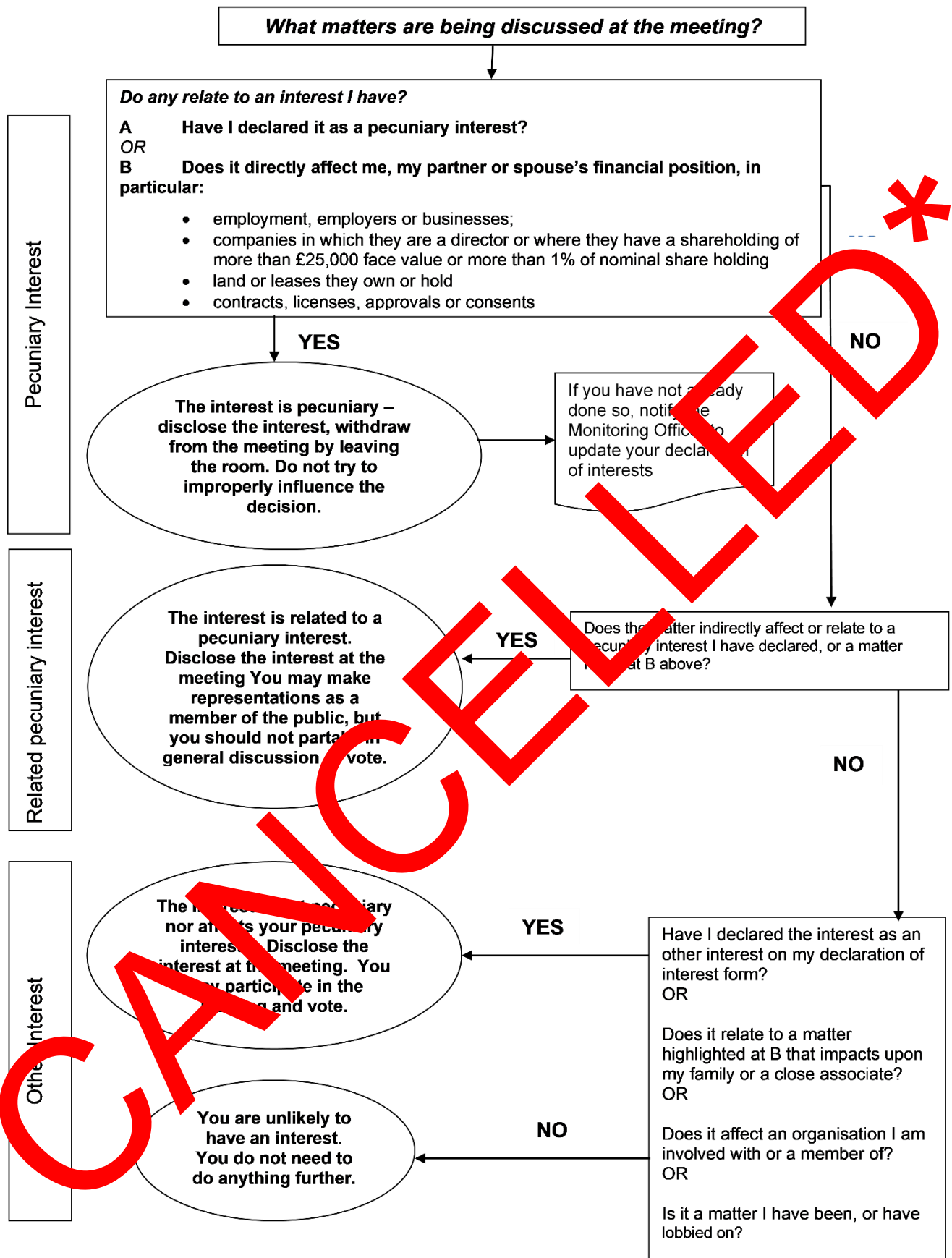
<p>Have you declared the interest in the register of interests as a pecuniary interest? If Yes, you will need to withdraw from the room when it is discussed.</p>
<p>Does the interest directly:</p> <ol style="list-style-type: none"> <li>1. affect yours, or your spouse / partner's financial position?</li> <li>2. relate to the determining of any approval, consent, licence, permission or registration in relation to you or your spouse / partner?</li> <li>3. Relate to a contract you, or your spouse / partner have with the Council</li> <li>4. Affect land you or your spouse / partner own</li> <li>5. Affect a company that you or your partner own, or have a shareholding in</li> </ol> <p>If the answer is "yes" to any of the above, it is likely to be pecuniary.</p> <p>Please refer to the guidance given on declaring pecuniary interests in the register of interest forms. If you have a pecuniary interest, you will need to inform the meeting and then withdraw from the room when it is discussed. If it has not been previously declared, you will also need to notify the Monitoring Officer within 28 days.</p>
<p>Does the interest directly affect, or relate any pecuniary interest you have already declared, or an interest you have identified at 1-5 above?</p> <p>If yes, you need to inform the meeting. When it is discussed, you will have the right to make representations to the meeting as a member of the public, but you should not partake in general discussion or vote.</p>
<p>Is the interest not related to any of the above? If so, it is likely to be an other interest. You will need to declare the interest, but may participate in discussion and voting on the item.</p>
<p>Have you made any statements or undertaken any actions that would indicate that you have a closed mind on a matter under discussion? If so, you may be predetermined on the issue; you will need to inform the meeting, and when it is discussed, you will have the right to make representations to the meeting as a member of the public, but must then withdraw from the meeting.</p>

**FOR GUIDANCE REFER TO THE FLOWCHART OVERLEAF.**

**PLEASE REFER ANY QUERIES TO THE MONITORING OFFICER IN THE FIRST INSTANCE**



# DECLARING INTERESTS FLOWCHART – QUESTIONS TO ASK YOURSELF





## Agenda Item: 4

# CABINET

**Minutes of a meeting of the Cabinet of South Norfolk Council, held on Monday 11 July 2022 at 9.00 am.**

**Committee Members Present:** Councillors: J Fuller (Chairman), A Deaneley, R Elliot, K Mason Billig, G Minshull and A Thomas

**Apologies:** Councillor: L Neal

**Other Members in Attendance:** Councillors: T Laidlaw

**Officers in Attendance:** The Managing Director (T Holden), the Director of Place (P Courtier), the Assistant Director for Community Services (S Pielan), the Assistant Director for Economic Growth (G Denton), the Assistant Director of Finance (R Fincham), the Assistant Director of Individuals and Families (M Househouse), the Assistant Director for Regulatory (N Hayward), the Deputy Monitoring Officer (J Mockford), the Senior Community Planning Officer (R Squires), the Programme Manager – Economic Growth (D Maillie-Murden) and the Democratic Services Manager (C White).

Three members of the Council's Peer Review team were also in attendance.

### 3022 APOLOGIES

Apologies were received from Cllr L Neal.

### 3023 DECLARATIONS OF INTEREST

Cllr A Thomas declared an "other" interest" as the local member for Long Stratton, with regard to minute 3027, the Greater Norwich Strategic Investment Fund, and discussion relating to the Long Stratton bypass.



## 3024 MINUTES

With regard to minute number 3012, regarding the East Anglia Green Project, the Chairman requested that the typographical error in the eight paragraph, be corrected to read Mr (not Cllr) Spratt.

Subject to this change, the minutes of the meeting of the Cabinet held on 12 June 2022 were agreed as a correct record.

## 3025 REDENHALL WITH HARLESTON NEIGHBOURHOOD PLAN – CONSIDERATION OF THE EXAMINER'S REPORT

Members considered the report of the Senior Community Planning Officer, which presented Cabinet with the Independent Examiner's report in relation to the Redenhall with Harleston Neighbourhood Plan.

The Senior Community Planning Officer reminded Cabinet of the background to the report and explained that following the six-week consultation period, twenty representations had been received. These, along with the Plan, had been submitted to the independent examiner for consideration. In response to a query, he explained that should Cabinet approve the recommendations as detailed in the examiner's report then the subsequent referendum would take place in mid to end September.

Members noted that the examiner had made only a few recommendations and that officers were content with the suggested modifications.

The Chairman commended all those involved in the production of the Plan, which he felt was comprehensive and well considered. He applauded the references to the sense of place and green environment, in addition to the physical infrastructure of the buildings.

Cabinet members endorsed the Chairman's comments, and it was suggested that this document was a good example for other towns and parishes wanting to formulate their own Neighbourhood Plan. Members also acknowledged the huge amount of work carried out by volunteers in producing the Plan, and hoped that the referendum would bring a positive outcome for the town.

It was then unanimously

### RESOLVED:

To

1. Approve each of the recommended modifications to the Redenhall with Harleston Neighbourhood Plan, as detailed within the examiner's report.
2. Agree to publish a Decision Statement setting out the Council's response and announcing the intention for the Neighbourhood Plan to proceed to a referendum.



## The Reason for the Decision

Cabinet is satisfied with the recommended modifications from the independent examiner.

## Other Options Considered

None.

### 3026 GREATER NORWICH LOCAL PLAN GYPSY AND TRAVELLER FOCUSED CONSULTATION

Members considered the report of the Principal Planning Officer, which sought Cabinet approval to undertake a public consultation regarding the possible allocation of Gypsy and Traveller sites in the Greater Norwich Local Plan (GNLP).

Cabinet noted that the proposed consultation would run between 25 July and 7 September and the results would then be considered by the independent inspectors who were running the examination of the GNLP.

The Chairman explained that he did not accept that the responsibility for the consideration of the consultation responses should fall to the inspectors, as he believed it was not a modification to the Plan, but an entirely new “limb”. He was further dissatisfied that the inspectors had indicated that unless pitches were identified and consulted upon, the entirety of the Local Plan would fail. He felt this was unreasonable and grossly disproportionate and should be challenged.

Turning to the proposed pitches, the Chairman referred to GNLP 5007, a 62-hectare site in Costessey where it was proposed that 1 hectare be allocated for Gypsy and Traveller sites. The Chairman felt it unacceptable that there was no indication of where the 1-hectare site would be located, and also that the 18 pitches were contingent to the allocation of the rest of the site for 1800 houses. The Chairman strongly opposed this proposal and stressed that this was a contingency site only and had been consulted upon on that basis.

The Chairman therefore stressed that he could not support the consultation in its current form, and he believed instead that a single-issue review should be undertaken. He referred to the Council’s excellent record in the provision of sites and stressed that the work to find suitable sites should continue.

Cabinet members echoed the concerns of the Chairman and emphasised the need to find sites through an open and transparent process. Despite not wishing to proceed with the consultation, members stressed that their commitment in finding appropriate sites remained undiminished.

Cllr T Laidlaw, local member for Costessey, advised that the Town Council had been surprised at the proposal GNLP 5007, explaining that it was currently involved in negotiations for new allotments and a community centre



at the north west area of the site. There had been concerns that these new proposals would impact on these negotiations. There were also concerns that the proposed site was very near the existing Roundwell site, and that there was too much of a concentration of sites in one area.

In response to queries, the Director of Place confirmed that the consultation could not proceed without agreement from all of the Greater Norwich authorities. He believed that the risk in failing to consult at this stage, was mitigated by the Council's clear commitment to finding sites.

#### **RESOLVED:**

1. That the Council does not support the Focused Consultation report as drafted;
2. To recommend to the Greater Norwich Development Partnership that a single-issue review is undertaken, taking in to account the points raised at South Norfolk Council's Cabinet meeting

#### **The Reason for the Decision**

That appropriate sites be found through a clear and transparent process, which would not unfairly impact on the rest of the Local Plan.

#### **Other Options Considered**

To proceed with the consultation

### **3027 CITY DEAL BORROWING AND THE ESTABLISHMENT OF THE GREATER NORWICH STRATEGIC INVESTMENT FUND;**

Members considered the report of the Director of Place which sought agreement from Council to give authority to Norfolk County Council to draw down on loan from the Public Work Loans Board, to create a recyclable fund to support local infrastructure projects, as agreed in the Greater Norwich City Deal.

The Director of Place explained that the proposals would allow the lead authority to invest in specific projects and that they would then be responsible for securing the repayments, which would be paid into the new Strategic Investment Fund. Members noted that the repayments to the Public Work Loans Board would be paid from the Infrastructure Investment Fund, which was funded through the receipt of Community Infrastructure Levy (CIL).

Cllr A Thomas expressed her support for the proposals, explaining that the proposed funding structure would enable the Long Stratton bypass project to progress.

#### **RESOLVED:**

#### **TO RECOMMEND THAT COUNCIL**

1. Gives authority to Norfolk County Council, as the Greater Norwich Growth Board's Accountable Body, to drawdown up to £20m from the Public Work



Loans Board to create a recyclable fund to support local infrastructure projects as agreed in the Greater Norwich City Deal, subject to the following conditions:

- The loan is used to create a fund, which will accelerate the delivery of infrastructure projects within the parameters defined within Community Infrastructure Levy legislation.
  - Repayment to be made from the Infrastructure Investment Fund pooled CIL.
  - The fund will be available to any of the Greater Norwich partners acting as lead authority and secured in a borrowing agreement with Norfolk County Council, which will include an agreed repayment schedule and bank stop date.
  - Repayments from the lead authority would be made into a new recyclable Strategic Investment Fund.
  - Due diligence and legal arrangements regarding the beneficiary project will be the responsibility of the lead authority.
2. Agrees the draft legal agreement that will commit future pooled Community Infrastructure Levy income as repayment against the draw down of up to £20m through the Greater Norwich City Deal (amounts will be drawn in stages see Appendix D and E)
  3. Subject to recommendation 2 upon each stage draw down totalling no more than £20m, the GNGCB to be granted delegated authority to sign the legal agreement together with the s151 officers, under the direction of Norfolk County Council as the Accountable Body and in accordance with their signed Joint Working Agreement.
  4. Agrees that the GNGCB be given delegated authority to manage the allocation of the City Deal borrowing and later, governance of the Strategic Investment Fund in line with the draft Terms of Reference - Appendix A and B.

#### **The Reason for the Decision**

To allow for the accelerated delivery of strategic infrastructure projects.

#### **Other Options Considered**

None.

### **3028 REGULATORY ENFORCEMENT POLICY**

Members considered the report of the Environmental Protection Manager, which sought Council approval for a new overarching Enforcement Policy.

The Portfolio Holder, Cllr G Minshall, commended the report to members, explaining that the new policy was based upon good practice demonstrated by other councils across the country.



The Assistant Director of Regulatory referred members to the proposed policy at Appendix 2 of the report. He explained that the Council was still awaiting the results of a legal review, and although he was not expecting any major changes, he proposed that the approval of any minor amendments be delegated to himself in consultation with the relevant portfolio holder.

Members welcomed the new policy and noted that as a joint policy with Broadland, it would also provide efficiencies for the One Team.

During discussion, the Chairman referred to paragraph 9 of the document, and it was suggested that where examples of categories were given, a caveat of “not limited to” should be included.

It was

#### **RESOLVED:**

#### **TO RECOMMEND THAT COUNCIL**

1. Agrees the adoption of the proposed overarching Enforcement Policy at Appendix 2 to replace the existing overarching enforcement policy, retaining its other existing thematic enforcement policies.
2. Delegates authority to the Assistant Director of Regulatory in consultation with the Portfolio Holder for Clean and Safe Environment, to enact any amendments advised by the Legal Team, following the completion of its review.

#### **The Reason for the Decision**

To establish good practice and positive enforcement.

#### **Other Options Considered**

None

### **3029 SHARED PROSPERITY FUND INVESTMENT PLAN**

Members considered the report of the Strategic Growth Project Manager and the Programme Manager – Economic Growth, regarding the submission of an investment plan in order to access South Norfolk’s UK Shared Prosperity Fund (UKSPF) allocation.

The Chairman explained that the Council had been allocated £1,570,485 of the Shared Prosperity Fund, subject to a compliant investment plan being submitted. Members noted that the proposed plan would focus on three principal interventions; one from each of the following investment priorities:

- Communities and Place
- Support for Local Business
- People and Skills



The Programme Manager outlined in more detail the objectives of each investment priority and the areas where funding would be directed. She explained that the apportionment of funding was still being worked through, although it was estimated that one third would be directed to business support, a half to support the Pride in Place work programmes and the remainder to be invested in People and Skills.

Cllr A Dearnley welcomed the proposals but also queried the apportionment of capital and revenue spend, and also whether the necessary deadlines could be met over the three-year period. The Programme Manager agreed that very careful financial monitoring would be required. She advised that the amount of capital spend could be increased, should there be a need and good reason for doing so.

The Chairman commended the proposed investment plan and suggested that it added value to existing work streams. It was

#### **RESOLVED:**

To

1. Approve the principal areas of investment as set out within this report.
2. Delegate to the Director of Place, in consultation with the Section 151 Officer, the Managing Director and the Leader of the Council, for the sign off and submission of a three year investment plan to meet the requirements of the UKSPF.
3. Delegate to the Director of Place to finalise the initial and ongoing Governance arrangements for the UKSPF.
4. Delegate to the Director of Place, in consultation with the Section 151 Officer, the Managing Director and the Leader of the Council, to make any non-substantive changes to the investment plan as required the Department of Levelling up Housing & Communities and to sign the contract and accept the terms of the UKSPF, subject to appropriate legal advice.

Delegate to the Director of Place, in consultation with the Section 151 Officer, the Managing Director and the Leader of the Council, for the commitment and expenditure of the Council's allocation of UKSPF in line with the investment plan.

#### **The Reason for the Decision**

To ensure that the Council is able to access the UK Shared Prosperity Fund.

#### **Other Options Considered**

None



### 3030 ECONOMIC GROWTH STRATEGIC PLAN

Members considered the report of the Programme Manager – Economic Growth and the National Management Trainee, which presented members with the Economic Growth Strategic Plan 2022-27, for approval.

The Programme Manager outlined the key areas of the Plan, explaining it focussed on the actions that needed to be taken over the next five years to secure long-term success. Members noted that progress against actions would be presented in future as part of the Council's existing performance management structure.

The Chairman commended the Plan, which he felt to be clear and concise, providing a clear path for future delivery. He suggested that the use of local photographs to provide real life examples, would enhance the Plan further.

It was

#### **RESOLVED:**

**TO RECOMMEND THAT COUNCIL** approves and adopts the Economic Growth Strategic Plan 2022 – 2027 and use of the South Norfolk Summary as an externally facing document, subject to minor amendments.

#### **The Reason for the Decision**

To address local barriers to growth and to ensure local priorities and opportunities are addressed.

#### **Other Options Considered**

Not to adopt the plan

### 3031 EGYM PROCUREMENT

Members considered the report of the Leisure Business Development Manager, which sought approval to install an EGYM suite into the fitness space at the Wymondham Leisure Centre, utilising S106 monies, specifically designated for use at the leisure centre for improvement initiatives.

Members noted that an exemption from procurement procedures was required, with EGYM being the sole supplier of equipment which could connect with the Council's existing cardiovascular equipment.

The Portfolio Holder, Cllr R Elliott, commended the report, explaining that the new equipment would give the Council a competitive edge to attract and



retain new members. It would also provide the opportunity to obtain referrals for rehabilitative exercise work.

Members welcomed the proposals, and it was

#### **RESOLVED:**

To grant a procurement exemption for the purchase of an EGYM suite on the grounds that EGYM is a unique supplier and the only supplier of this type of equipment that connects to the current cardio equipment that South Norfolk Leisure have in all centres.

#### **The Reason for the Decision**

To ensure that the Council's leisure facilities remain competitive

#### **Other Options Considered**

None

### **3032 CABINET CORE AGENDA**

Members noted the latest version of the Cabinet Core Agenda.

It was noted that the submission of the Wyndham Neighbourhood Plan had slipped from early September to late October.

Members suggested that following the earlier decision regarding the Greater Norwich Local Plan Gypsy and Traveller Focused Consultation, an update regarding the Local Plan might be appropriate in late September. It was also noted that decisions regarding the move to the Horizon Centre might also be required at the same meeting.

### **3033 EXCLUSION OF THE PUBLIC AND PRESS**

It was **RESOLVED** to exclude the public and press from the meeting under Section 100A of the Local Government Act 1972 for the following item of business on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A to the Act (as amended)

### **3034 GARDEN WASTE DISPOSAL CONTRACT PROCUREMENT**



Members considered the *exempt* report of the Internal Consultancy Lead – Waste, regarding the joint procurement for the processing of garden waste, with Broadland, Breckland and Norwich City Councils.

It was

**RESOLVED:**

To agree the recommendations as outlined at paragraph 8 of the report.

**The Reason for the Decision**

To secure a garden waste processing contract.

**Other Options Considered**

None.

(The meeting concluded 10.10pm)

\_\_\_\_\_  
Chairman



**\*CANCELLED**



## **Starston Neighbourhood Plan – Consideration of Examiner’s Report**

**Report Author(s):** Richard Squires  
Senior Community Planning Officer  
(01603) 430637  
richard.squires@southnorfolkandbroads.gov.uk

**Portfolio:** External Affairs and Policy, Stronger Economy

**Ward(s) Affected:** Beck With, Dickburgh & Scole

### **Purpose of the Report:**

South Norfolk Council has received the independent examiner’s report in relation to the Starston Neighbourhood Plan. The examiner suggests several recommended modifications to the Neighbourhood Plan and concludes that, subject to these modifications, it should proceed to referendum. South Norfolk Council should now decide whether it is satisfied with these recommendations.

### **Recommendations:**

1. Cabinet to approve each of the modifications to the Starston Neighbourhood Plan as set out within the proposed Decision Statement (Appendix 3) and to publish this Statement, announcing the intention for the Neighbourhood Plan to proceed to a referendum subject to these modifications.



## 1. Summary

- 1.1 South Norfolk Council has now received the report of the independent examiner appointed to inspect the submitted Starston Neighbourhood Plan (see Appendix 1). In accordance with paragraph 12 of Schedule 4B of the Town & Country Planning Act 1990, South Norfolk Council should now decide on what action to take in respect of each of the examiner's recommendations.
- 1.2 The examiner has recommended nine modifications to the Neighbourhood Plan in order to ensure it meets the Basic Conditions of neighbourhood planning. On the basis that these modifications are made, the examiner is satisfied that the Plan should proceed to a referendum.

## 2. Background

- 2.1 The submitted Starston Neighbourhood Plan (which can be viewed [here](#)) was approved by South Norfolk Council in January 2022. This was followed by a statutory six week publication period in which the Plan and its supporting documents were made available for inspection and subject to representations from the public and stakeholder bodies. This was in accordance with Regulation 16 of the Neighbourhood Planning (General) Regulations 2012.
- 2.2 During the six week publication period, which took place between 21<sup>st</sup> January and 4<sup>th</sup> March 2022, a total of thirty-one representations were received from fourteen different organisations/individuals (click [here](#) for details of responses). These representations were submitted, along with the Neighbourhood Plan and supporting information, to the independent examiner, Mr Derek Stebbing, the appointment of whom was confirmed by South Norfolk Council in early March.
- 2.3 The examination was conducted via written representations during April/May 2022 (the examiner deciding that a public hearing would not be required).

## 3. Current position/findings

- 3.1 The recommended modifications are set out in the examiner's report (see Appendix 2). However, for ease of reference, all of the examiner's recommendations and the proposed responses from South Norfolk Council are set out in the Decision Statement, comprising Appendix 3 to this report.
- 3.2 Each of the recommendations involves modifying the wording of policies/ supporting text within the Neighbourhood Plan, in order to bring the document in line with the Basic Conditions of neighbourhood planning, as set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990. None of the Neighbourhood Plan policies have been recommended for deletion.
- 3.3 During the regulation 16 publication stage, South Norfolk Council submitted eight representations relating to different elements of the submitted Plan. These representations, the examiners recommendations relating to the respective elements of the Neighbourhood Plan, and some subsequent commentary from Council officers for the purposes of this report, are available to view within



Appendix 2. Based on the concerns raised by the Council during the Regulation 16 consultation stage, officers do not consider that these issues would necessitate a proposal being made by the Council to take a different view to that of the examiner. Officers are satisfied that the examiner's modifications meet the Basic Conditions.

- 3.4 There are two minor, factual errors which officers have identified, relating to Policy STA7 'Local Green Spaces' and the associated Appendix C. These amendments are required in order to correct the references to paragraph numbers in the National Planning Policy Framework.
- 3.5 Following the examiner's report being issued, discussions took place between Council officers and the Neighbourhood Plan steering group to discuss the effect of the Inspectors recommendations. Following these discussions the Neighbourhood Plan Steering Group has indicated it is prepared to accept the modifications. It is this process that has caused the slight delay to the examiner's recommended being reported to Members.
- 3.6 For the reasons set out in Appendix 2, officers do not consider it necessary to take a different view to the examiner in respect of the recommended modifications.

#### **4. Proposed action**

- 4.1 It is proposed that South Norfolk Council approves the examiner's recommended modifications as detailed in his report, in addition to the two minor, factual amendments discussed above, and authorises the Neighbourhood Plan to proceed to a referendum within the neighbourhood area.
- 4.2 For the purpose of clarity Appendix 4 sets out the proposed boundary to Policy STA5, based on the recommended modification of the examiner.
- 4.3 Following publication officers will publish the Council's Decision Statement on its website and notify Starston Parish Council and those individuals and organisations which responded at the Regulation 16 publication stage.
- 4.4 This will fulfil South Norfolk Council's obligations in terms of paragraph 12 of Schedule 4B of the Town & Country Planning Act 1990.

#### **5. Other options**

- 5.1 South Norfolk Council could decide not to approve either one of the examiner's recommendations, should it wish, and make alternative proposals. However, such action would only be justified where there was a clear and justified reason for making the alternative proposal based on the need to ensure the Neighbourhood Plan meets the Basic Conditions.
- 5.2 Furthermore, should the local planning authority propose to make a decision that differs from any of the examiner's recommendations (and the reason for the difference is wholly or partly as a result of new evidence or a new fact or a



different view taken by the authorities about a particular fact) then the local authority:

- (a) is required to notify all those identified in the Neighbourhood Plan consultation statement about this position and invite representations over a six week period;
- (b) may refer the issue to an independent examination if it is considered appropriate.

5.3 As set out in Section 3 of this report, officers do not consider that any of the examiner's recommended modifications would prevent the Neighbourhood Plan from meeting the Basic Conditions set out in paragraph 8 of Schedule 4B of the 1990 Act.

## 6. Issues and risks

6.1 **Resource Implications** – Officers will be required to publish the Decision Statement online and send a copy to the Parish Council and previous consultees.

6.2 The preparation for and holding of the local referendum will demand a significant amount of officer time, particularly from within the Electoral Services team and, to a lesser extent, the Place Shaping team. This will be met from the existing staff resource.

6.3 The Council is required to pay for the referendum and this will be met from within the existing budget. The average cost of a Neighbourhood Plan referendum is approximately £4,500. It is worth noting that the Council is currently able to claim £20,000 from DLUHC for each Neighbourhood Plan that has been approved to proceed to a referendum.

6.4 **Legal Implications** – The procedures highlighted within this report follow legislation created by the Neighbourhood Planning (General) Regulations 2012 (as amended) and Schedule 4B of the Town & Country Planning Act 1990.

6.5 **Equality Implications** – An Equalities Impact Assessment has been completed on the submitted Neighbourhood Plan.

6.6 **Environmental Impact** – Habitats Regulation Assessment and Strategic Environmental Assessment Screening Reports have been produced for the Plan and agreed with the Environment Agency, Historic England and Natural England.

6.7 **Crime and Disorder** – The Plan is not likely to have any impacts on crime and disorder, nor is it likely to have any impacts on disadvantaged groups.

6.8 **Risks** – No other particular risks associated with the Neighbourhood Plan are identified.



## **7. Conclusion**

- 7.1 It is proposed that Cabinet approve each of the modifications as detailed within the proposed Decision Statement (Appendix 3) and approve the Neighbourhood Plan for a referendum within the neighbourhood area, subject to these modifications.

## **8. Recommendations**

- 8.1 Cabinet to approve each of the modifications to the Starston Neighbourhood Plan as set out within the proposed Decision Statement (Appendix 3) and to publish this Statement, announcing the intention for the Neighbourhood Plan to proceed to a referendum subject to these modifications.

### **Background papers**

[Starston Neighbourhood Plan – Submission Version](#)

[Starston NP Regulation 16 Consultation Responses](#)

**Appendix 1: Starston Neighbourhood Plan Independent Examiner's Report**

**Appendix 2: South Norfolk Council Residents' representations and examiner responses**

**Appendix 3: Starston Neighbourhood Plan – Proposed Decision Statement**

**Appendix 4: Proposed revision to Policy STA5 boundary**







Intelligent Plans  
and examinations

## Report on Starston Neighbourhood Development Plan 2022-2042

**An Examination undertaken for South Norfolk Council with the support of Starston Parish Council on the November 2021 Submission version of the Plan.**

Independent Examiner: Derek Stebbing BA (Hons) DipEP MRTPI

Date of Report: 26 May 2022

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## Main Findings - Executive Summary

From my examination of the Starston Neighbourhood Development Plan (the Plan) and its supporting documentation including the representations made, I have concluded that subject to the modifications set out in this report, the Plan meets the Basic Conditions.

I have also concluded that:

- the Plan has been prepared and submitted for examination by a qualifying body – the Starston Parish Council (the Parish Council);
- the Plan has been prepared for an area properly designated as the Starston Neighbourhood Area, as identified on the map at page 6 of the Plan;
- the Plan specifies the period to which it is to take effect – from 2022 to 2042; and,
- the policies relate to the development and use of land in a designated neighbourhood plan area.

I recommend that the Plan, once modified, proceeds to referendum on the basis that it has met all the relevant legal requirements.

I have considered whether the referendum area should extend beyond the designated area to which the Plan relates and have concluded that it should not.

## 1. Introduction and Background

### Starston Neighbourhood Development Plan 2022-2042

1.1 The Parish of Starston in South Norfolk is to the north-west of the market town of Norwich. The principal settlement is the village of Starston, with other settled areas largely comprising small hamlets around the many farms in the parish. The parish had a population of 331 persons at the 2011 Census, which was estimated to have grown very slightly to 335 persons by 2016. The number of households in 2011 was 143.

1.2 The parish was recorded in the Domesday Book of 1086, and its earliest name recorded is *Sterestuna* or Steerstown, possibly referring to the raising of cattle in the village. Most of the parish comprises good quality agricultural land, and agriculture still remains as the principal land use and economic activity within the parish. The centre of Starston is designated as a Conservation Area and the Grade I listed St. Margaret's Church, dating from about 1300, occupies a commanding position within the Conservation Area. For a parish of its size, there are a significant number of other listed heritage assets, comprising 28 Grade II listed buildings and a Grade II listed scheduled monument which is an historic wind pump.



- 1.3 The village of Starston is in three separate parts, with a stream, The Beck, flowing through the central part of the village. The Beck is an important watercourse and drainage channel and is a tributary of the River Waveney. Within the village, The Beck is characterised by adjoining water meadows which are a further important part of the Conservation Area.
- 1.4 The landscape of the parish is largely within the Waveney Tributary Farmland Character Area as classified in the Landscape Character Assessment, 2001. There are two areas of ancient woodland in the parish. There is a network of Public Rights of Way within the parish, particularly to the south of the village, and part of the National Cycle Network (route 30) crosses the south of the parish.
- 1.5 The parish has few community facilities. There is no school or pre-school provision, and children travel to schools in Harleston and other villages. Harleston is also the main focus for retail and primary health care facilities serving Starston. There are local bus services to Harleston and Norwich. The principal community hub is the Jubilee Hall which is converted from a former cowshed.
- 1.6 There are no designated Sites of Special Scientific Interest (SSSI) or Local Nature Reserves within the parish, but it is within the impact zones of two SSSI's beyond the parish boundary. There are two non-statutory County Wildlife Sites within the parish.

#### The Independent Examiner

- 1.7 As the Plan has now reached the examination stage, I have been appointed as the examiner of the Plan by South Norfolk Council (SNC), with the agreement of the Parish Council.
- 1.8 I am a chartered town planner, with over 45 years of experience in planning. I have worked in both the public and private sectors and have experience of examining both local plans and neighbourhood plans. I have also served on a Government working group considering measures to improve the local plan system and undertaken peer reviews on behalf of the Planning Advisory Service. I therefore have the appropriate qualifications and experience to carry out this independent examination.
- 1.9 I am independent of the qualifying body and the local authority and do not have an interest in any of the land that may be affected by the Plan.

#### The Scope of the Examination

- 1.10 As the independent examiner, I am required to produce this report and recommend either:
  - (a) that the neighbourhood plan is submitted to a referendum without changes; or



(b) that modifications are made and that the modified neighbourhood plan is submitted to a referendum; or

(c) that the neighbourhood plan does not proceed to a referendum on the basis that it does not meet the necessary legal requirements.

1.11 The scope of the examination is set out in Paragraph 8(1) of Schedule 4B to the Town and Country Planning Act 1990 (as amended) ('the 1990 Act'). The examiner must consider:

- Whether the plan meets the Basic Conditions.
- Whether the plan complies with provisions under s.38A and s.38B of the Planning and Compulsory Purchase Act 2004 (as amended) ('the 2004 Act'). These are:
  - it has been prepared and submitted for examination by a qualifying body, for an area that has been properly designated by the local planning authority;
  - it sets out policies in relation to the development and use of land;
  - it specifies the period during which it has effect;
  - it does not include provisions and policies for 'excluded development'; and
  - it is the only neighbourhood plan for the area and does not relate to land outside the designated neighbourhood area.
- Whether the referendum boundary should be extended beyond the designated area; should the plan proceed to referendum.
- Such matters as prescribed in the Neighbourhood Planning (General) Regulations 2012 (as amended) ('the 2012 Regulations').

1.12 I have considered only matters that fall within Paragraph 8(1) of Schedule 4B to the 1990 Act, with one exception. That is the requirement that the Plan is compatible with the Human Rights Convention.

#### The Basic Conditions

1.13 The 'Basic Conditions' are set out in Paragraph 8(2) of Schedule 4B to the 1990 Act. In order to meet the Basic Conditions, the neighbourhood plan must:

- have regard to national policies and advice contained in guidance issued by the Secretary of State;

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- contribute to the achievement of sustainable development;
- be in general conformity with the strategic policies of the development plan for the area;
- be compatible with and not breach European Union (EU) obligations (under retained EU law)<sup>1</sup>; and
- meet prescribed conditions and comply with prescribed matters.

1.14 Regulation 32 of the 2012 Regulations prescribes a further basic condition for a neighbourhood plan. This requires that the making of the Neighbourhood Plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017 ('the Habitats Regulations').<sup>2</sup>

## 2. Approach to the Examination

### Planning Policy Context

2.1 The Development Plan for this part of South Norfolk Council, not including documents relating to excluded minerals and waste development, consists of the adopted Joint Core Strategy (JCS) prepared by the Greater Norwich Development Partnership (GNDP) comprising a partnership of Broadland District Council, Norwich City Council, Norfolk County Council and South Norfolk Council) and two parts of the adopted South Norfolk Local Plan (SNLP) comprising the Site Specific Allocations and Policies Development Plan Document (SSAPD) and the Development Management Policies DPD (DMPD), both of which were adopted in 2015. The adopted Development Plan documents all cover the period up to 2026. The JCS is the strategic element of the Development Plan covering the period from 2008 to 2026 and was initially adopted in March 2011, and then subsequently adopted again in January 2014 following amendments to the Broadland part of the Norwich Policy Area. It sets out the spatial planning vision and objectives and strategy for the development and growth of the Norwich Policy Area. It also sets out the scale of housing and employment development required within the Policy Area over the plan period. It contains a suite of 23 strategic policies, the most important of which in respect of Starston is Policy 16 (Other Villages) which states, inter alia, that the Other Villages including Starston will have defined development boundaries to accommodate infill or small groups of dwellings and small-scale business or services, subject to form and character. The SSAPD has defined the

<sup>1</sup> The existing body of environmental regulation is retained in UK law.

<sup>2</sup> This revised Basic Condition came into force on 28 December 2018 through the Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018.



settlement boundaries for Starston and these are shown at Figure 18 in the Plan.

- 2.2 The adopted JCS will be replaced in due course by the emerging Greater Norwich Local Plan (GNLP) being prepared by the Greater Norwich Development Partnership (GNDP) and which was submitted for Examination in July 2021. For villages in South Norfolk, the SSAPD will be replaced in due course by the emerging South Norfolk Village Clusters Housing Allocation Plan.
- 2.3 The Basic Conditions Statement provides an overview assessment on pages 2-5 of the compliance of the Plan with the legal requirements. A more detailed assessment is provided in the tables on pages 6-14 of how the policies proposed in the Plan have regard to national policy and are in general conformity with the relevant strategic policies of the adopted Development Plan. The tables on pages 14-18 further show the Plan has sought to take into account the emerging strategic GNLP policies, thus having regard to the advice in the Planning Practice Guidance (PPG) that it is important to minimise any conflicts between policies in a neighbourhood plan and those in an emerging local plan.<sup>3</sup>
- 2.4 The planning policy for England is set out principally in the National Planning Policy Framework (NPPF). The PPG offers guidance on how this policy should be implemented. A revised NPPF was published on 20 July 2021. All references in this report are to the 2021 NPPF and its accompanying PPG.

#### Submitted Documents

- 2.5 I have considered all policy, guidance and other reference documents I consider relevant to the examination, including those submitted which comprise:
- the Starston Neighbourhood Development Plan 2022-2042 Submission Version (November 2021) and its Appendices;
  - the Strategic Environmental Assessment Screening Report (July 2021);
  - the Habitats Regulations Assessment Screening Report (May 2021);
  - the Sustainability Appraisal Report (June 2021);
  - the Basic Conditions Statement (November 2021);
  - the Consultation Statement (November 2021);
  - Starston Design Guidelines and Codes (AECOM) (June 2021); and
  - all the representations that have been made in accordance with the Regulation 16 consultation.<sup>4</sup>

<sup>3</sup> PPG Reference ID: 41-009-20190509.

<sup>4</sup> View at: [Starston Neighbourhood Plan – Broadland and South Norfolk \(southnorfolkandbroadland.gov.uk\)](https://www.southnorfolkandbroadland.gov.uk)



## Preliminary Questions

2.6 Following my appointment as the independent examiner and my initial review of the draft Plan, its supporting documents and representations made at the Regulation 16 stage, I wrote to SNC and the Parish Council on 17 March 2022 seeking further clarification and information on three matters contained in the submission Plan, as follows:

- Firstly, with regard to the emerging South Norfolk Village Cluster Housing Allocation Plan, I sought confirmation from SNC that the content of paragraph 2.10 on page 10 in the Plan remains accurate and up to date regarding its statements concerning Starston.
- Secondly, STA5 places a restraint on significant development (as set out in Policy STA1) within the proposed Strategic Gap between Starston and Harleston. In that respect, I considered that Policy STA1 would require an additional clause to clarify that such a restraint is proposed in that Strategic Gap, as it departs from the more general support that is expressed within Policy STA1. I therefore invited the Qualifying Body to provide me with draft text for such an additional clause which could be considered as a potential modification to the Plan.
- Thirdly, with regard to sustainable development, I noted that the draft Plan states, at paragraph 1.8, that a fundamental principle underpinning the planning system is the achievement of sustainable development. However, I considered that the Plan does not presently contain a sufficiently clear statement, objective or policy which addresses this national requirement, as it applies to the Plan area. I therefore invited the Qualifying Body to consider providing some suitable text in order to address this point, either as a statement for inclusion in Section 4 or as a specific policy for inclusion in the Plan, which could be considered as a potential modification to the Plan.

2.7 In response to my letter of 17 March 2022, the Parish Council and SNC provided me with responses to the three preliminary questions listed above on 19 March.<sup>5</sup> I have taken full account of the additional information contained in these responses as part of my assessment of the draft Plan, alongside the documents listed at paragraph 2.5 above.

## Site Visit

2.8 I made an unaccompanied site visit to the Neighbourhood Plan Area on 7 April 2022 to familiarise myself with it and visit relevant sites and areas referenced in the Plan, evidential documents and representations.

<sup>5</sup> View at: [Examiner Procedural Matters and Questions - Starston NP 170322 with Answers \(southnorfolkandbroadland.gov.uk\)](https://www.southnorfolkandbroadland.gov.uk/examiner-procedural-matters-and-questions-starston-np-170322-with-answers)



## Written Representations with or without Public Hearing

- 2.9 This examination has been dealt with by written representations. I considered hearing sessions to be unnecessary as the consultation responses clearly articulated the objections and comments regarding the Plan and presented arguments for and against the Plan's suitability to proceed to a referendum. I am satisfied that the material supplied is sufficiently comprehensive for me to be able to deal with the matters raised under the written representations procedure, and that there was not a requirement to convene a public hearing as part of this examination. In all cases, the information provided has enabled me to reach a conclusion on the matters concerned.

## Modifications

- 2.10 Where necessary, I have recommended modifications to the Plan (in **Ms**) in this report in order that it meets the Basic Conditions and other legal requirements. For ease of reference, I have listed these modifications in full in the Appendix.

## 3. Procedural Compliance and Human Rights

### Qualifying Body and Neighbourhood Plan Area

- 3.1 The Plan has been prepared and submitted for examination by the Starston Parish Council. An application to SNC for the Parish Council area to be designated a neighbourhood planning area was made on 13 July 2018<sup>6</sup> and was approved by SNC in August 2018, following public consultation.
- 3.2 The designated Neighbourhood Area comprises the whole of the Parish of Starston. The designated area is shown on the map at page 6 in the submission plan. The Starston Neighbourhood Plan is the only neighbourhood plan in the designated area.
- 3.3 Starston Parish Council is the Qualifying Body for the preparation of the Plan. The preparation of the Plan has been led by a Steering Group, which was established in September 2018, with up to 12 members comprising Parish Councillors, a number of local residents and other interested persons.

### Plan Period

- 3.4 The draft Plan specifies (on the front cover) the period to which it is to take effect, which is for the period 2022 to 2042. The Plan period encompasses the remaining part of the plan period for the adopted JCS

<sup>6</sup> View at: [Starston Neighbourhood Plan – Broadland and South Norfolk \(southnorfolkandbroadland.gov.uk\)](https://southnorfolkandbroadland.gov.uk)



and SNLP (up to 2026) and the plan period for the emerging GNLP (up to 2038). I make a recommendation (see paragraph 4.47 below and proposed modification **PM9**) with regard to the future review of the Plan to take account of the Development Plan reviews now being undertaken by the GNLP and SNC.

## Neighbourhood Plan Preparation and Consultation

3.5 The Consultation Statement and its Appendices sets out a comprehensive record of the Plan's preparation and its associated engagement and consultation activity between Autumn 2018 and Summer 2021. The decision to undertake the preparation of the Neighbourhood Plan was taken in July 2018, with an initial workshop for Steering Group members being held on 1 September 2018. The preparation of the Plan and the associated community engagement and consultation has involved five stages, as follows:

- Stage 1: Initial work and consultation (Autumn 2018).
- Stage 2: Further data collection and consultation (Winter/Spring 2019).
- Stage 3: Testing policy ideas (Spring/Summer 2019 and Spring 2021).
- Stage 4: Pre-submission consultation on the draft Neighbourhood Plan (Regulation 14) (Summer 2020).
- Stage 5: Submission to SNC, Regulation 16 consultation and examination (Autumn 2020 to Winter 2021/22).

3.6 Stage 1 included a drop-in event held on 17 November 2018 at the Jubilee Hall to establish key issues and themes in the parish, which was attended by 67 people. Key themes that were identified at this event included broadband, home working, a strategic gap between Starston and Harleston, the importance of the Beck, traffic calming, new footpaths, infill, scale of development, types of housing and the location of housing. During this stage the Steering Group also developed the draft vision, aims and objectives for the Plan.

3.7 During Stage 2, work focused on data collection and surveys, together with meetings held with key local stakeholders. A business survey was undertaken and the Scoping Report for the Sustainability Appraisal was prepared, containing key data about the parish.

3.8 Work during Stage 3 focused on developing possible policies for the Plan and included a Policy Ideas Workshop held on 27 April 2019 attended by 64 people. Other work during early-2019 included consideration of the options for a review of the settlement boundary and a Housing Needs Survey, with information and survey forms being sent to every household in the parish on these topics. Appendix 6 of the Consultation Statement contains fuller details of the work undertaken. A further phase of work then took place in Spring 2021 with regard to the development of the Starston Design Guidelines and Codes document which supports the draft Plan.



3.9 The principal consultation event during Stage 4 was the publication of the Regulation 14 draft Plan for public consultation between 9 July and 30 August 2021. The consultation was accompanied by local publicity across the parish with an exhibition being held in the Jubilee Hall at the start of the consultation period. Various statutory and non-statutory consultees were contacted separately, including SNC, Norfolk County Council, adjoining Parish Councils and utility providers. Appendix 7 of the Consultation Statement sets out a comprehensive record of the Regulation 14 consultation, the responses received, and the amendments made to the draft Plan following those responses.

3.10 The Consultation Statement provides a full record of the consultation and engagement work that was undertaken during the preparation of the Plan. This includes the actions that were taken to amend or modify the draft Plan following consultation responses at key stages in the Plan's preparation, particularly at Appendix 7d which records the amendments made to the draft Plan following the Regulation 14 consultation held between 9 July and 30 August 2021.

3.11 The Parish Council duly resolved at its meeting held on 15 November 2021 to submit the Plan to SNC for examination under Regulation 15, and the Plan was formally submitted in November 2021. Regulation 16 consultation was then held for a period of six weeks from 21 January to 4 March 2022. I have taken account of the 31 responses then received, as well as the published Consultation Statement. I am satisfied that a transparent, fair and inclusive consultation process has been followed for the Plan that has had regard to advice in the PPG on plan preparation and engagement, and is procedurally compliant in accordance with the legal requirements.

3.12 I have noted that one response received at the Regulation 16 consultation stage expressed concerns regarding local publicity about the consultation, both before and during the six-week period, particularly for those without internet access. However, I am satisfied that the respondent was able to make a full presentation during the six-week period.

#### Development and Use of Land

3.13 I am satisfied that the draft Plan sets out policies in relation to the development and use of land in accordance with s.38A of the 2004 Act.

#### Excluded Development

3.14 From my review of the documents before me, the draft Plan does not include policies or proposals that relate to any of the categories of excluded development.<sup>7</sup>

<sup>7</sup> The meaning of 'excluded development' is set out in s.61K of the 1990 Act.



## Human Rights

- 3.15 Neither SNC nor any other party has raised any issues concerning a breach of, or incompatibility with Convention rights (within the meaning of the Human Rights Act 1998). From my assessment of the Plan, its accompanying supporting documents and the consultation responses made to the Plan at the Regulations 14 and 16 stages, I am satisfied that the Plan has had regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights and complies with the Human Rights Act 1998. I consider that none of the objectives and policies in the Plan will have a negative impact on groups with protected characteristics. Many will have a positive impact.

## 4. Compliance with the Basic Conditions

### EU Obligations

- 4.1 SNC issued a Strategic Environmental Assessment (SEA) Screening Report in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004 ('the SEA Regulations'), in May 2021, and this was subsequently updated in July 2021. This Screening Report is submitted alongside the draft Plan and concluded (at Section 6) that the policies in the pre-submission draft Plan will not have significant negative effects on the environment, and therefore a full SEA is not considered to be required. The Screening Report was the subject of consultation with the Environment Agency, Natural England and Historic England during June/July 2021.
- 4.2 I have considered the SEA methodology set out in the Screening Report (at Section 4) and the process by which the Plan was duly screened to determine whether the Plan is likely to have significant environmental effects, and in mind also that the policies in the adopted JCS and the SNLP, were subject to sustainability appraisal at the relevant stages. Overall, I am satisfied that a proportionate approach has been taken and that the Plan was screened to take full account of any potential effects upon interests of environmental, landscape, historic and heritage importance.
- 4.3 The Plan was also screened by SNC in order to establish whether the Plan required HRA under the Habitats Regulations. There is one site of European importance within 20 kilometres of the Plan area boundary, that being the Waveney & Little Ouse Valley Fens Special Area of Conservation (SAC) site. The HRA Screening Assessment, which is contained within the Screening Report, concluded (at paragraph 5.1) that the draft Plan does not include any proposals that would be likely to adversely affect the integrity of the European site or in combination with other projects and plans and that a full HRA Appropriate Assessment of the Plan is not required. I have noted that Natural England's response, dated 16



September 2021, has not raised any concerns regarding the necessity for an HRA.

4.4 Therefore, I consider that on the basis of the information provided and my independent consideration of the SEA and HRA Screening Reports and the Plan itself, I am satisfied that the Plan is compatible with EU obligations under retained EU law.

4.5 A Sustainability Appraisal (SA) report dated June 2021 has also been prepared for the Plan and was the subject of consultation at the Regulation 14 consultation stage. This followed the preparation of a SA Scoping Report for the Plan which was the subject of consultation with the Environment Agency, Natural England, Historic England, South Norfolk Council and Norfolk County Council in February 2019. Although SNC advised that a SA was not required for the production of this Neighbourhood Plan, a full SA report has been prepared and I have taken note of its conclusion (at paragraph 5.1) that *"the appraisal has revealed that when measured against the Sustainability Appraisal objectives, the Neighbourhood Plan should perform well and will help to deliver sustainable development in the parish to meet the needs of the community"*.

## Main Assessment

4.6 The NPPF states (at paragraph 29) that *"Neighbourhood planning gives communities the power to develop a shared vision for their area. Neighbourhood plans can shape, direct and help to deliver sustainable development, by influencing local planning decisions as part of the statutory development plan"* and also that *"Neighbourhood plans should not promote less development than set out in the strategic policies for the area, or undermine those strategic policies"*. The NPPF (at paragraph 11) also sets out the presumption in favour of sustainable development. It goes on to state (at paragraph 13) that neighbourhood plans should support the delivery of strategic policies contained in local plans; and should shape and direct development that is outside of these strategic policies.

4.7 Having considered above whether the Plan complies with various legal and procedural requirements, it is now necessary to deal with the question of whether it complies with the remaining Basic Conditions (see paragraph 1.13 of this report), particularly the regard it pays to national policy and guidance, the contribution it makes to sustainable development and whether it is in general conformity with strategic development plan policies.

4.8 I test the Plan against the Basic Conditions by considering specific issues of compliance of the Plan's nine policies, which address the following themes: Development and Design; Environment and Landscape; and, Business and Employment. As part of that assessment, I consider whether the policies in the Plan are sufficiently clear and unambiguous,



having regard to advice in the PPG. A policy should be drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications. It should be concise, precise and supported by appropriate evidence.<sup>8</sup> I recommend some modifications as a result.

## Overview

4.9 The Plan is addressing the period from 2022 to 2042 and seeks to provide a clear planning framework to allow Starston to grow sensitively and sustainably, enhance the sense of community, protect and maintain the natural environment of the Plan area and identify community needs for the use of developer contributions over that period. Section 5 of the Plan contains specific policies in respect of each of the themes listed above.

4.10 Section 1 of the Plan provides an introduction to the Plan following the designation of the parish as a Neighbourhood Area in August 2018 and includes a synopsis of the neighbourhood planning process undertaken in Starston.

4.11 Section 2 contains a short history of Starston parish and relevant key data. It includes a map of the designated area (on page 6). It also describes the relevant spatial and strategic planning context for the Greater Norwich area, South Norfolk and for Starston.

4.12 Section 3 provides a full description of how the Plan has been prepared since 2018, and the five stages of community engagement and consultation which are summarised in paragraph 3.5 above.

4.13 Section 4 sets out the Vision and Key Objectives for the Plan. The Vision for the future of Starston is that *"Starston will continue to be a small and vibrant rural parish with a strong sense of community. As a distinct settlement from Harleston, it will have a variety of appropriate housing that meets local need and is in keeping with the character of Starston. The natural environment will be safeguarded. Opportunities for walking and cycling will be sought. Starston will be a place where people of all ages choose to live, work and visit into the future"*.

The Plan contains four Objectives, as follows:

- to support a small amount of appropriate new housing development for a mixed economy;
- to encourage well-designed and well-located development that complements the distinctive character of Starston;
- to protect and enable access to the countryside; and
- to encourage and support new and existing businesses.

4.15 The Basic Conditions Statement (at Sections 4 and 5) describes how the Plan, and its objectives and policies, has regard to national policies

<sup>8</sup> PPG Reference ID: 41-041-20140306.



contained in the NPPF and contributes to the achievement of sustainable development. Section 6 sets out how the Plan, its vision and its policies, contributes to the achievement of sustainable development. Pages 6-18 of the Basic Conditions Statement set out how each of the Plan's nine policies are in general conformity with the strategic policies in the adopted Development Plan (and take into account the emerging GNLP).

4.16 As noted at paragraph 2.6 above, upon my initial assessment of the Plan, I noted that the draft Plan states, at paragraph 1.8, that a fundamental principle underpinning the planning system is the achievement of sustainable development. However, I considered that the Plan does not presently contain a sufficiently clear statement, objective or policy which addresses this national requirement, as it applies to the Plan area. I therefore invited the Qualifying Body to consider providing some suitable text in order to address this point, either as a statement for inclusion in Section 4 or as a specific policy for inclusion in the Plan, which could be considered as a potential modification to the Plan. The Parish Council's response proposes a new paragraph (4.5) to be added to Section 4, following the Objectives listed above. I consider that this addition addresses the matter, and I therefore recommend modification **PM1** accordingly.

4.17 Overall, subject to the further modification I recommend to specific policies below, I am satisfied that individually, and collectively the Plan's policies will contribute to the achievement of sustainable patterns of development. There are also a number of detailed matters which require amendment to ensure that the policies have the necessary regard to national policy and are in general conformity with the strategic policies of SNC. Accordingly, I recommend modifications in this report in order to address these matters.

#### Specific Issues of Compliance

4.18 I turn now to consider each of the proposed policies in the draft Plan, which are contained in Sections 5 of the Plan, and I take into account, where appropriate, the representations that have been made concerning the policies.

#### Development and Design

4.19 Section 5.1 of the Plan addresses the theme of Development and Design in the Plan area and contains four policies (Policies STA1-STA4). Two of the Plan's objectives cover this theme, and these are to support a small amount of appropriate new housing development for a mixed community and to encourage well-designed and well-located development that complements the distinctive character of Starston.

4.20 Policy STA1 (Location and scale of residential development – exception policy) concerns the development of new residential development within the Plan area. It states that proposals for a limited amount of new small-



scale residential development will be supported outside the existing settlement boundaries. It further states that up to 10 dwellings will be supported across the parish during the lifetime of the Plan, i.e. up to 2042.

4.21 The defined settlement boundaries for Starston are contained in the adopted SSAPD (at Map. No. 077) and are shown in the Plan at Figure 18. The Plan does not propose any amendments to those boundaries.

4.22 The policy is described as an exception policy. This is inconsistent with the usual understanding of that term, which is normally used to support the development of rural affordable housing schemes beyond settlement boundaries. Furthermore, there are other inconsistencies within the policy and its justification. Paragraph 5.1.32 states that the scale of new development, up to 10 dwellings, is for a ten-year period, i.e. potentially up to 2032, rather than up to 2042 as stated in the policy itself. The policy states that “*up to 2 dwellings per location will be supported*” but I do not identify any specific site-planning considerations, or indeed any site assessments, that would lead to such a limitation. In that respect, I do not consider that the narrative set out at paragraph 5.1.1, which reflects an early stage of consultation in the preparation of the Plan, provides sufficient justification for the policy limitation.

4.23 Upon my initial assessment of the Plan I noted that Policy STA5 in the Plan places a restraint on significant development (as set out in Policy STA1) within the proposed Strategic Gap between Starston and Harleston. In that respect, I considered that Policy STA1 would require an additional clause to clarify that such a restraint is proposed in that Strategic Gap, as it departs from the more general support that is expressed within Policy STA1. I therefore invited the Qualifying Body, as part of my preliminary questions (see paragraph 2.6 above), to provide me with draft text for such an additional clause. It can be considered as a potential modification to the Plan, in order to maintain consistency between the relevant policies in the Plan. I take account of the Parish Council’s response on this matter as part of my recommended amendments to the Plan, which are explained in the following paragraph. I also take account of the representations that have been made concerning the policy, a number of which considered that a target of an additional 10 new dwellings in the parish is excessive.

4.24 I consider that the policy, as drafted, is flawed in a number of respects and does require amendment in order to have regard to national policy advice, including the need to contribute to the achievement of sustainable development, and in order to be in general conformity with the strategic policies of the adopted SNLP (and minimise conflict with the emerging GNLP). It presently fails to identify rural affordable housing schemes as an appropriate form of development, and prescribes development limitations which, in my assessment, are not justified by the evidence supporting the Plan. I therefore recommend modification **PM2** which encompasses a



number of amendments to the policy and to its supporting justification, in order to address the defects summarised above.

4.25 Policy STA2 (Type of residential development) sets out the range of housing types that will be encouraged in the Plan area. It reflects the outcomes of the Housing Needs Survey undertaken in 2019.<sup>9</sup> In my assessment, the policy requires some amendment as the types of development to be encouraged are not sufficiently consistent with both national policy guidance and the strategic policies of the SNLP. For example, the term 'starter homes' is no longer a recognised Government policy initiative, having been replaced by the recently introduced First Homes policy. I therefore recommend some amendments to the policy to ensure that it provides clear and appropriate guidance for users of the Plan. These amendments are addressed by recommended modification **PM3**.

4.26 Policy STA3 (Conservation Area and listed buildings) states that development proposals within, or within the setting of, the designated Conservation Area (which is shown on Figure 19) should preserve or enhance its character and appearance. It also states that proposals that affect listed buildings, or their setting, should preserve or enhance their special architectural or historic interest. Although the policy largely duplicates both national and local policy, I am satisfied that in the context of the justification for the policy, set out in paragraphs 5.1.27-5.1.30, and the Objectives of the Plan, it is important that the Plan reflects the clear importance of the Conservation Area and the listed buildings to the overall character of the village of Starston and the parish as a whole.

4.27 Policy STA4 (Design of development) states that all new development within the parish must demonstrate high quality design, reinforce local distinctiveness and have no adverse impact on the rural character and appearance of Starston, as defined in the Village Character Appraisal which is contained as Appendix B to the Plan. Subject to one clarificatory amendment, which is addressed by recommended modification **PM4**, I consider that the policy has regard to national policy and guidance and is in general conformity with the strategic policies of the JCS and the SNLP.

4.28 With recommended modifications PM2-PM4, I consider that the Plan's section on Development and Design and its accompanying policies (STA1-STA4) is in general conformity with the strategic policies of the JCS and SNLP, as regard to national guidance, would contribute to the achievement of sustainable development and so would meet the Basic Conditions.

<sup>9</sup> See Appendix 6d of the Consultation Statement.



## Environment and Landscape

- 4.29 Section 5.2 of the Plan addresses the theme of environment and landscape in the Plan area and contains four policies (Policies STA5-STA8). The introduction to this section notes that any development in the area must respect the character of Waveney Tributary Farmland and its landscape features. The key objective for this theme is to protect and enable access to the countryside, and in this respect, it states that it is particularly important to protect the countryside between Starston village and the town of Harleston to the east. Policies for protecting the countryside gap, protecting important public local views and vistas, the designation of four Local Green Spaces and preventing surface water flooding are included in the Plan.
- 4.30 Policy STA5 (Strategic gap) defines a proposed strategic gap between the village of Starston and the town of Harleston which lies a short distance to the east beyond the parish boundary. It states that all development should respect and retain the generally open and undeveloped nature of the separation between Starston, the surrounding villages and Harleston town. It further states that there should be no significant development between Starston and Harleston, east of Starston Lane and Railway Hill/Middle Road, on an area of land defined on Figure 23 and notated as the Strategic Gap.
- 4.31 I have given very careful consideration to this policy, and in particular to the definition of the proposed boundary of the Strategic Gap. I visited the area and assessed the potential implications of the policy on the future planning of the area during the course of my site visit. I have also taken account of the representations that have been made concerning the policy. My primary concern regarding the policy is that the supporting justification provides no clear evidence to support the precise definition of the Strategic Gap boundary on Figure 23, which in simple terms has been drawn to cover a broad area of land at the south-east corner of the parish. The only clear evidence that I can identify for the definition of the boundary is at pp 105/106 of the Consultation Statement where it is stated, in response to a Regulation 14 consultation response made by SHC, that *"the area is defined by the (1) the parish boundary, (2) the settlement edge of Harleston, (3) natural gateways, (4) the dispersed nature of the village (STA1) – further justification in the supporting text"*. It is the case, however, that the supporting text in the Plan does not provide such further justification. I also observed from my site visit that there are no significant changes in the landscape character of the countryside proposed to be within the Strategic Gap and the countryside beyond it.
- 4.32 My overall assessment is that the principle underlying the policy is sound, and that the protection of the open character of the land between Starston and Harleston is desirable in order to maintain the local distinctiveness of Starston parish and the village and to prevent the possible coalescence of settlements. In that respect, I am conscious that Harleston is an



expanding settlement, with significant additional allocations of land for new development in the emerging GNLP. However, the definition of the boundary of the proposed Strategic Gap is not, in my assessment, fully justified. I therefore consider that the policy and accompanying Figure 23 do require amendment to set out a broader level of restraint upon new development within the sensitive area of countryside that lies between Starston village and Harleston, and to be consistent with Policy STA1 (as recommended for modification - see PM2). I therefore recommend necessary modifications to the policy and to Figure 23, and these are addressed by modification **PM5**.

- 4.33 Policy STA6 (Important public local views and vistas) sets out 10 locations within the Plan area where there are important public local views and vistas, which are shown in photographs at Figure 25 and by notations Figures 26 and 27. The Policy states that development proposals that might affect the identified views and vistas should ensure that they take account of the view or vista concerned, and that developments which would be overly prominent and/or have unacceptable or adverse impacts on the landscape or character of the areas covered by those views and vistas will not be supported.
- 4.34 I have assessed each of the views and vistas during the course of my site visit and consider that they all justify inclusion within the policy. I also consider that the policy is appropriately drafted and justified.
- 4.35 Policy STA7 (Local Green Spaces) proposes the designation of four Local Green Spaces within the village of Starston. They are defined on Figure 28, with full descriptions and justification for their designation being at Appendix C to the Plan. The proposed Local Green Spaces are The Glebe Meadow, including the wooded verge with Low Road, the Water Meadow to the south of the Beck and up to the boundary of the Conservation Area, a small area of land between Low Road and the Beck bridge where the Starston village sign stands and the St. Margaret's churchyard. I visited each of these sites during the course of my site visit to familiarise myself with their specific characteristics. I also have taken full account of the material contained at Appendix C to the Plan, and to the confirmation (at paragraph 6.9 of the Basic Conditions Statement) that the relevant landowners were notified of the proposed designation of each of the sites as a Local Green Space.<sup>10</sup>
- 4.36 From my site visit, I observed that The Glebe Meadow is a former grazing meadow that is now owned and managed by the Starston Village Jubilee Hall Trust on behalf of the Starston community. It is used for a range of village events and community activities, and is a very attractive, well maintained and accessible green space that is at the heart of the village. The Water Meadow just to the west of The Glebe Meadow is privately owned, but has the benefit of informal, permissive public access and this facilitates links. Together with the Glebe Meadow, the Water Meadows

<sup>10</sup> PPG Reference ID: 37-019-20140306.



contributes significantly to the setting of the village of Starston and forms a part of the key characteristics in the Starston Conservation Area Character Appraisal. The small area of land between Low Road and the Beck bridge is owned by the Parish Council. It is central to the village and is within the Conservation Area. It is the site of the village sign and is clearly a space that is much valued by the Starston community. The churchyard of the Grade I listed St. Margaret's church is a peaceful and tranquil space containing various wildlife habitats. I note that the proposed Local Green Space (as defined on Figure 39) excludes the Church building.

4.37 Paragraph 102 of the NPPF states that Local Green Space designations should only be used where the green space is in reasonably close proximity to the community it serves; is demonstrably special to a local community and holds a particular local significance; and is local in character and not an extensive tract of land. In addition, paragraph 101 states that Local Green Space should be capable of enduring beyond the end period of the plan. The PPG advises that whether to designate land is a matter for local discretion, but that the area will need to meet the criteria set out in the NPPF.<sup>11</sup> In my assessment, each of the proposed Local Green Spaces in this policy meets the criteria for designation set out in the NPPF.

4.38 However, with regard to the policy text and specifically in relation to managing development within a Local Green Space, this should be consistent with those for Green Belts (NPPF paragraph 103), and development should not be approved except in very special circumstances. In addition, in the absence of evidenced local justification, the policy cannot impose more onerous requirements than national policy<sup>12</sup>, such as extending restrictions to land adjacent to Local Green Space or seeking to constrain the application of NPPF paragraph 149. I recommend that the policy text be amended to reflect the national policy position together with certain other necessary amendments to the supporting text in appendix C.

4.39 In my conclusion that, having regard to NPPF paragraphs 101-102 and the guidance in the PPG, the four sites identified within the Plan should be designated as Local Green Spaces and that the policy (as proposed to be modified) meets the Basic Conditions. Recommended modification **PM6** addresses the necessary amendments to Policy STA7 and to other parts of the Plan.

4.40 Policy STA8 (Surface water drainage) concerns the impact of new development on surface water drainage in the Plan area, and particularly at three locations (identified on Figure 30) where localised flooding occurs.

<sup>11</sup> PPG Reference ID: 37-013-20140306.

<sup>12</sup> See *R on the Application of Lochailort Investments Limited v Mendip District Council*. Case Number: C1/2020/0812.



The policy states that future development must not cause or contribute to new flooding or drainage issues, exacerbate existing issues, or cause water pollution, and should mitigate its own flooding and drainage impacts. Norfolk County Council, as Lead Local Flood Authority, has made detailed representations concerning this policy and its supporting justification. I have taken account of those representations, and others that have been made concerning the policy, and I consider that the policy and its justification require modification in order to provide clearer and more comprehensive policy guidance for future users of the Plan. I therefore recommend modification **PM7** to address this matter.

- 4.41 With recommended modifications PM5-PM7, I consider that the Plan's section on Environment and Landscape and its accompanying policies (STA5-STA8) is in general conformity with the strategic policies of the JCS, has regard to national guidance, would contribute to the achievement of sustainable development and so would meet the Basic Conditions.

#### Business and Employment

- 4.42 Section 5.3 addresses the theme of business and employment in the Plan area and contains one policy (Policy STA9). The introduction to the section notes that, at the 2011 Census, 12.2% of residents aged between 16 and 74 in the parish were economically active across a wide range of employment sectors. The Plan's key objective for this theme is to encourage and support new and existing businesses, in order to ensure that the parish remains vibrant, where people of all ages can choose to live.

- 4.43 Policy STA9 (Business development) sets out the environmental criteria that will be assessed for the support of new business and employment developments in the Plan area and includes support for the incorporation of high-speed broadband, electric car charging points, low carbon heating and energy resources and rainwater harvesting where possible.

- 4.44 I am satisfied that the policy is clear and is consistent with current national policy and guidance particularly in respect of its promotion of good design and sustainable forms of development. However, there is an error<sup>13</sup> in the supporting justification, at paragraph 5.3.6, which should be corrected, and I address this point by recommended modification **PM8**.

- 4.45 With recommended modification PM8, I consider that the Plan's section on Business and Employment and its accompanying policy (Policy STA9) is in general conformity with the strategic policies of the JCS, has regard to national guidance, would contribute to the achievement of sustainable development and so would meet the Basic Conditions.

<sup>13</sup> Modifications for the purpose of correcting errors is provided for in Paragraph 10(3)(e) of Schedule 4B to the 1990 Act.



## Community Action Projects

- 4.46 Section 6 of the Plan sets out a range of projects that were identified during the various consultative stages in the preparation of the Plan, and which are now included in the Plan as Community Action Projects. These do not constitute land-use planning policies and have not formed part of my examination of the Plan. The Plan states that further such projects may also be developed by the Parish Council over the lifetime of the Plan.

## Other Matters

- 4.47 There is the likelihood that there will be a need for formal review during the Plan's period, particularly following the adoption of the SNLP and the emerging South Norfolk Village Clusters Housing Allocations Plan. Section 7 covers the implementation and monitoring of the Plan, and paragraph 7.6 addresses updates to the Plan. However, I consider that this paragraph needs to be extended to also state that the Plan will be subject to review at regular intervals up to 2042 to ensure that its policies remain suitably aligned to national and local policy, and responsive to climate and other environmental changes and are meeting the overall strategic vision for the future of Starston. I therefore recommend modification **PM9** to address that matter.
- 4.48 The Plan contains a number of references to the NPPF, for example on pages 9 and 45. For clarity in the future, it is advised that such references should be to the "NPPF (2021)" with any references to earlier versions, e.g. 2012, being deleted. A reference to the "the Environmental Bill (2020)" on page 4 should be amended to read "the Environment Act (2021)". These can be undertaken as minor, non-material changes.<sup>14</sup> As an advisory comment, when the Plan is being redrafted to take account of the recommended modifications in this report, it should be re-checked for any typographical errors and any other consequential changes, etc.

## Concluding Remarks

- 4.49 I conclude that, with the recommended modifications to the Plan as summarised above and set out in full in the accompanying Appendix, the Starston Neighbourhood Plan 2022-2042 meets the Basic Conditions for neighbourhood plans.

## 5. Conclusions

- 5.1 The Starston Neighbourhood Plan 2022-2042 has been duly prepared in compliance with the procedural requirements. My examination has investigated whether the Plan meets the Basic Conditions and other legal requirements for neighbourhood plans. I have had regard to all the

<sup>14</sup> PPG Reference ID: 41-106-20190509.



responses made following consultation on the Plan, and the supporting documents submitted with the Plan together with the parish and SNC's responses to my preliminary questions.

- 5.2 I have made recommendations to modify certain policies and other matters to ensure that the Plan meets the Basic Conditions and other legal requirements. I recommend that the Plan, once modified, proceeds to referendum.

### The Referendum and its Area

- 5.3 I have considered whether or not the referendum area should be extended beyond the designated area to which the Plan relates. I conclude that the Starston Neighbourhood Plan 2022-2042, as modified, has no policy or proposal which I consider to be significant enough to have an impact beyond the designated Neighbourhood Plan boundary, requiring the referendum to extend to areas beyond that boundary. I therefore recommend that the boundary for the purpose of any future referendum on the Plan, should be the boundary of the designated Neighbourhood Plan Area.

### Overview

- 5.4 It is clear that the Starston Neighbourhood Plan is the product of much hard work undertaken since 2018 by the Parish Council, its Neighbourhood Plan Steering Group and the many individuals and stakeholders who have contributed to the preparation and development of the Plan. In my assessment, the Plan reflects the land use aspirations and objectives of the Starston community for the future planning of their parish up to 2042. The output is a Plan which should help guide the area's development over that period, making a positive contribution to informing decision-making on planning applications by South Norfolk Council.

*Derek Stebbings*

Examiner



## Appendix: Modifications

Proposed modification number (PM)	Page no./ other reference	Modification
PM1	Page 19	<p><u>Section 4 - Vision and Objectives</u></p> <p>Add new paragraph 4.5 to read as follows:</p> <p><b>"The Starston Neighbourhood Plan is in conformity with the National Planning Policy Framework, in particular taking a positive approach that reflects the presumption in favour of sustainable development."</b></p> <p>(As contained in the Parish Council's response to the examiner's questions of 17 March 2022).<sup>15</sup></p>
PM2	Page 28	<p><u>Policy STA1 – Location and Scale of Residential Development – Exception Policy</u></p> <p>Delete the words "Exception Policy" in the title of the policy.</p> <p>Delete existing policy text in full and replace with:</p> <p><b>"Proposals for new small-scale residential development in the Plan area, including rural affordable housing exception schemes, will be supported, with the exception of proposals situated within the sensitive gap between Starston village and Harleston which is subject to Policy STA5, where it can be demonstrated that:</b></p> <ul style="list-style-type: none"> <li><b>the proposals will have no adverse impacts upon the character and nature of the existing settlement pattern in the Plan area and upon the landscape character of the area;</b></li> <li><b>there is good accessibility to local services and shops;</b></li> <li><b>the design of proposed new dwellings is of high quality in</b></li> </ul>

<sup>15</sup> See notes added to the Annex to the examiner's letter: [Examiner Procedural Matters and Questions - Starston NP 170322 with Answers \(southnorfolkandbroadland.gov.uk\)](#)



Proposed modification number (PM)	Page no./ other reference	Modification
		<p>accordance with the requirements of Policy STA4;</p> <ul style="list-style-type: none"> <li>that the development will not lead to increased flood risk or have any adverse impacts upon surface water drainage in the area, in accordance with Policy STA8.</li> </ul> <p>All development proposals should take account of the Starston Design Guidelines and Codes (2021), which is a supporting document to the Plan."</p> <p>Paragraph 5.1.22 – delete existing text in full, and replace with:</p> <p><b>"The limited scale of future residential development in the parish up to 2042 will enable 'slow and careful development', allowing Starston to continue to be a small and vibrant rural parish, with a strong sense of community."</b></p>
PM3	Page 30	<p><u>Policy STA2 – Type of Residential Development</u></p> <p>Delete the existing six bullet point types of housing set out within the policy text, and replace with the following four bullet point types of housing:</p> <ul style="list-style-type: none"> <li><b>small homes suitable for newly formed households and people wishing to downsize from larger homes;</b></li> <li><b>affordable housing schemes, including the provision of First Homes for discounted sale;</b></li> <li><b>homes for agricultural workers, in accordance with South Norfolk Council policy;</b></li> <li><b>custom-build or self-build homes.</b></li> </ul> <p>Delete Footnote no. 22, and re-number Footnote Nos. 23-36 to <b>22-35</b>.</p>
PM4	Page 35	<u>Policy STA4 - Design of Development</u>



Proposed modification number (PM)	Page no./ other reference	Modification
		Delete the word "parish" within the first line of the policy text and replace with " <b>Plan area</b> ".
PM5	Pages 38 and 39	<p><u>Policy STA5 - Strategic Gap</u></p> <p>Amend title of policy to read "<b>Countryside between Starston Village and Harleston</b>".</p> <p>Delete existing policy text in full and replace with:</p> <p><b>"Development proposals within the area of open countryside identified on Figure 23 between the settlements of Starston and Harleston will be assessed to ensure that they respect and retain the generally open and undeveloped nature of that area. Proposals within that area that would clearly lead to the erosion of local distinctiveness and the character of Starston, or to the coalescence of settlements, will not be supported."</b></p> <p>Figure 23 delete in its current form and replace with a larger scale map showing the full extent of land within the parish between Starston village and Harleston. A broad hatched notation should be applied to the land extending between the Starston settlement boundaries (as defined on Figure 18) and the parish boundary (to the east and south-east). The notation should be applied such that it is <u>not</u> related to property or field boundaries, or to road/byway alignments, and that it represents an overlay above such features.</p> <p>The notation panel for Figure 23 should be amended to read "<b>Area of countryside between Starston village and Harleston covered by Policy STA5</b>".</p>
PM6	Pages 44, 45 and 57	<p><u>Policy STA7 – Local Green Spaces</u></p> <p>Delete the word "exceptional" in the second sentence of the second paragraph of policy text and replace with "<b>special</b>"; also delete the final sentence in the second paragraph of the</p>



Proposed modification number (PM)	Page no./ other reference	Modification
		<p>policy: "Development on or adjacent to a Local Green Space that would adversely impact upon its special qualities will not be supported."</p> <p>Paragraph 5.2.13 – delete the words "Environmental Bill (2020) in the third sentence and replace with <b>"Environment Act (2021)"</b></p> <p>Appendix C – amend the second sentence to read, <b>"The criteria are based on paragraph 101 of the National Planning Policy Framework (July 2021),"</b></p>
PM7	Page 46	<p><u>Policy STA8 – Surface Water Drainage</u></p> <p>Amend title of policy to read <b>"Surface Water Drainage and Flood Risk"</b></p> <p>Delete existing policy text in full, and replace with:</p> <p><b>Development proposals within the Plan area should be accompanied by an appropriate assessment which demonstrates:</b></p> <ul style="list-style-type: none"> <li>• that the development will not increase flood risk to the site or surrounding area from fluvial, groundwater, surface water or other water sources, and</li> <li>• that the development will have no adverse impacts upon surface water drainage in the area.</li> </ul> <p><b>Where appropriate, development proposals should incorporate Sustainable Drainage (SuDS) measures and any other necessary mitigations in order to reduce the risk of flooding, and include proposals for the future maintenance and management of those drainage measures."</b></p> <p>Paragraph 5.2.15 – delete second, third and final sentences.</p> <p>Paragraph 5.2.15 – add new second sentence</p>



Proposed modification number (PM)	Page no./ other reference	Modification
		<p>to read as follows:</p> <p><b>"Figure 30 shows the locations within the parish where surface water flooding events have occurred during recent years."</b></p> <p>Figure 30 – delete in its current form and replace with a map (also to be numbered Figure 30) showing the whole parish and identifying the locations of recorded and documented surface water flooding events and issues in the parish during recent years, based on the datasets held by the Lead Local Flood Authority (LLFA) and the Environment Agency (as referenced in the representations submitted by the LLFA).</p>
PM8	Page 48	<p><u>Paragraph 3.6</u></p> <p>Amend reference to Policy STA10 to read <b>"Policy STA9"</b>.</p>
PM9	Page 52	<p><u>Section 7 – Implementation</u></p> <p><u>Paragraph 7.6</u></p> <p>Amend title preceding this paragraph to read <b>"Future Reviews"</b></p> <p>Delete first sentence of this paragraph in full, and replace with new first sentence to read:</p> <p><b>"The plan will be reviewed at regular intervals during the period up to 2042 to ensure that it continues to be consistent with national policy and the strategic policies of the Greater Norwich Local Plan and the South Norfolk Local Plan, or any other strategic plan covering the parish."</b></p> <p>Delete the word "update" in the second sentence of this paragraph and replace with <b>"review"</b>.</p>



## Starston Neighbourhood Plan – South Norfolk Council Reg. 16 representations and examiner responses

Section of NP	SNC Reg. 16 Representation	Examiner Response	SNC Officer Commentary
STA1 Location and scale of residential development – exception policy	<p>At the Reg.14 stage South Norfolk Council raised concerns that this policy conflicts with current South Norfolk policy (DM1.3 – Sustainable Location of New Development) and the emerging GNLP Policy 7.5, in particular the sentence ‘To protect the dispersed and spatial character of the village, new development should not take the form of an extension to an existing settlement boundary and should avoid altering the defined extent of the village core and its setting in open countryside.’ In response to this, the Neighbourhood Plan Consultation Statement states that this policy goes beyond emerging GNLP policy 7.5. Whilst this might be true in terms of numbers, given that the GNLP policy permits small scale residential development adjacent to the development boundary, the Council still believes there is a conflict. Part 1 of the emerging GNLP is a strategy document. Policy 7.5 is therefore to be considered strategic and as an emerging Local Plan policy, a material consideration for the Neighbourhood Plan. Moreover, whilst this is an emerging policy, if the GNLP were to be adopted after the Neighbourhood Plan then we would expect that decisions on planning applications would be resolved in favour of the more recently adopted strategic policy, in line with NPPF paragraph 30.</p> <p>There is a consistency between the policy wording, within the second paragraph, and the supporting text in paragraph 5.1.22. The policy states ‘Up to 10 dwellings will be supported across the parish in the lifetime of the Plan.’ However, paragraph 5.1.22 still states, ‘...up to 10 dwellings across the parish in a 10-year period...’</p>	<p>The policy is described as an exception policy. This is inconsistent with the usual understanding of that term, which is normally used to support the development of rural affordable housing schemes beyond settlement boundaries. Furthermore, there are other inconsistencies within the policy and its justification. Paragraph 5.1.32 states that the scale of new development is up to 10 dwellings over a ten-year period, i.e. potentially up to 2032, rather than up to 2042 as stated in the policy itself. The policy states that “up to 2 dwellings per location will be supported” but I do not identify any specific site-planning considerations, or indeed any site assessments, that would lead to such a limitation. In that respect, I do not consider that the narrative set out in paragraph 5.1.19, which reflects an early stage of consultation in the preparation of the Plan, provides sufficient justification for the policy limitation.</p> <p>Upon my initial assessment of the Plan, I noted that Policy STA5 in the Plan places a restraint on significant development (as set out in Policy STA1) within the proposed Strategic Gap between Starston and Harleston. In that respect, I considered that Policy STA1 would require an additional clause to clarify that such a restraint is proposed in that Strategic Gap, as it departs from the more general support that is expressed within Policy STA1. I therefore invited the Qualifying Body, as part of my preliminary questions (see paragraph 2.6 above), to provide me with draft text for such an additional clause which could be considered as a potential modification to the Plan, in order to maintain consistency between the relevant policies in the</p>	<p>In this response and recommended modifications, the examiner has addressed the matters raised within the Council’s Reg. 16 consultation response.</p> <p>Paragraph 16 of the NPPF states that plans should “contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”.</p> <p>In other circumstances the Inspector’s proposed modifications referring to “new small-scale growth” and “good accessibility to ... shops” may have been considered to conflict with this policy expectation.</p> <p>However, given the rural form and character of Starston, the reference to “small-scale” is not considered likely to result in ambiguity leading to a wide range of interpretation in this instances. Similarly, as there are no shops in the village, the reference to shops can only reasonably be considered in the context of appropriate rural</p>



Section of NP	SNC Reg. 16 Representation	Examiner Response	SNC Officer Commentary
	<p>There is also a query over the rationale of ‘up to 2 dwellings per location’. It is not clear what is meant by ‘location’ and, indeed, what the evidence/justification is for up to 2 dwellings. Clarification on these points is still required as there is a conflict with NPPF para 16(d) (and therefore the basic conditions), which states that when plan making, policies should be clearly written and unambiguous, so that it is evident how a decision maker should react to development proposals.</p>	<p>Plan. I take account of the Parish Council’s response on this matter as part of my recommended amendments to the policy, which are explained in the following paragraph. I also take account of the representations that have been made concerning the policy, a number of which considered that a target of an additional 10 new dwellings in the parish is excessive.</p> <p>I consider that the policy, as drafted, is flawed in a number of respects and does require amendment in order to have regard to national policy advice, including the need to contribute to the achievement of sustainable development and in order to be in general conformity with the strategic policies of the adopted SHPP (and to avoid conflict with the emerging GNLPP). It presently fails to identify rural affordable housing schemes as an appropriate form of development, and prescribes development limitations which, in my assessment, are not justified by the evidence supporting the Plan. I therefore recommend modification <b>PM2</b> which encompasses a number of amendments to the policy and to its supporting justification, in order to address the defects summarised above.</p> <p><b>Modification PM2:</b> Delete the words “Exception Policy” in the title of the policy. Delete existing policy text in full and replace with: <b>“Proposals for new small-scale residential development in the Plan area, including rural affordable housing exception schemes, will be supported, with the exception of proposals situated within the sensitive gap between Starston village</b></p>	<p>accessibility to the nearby settlements of Harleston and the Pulhams.</p> <p>In addition, paragraph 16 of the NPPF also states that plans should avoid “<i>unnecessary duplication of policies that apply to a particular area</i>”. Arguably the insertion of the reference to rural exception sites conflicts with this policy expectation. However, as the acceptability of rural exceptions sites is already established in national and local policy the repetition does not conspicuously cause a detrimental conflict.</p> <p>Therefore, in this particular instances Officers do not consider there is a meaningful conflict with the NPPF. Therefore, it is considered appropriate to accept the examiner’s response.</p>



Section of NP	SNC Reg. 16 Representation	Examiner Response	SNC Officer Commentary
		<p>and Harleston which is subject to Policy STA4 where it can be demonstrated that:</p> <ul style="list-style-type: none"> <li>the proposals will have no adverse impacts upon the character and nature of the existing settlement pattern in the Plan area and upon the landscape character of the area;</li> <li>there is good accessibility to local services and shops;</li> <li>the design of proposed new dwellings is of high quality in accordance with the requirements of Policy STA4;</li> <li>that the development will not lead to increased flood risk or have any adverse impacts upon surface water drainage in the area, in accordance with Policy STA8.</li> </ul> <p>All development proposals should take account of the Starston Design Guidelines and Code (2021), which is a supporting document to the Plan.</p> <p>Paragraph 5.1.22 – delete existing text in full, and replace with:  “the limited scale of future residential development in the parish up to 2042 will enable ‘slow and careful development’, allowing Starston to continue to be a small and vibrant rural parish, with a strong sense of community.”</p>	

**\*CANCELLED\***



<p>STA2: Type of residential development</p>	<p>At the Reg. 14 stage South Norfolk Council raised some concerns regarding the terminology used in the bullet point list. Some of these have been addressed, but there a couple of points that still need to be clarified;</p> <p>The Council commented that the term 'starter homes' is unclear and liable for some confusion with the government-defined (but never implemented) Starter Homes, now being replaced by First Homes. The response was to change this to 'Open market starter homes and homes for newly-forming households', which has been actioned in the policy itself. However, paragraph 5.1.24 and footnote 22 remain unchanged.</p> <p>The policy refers to 'Lifetime Homes'. The Council commented previously that these standards were withdrawn by government in 2015 with a new approach introducing optional building regulation requirements. Within the Consultation Statement, it is stated that this was due to be changed. However this has not been actioned. This may have been an oversight but this still needs amending.</p> <p>The Council also commented on the 're-use and conversion of redundant farm buildings'. Initially there is no test for what is considered redundant. There is an existing Development Management policy (2.10) and Permitted Development/Class Q for this type of development, both of which provide further reasons. The Council's previous comments were that, as this policy is currently worded, there is the potential for a large number of barn conversions. The Council would still consider this to be the case and that the wording could lead to short termism being followed, resulting in an</p>	<p>In my assessment, the policy requires some amendment as the types of development to be encouraged are not sufficiently consistent with both national policy guidance and the strategic policies of the SNLP. For example, the term 'starter homes' is no longer a recognised Government policy initiative, having been replaced by the recently introduced First Homes policy. I therefore recommend some amendments to the policy to ensure that it provides clear and appropriate guidance for users of the Plan. These amendments are addressed by recommended modification <b>PM3</b>.</p> <p><b>Modification PM3:</b> Delete the existing six bullet point types of housing set out within the policy text, and replace with the following four bullet point types of housing:</p> <ul style="list-style-type: none"> <li>• <b>all homes suitable for newly formed households and people wishing to downsize from larger homes;</b></li> <li>• <b>affordable housing schemes, including the provision of First Homes for discounted sale;</b></li> <li>• <b>homes for agricultural workers, in accordance with South Norfolk Council policy;</b></li> <li>• <b>custom-build or self-build homes.</b></li> </ul> <p>Delete Footnote no. 22, and re-number Footnote Nos. 23-36 to <b>22-35</b>.</p>	<p>The examiner has addressed the matters raised within the Council's Reg. 16 consultation response.</p> <p>Officers therefore consider it appropriate to accept the examiner's response.</p>
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Section of NP	SNC Reg. 16 Representation	Examiner Response	SNC Officer Commentary
	<p>over-abundance of barn conversions rather than long term needs being met.</p> <p>As per our comments on STA2, the policy is ambiguous and conflicts with NPPF para 16(d) (and therefore the basic conditions) which states that when plan making, policies should be clearly written and unambiguous, so it is evident how a decision maker should react to development proposals.</p>		
STA3: Conservation Area and listed buildings	<p>At the Reg.14 stage we commented on whether there were any particular listed buildings which needed particular reference/protection within this policy. No specifics have been added, with the group citing all those listed in the Conservation Area Appraisal in its response to our comment. In line with NPPF Para 16(f), which states that when plan making, a policy should serve a clear purpose, avoiding unnecessary duplication of policies that apply to a particular area, and para 8(2)a of Schedule 4B of the Town and Country Planning Act 1990, which requires regard to be given to national policies, we are still unclear as to what the policy adds to the existing Local Plan policies in place.</p>	<p>Although the policy largely duplicates both national and local policy, I am satisfied that in the context of the justification for the policy, set out in paragraphs 5.1.27-5.1.30, and the Objectives of the Plan, it is important that the policy reflects the clear importance of the Conservation Area and the listed buildings to the overall character of the village of Starston and the parish as a whole.</p>	<p>The examiner has not considered it necessary to recommend any modifications to the policy, as suggested by the Council in its Regulation 16 response.</p> <p>Although it is acknowledged that this policy largely duplicates existing national and local policy, it should not create issues in the determining relevant applications.</p> <p>Officers therefore consider it appropriate to accept the examiner's response.</p>



<p>STA5: Strategic Gap</p>	<p>At the Reg.14 stage the Council asked what evidence there was for the specific boundary chosen as defined in Figure 22 and what makes this particular area important. The Consultation Statement states 'The area is defined by the (1) the parish boundary, (2) the settlement edge of Harleston, (3) natural gateways, (4) the dispersed nature of the village (STA1) – further justification in the supporting text'. The Council suggests that this response could form some of the supporting text in order to help justify this policy.</p> <p>In the absence of clear evidence, in line with Paragraph: 040 Reference ID: 41-040-20130211 Revision date 11 02 2016 of the PPG on Neighbourhood Planning (<a href="https://www.gov.uk/guidance/neighbourhood-planning--2">https://www.gov.uk/guidance/neighbourhood-planning--2</a>) which states that 'proportionate, robust evidence should support the choices made and the approach taken', it may prove difficult to defend this policy when determining planning applications.</p>	<p>I have given very careful consideration to this policy, and in particular to the definition of the proposed boundary of the Strategic Gap. I visited the area and assessed the potential implications of the policy on the future planning of the area during the course of my site visit. I have also taken account of the representations that have been made concerning the policy. My primary concern regarding the policy is that the supporting justification provides no clear evidence to support the precise definition of the Strategic Gap boundary on Figure 23, which in simple terms has been shown to cover a broad area of land at the south-east corner of the parish. The only clear evidence that I can identify for the definition of the boundary is at pp 105/106 of the Consultation Statement where it is stated, in response to a Regulation 14 consultation response made by INC, that "the area is defined by the (1) the parish boundary, (2) the settlement edge of Harleston, (3) natural gateways, (4) the dispersed nature of the village (STA1) – further justification in the supporting text". It is the case, however, that the supporting text in the Plan does not provide such further justification. I also observed from my site visit that there are no significant changes in the landscape character of the countryside proposed to be within the Strategic Gap and the countryside beyond it.</p> <p>My overall assessment is that the principle underlying the policy is sound, and that the protection of the open character of the land between Starston and Harleston is desirable in order to maintain the local distinctiveness of Starston parish and the village and to prevent the possible coalescence of settlements. In that respect, I am conscious that Harleston is an expanding settlement,</p>	<p>In his response the examiner has addressed the matter raised within the Council's Reg. 16 consultation response, relating to evidence for the particular area to be covered.</p> <p>Following discussions with the Neighbourhood Plan steering Group, Officers have drafted a modification to figure 23 in line with the examiner's recommendation. This modification keeps as close to the original boundary consulted upon as possible.</p> <p>Appendix 4 illustrates this proposed revision to the STA5 boundary.</p> <p>Officers do not consider it necessary to take a different view to that of the examiner.</p>
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with significant additional allocations of land for new development in the emerging GNL. However, the definition of the boundary of the proposed Strategic Gap is not, in my assessment, fully justified. I therefore consider that the policy and accompanying Figure 23 do require amendment to set out a broader level of restraint upon new development within the sensitive area of countryside that lies between Starston village and Harleston, and to be consistent with Policy STA1 (as recommended for modification - see PM3). I therefore recommend necessary modifications to the policy and to Figure 23, and these are addressed by modification **PM5**.

**Modification PM5:**

Amend title of policy to read **"Countryside between Starston Village and Harleston"**

Delete existing policy text in full and replace with:

**"Development proposals within the area of open countryside identified on Figure 23 between the settlements of Starston and Harleston will be assessed to ensure that they respect and retain the generally open and undeveloped nature of that area. Proposals within that area that would clearly lead to the erosion of local distinctiveness and the character of Starston, or to the coalescence of settlements, will not be supported."**

Figure 23 – delete in its current form and replace with a larger scale map showing the full extent of land within the parish between Starston village and Harleston. A broad hatched notation should be applied to the land extending between the Starston settlement boundaries (as defined on Figure 18) and the parish boundary (to the east and south-east).



Section of NP	SNC Reg. 16 Representation	Examiner Response	SNC Officer Commentary
		<p>The notation should be applied such that it is not related to property or field boundaries, or road/byway alignments, and that it represents an overlay above such features.</p> <p>The notation panel for Figure 2 should be amended to read <b>“Area of countryside between Harston village and Harleston covered by Policy STA5”</b></p>	
<p>STA6: Important public local views and vistas</p>	<p>At Reg. 14 the Council stated that views should be demonstrably special to the community and shouldn't simply seek to preserve open countryside. The response is that the views were identified through community consultation. However there does not appear to be specific justification included to explain why each of these views are demonstrably special.</p> <p>As per our comments for STA5, in the absence of clear evidence in line with Paragraph: 040 Reference ID: 41-040-20130211 Revision date 11 02 2016 of the PPG on Neighbourhood Planning (<a href="https://www.gov.uk/guidance/neighbourhood-planning--2">https://www.gov.uk/guidance/neighbourhood-planning--2</a>) which states that 'proportionate, robust evidence should support the choices made and the approach taken', it may be difficult to apply and justify this policy in the decision making process.</p>	<p>Policy STA6 (Important public local views and vistas) sets out 10 locations within the Plan area where there are important public local views and vistas, which are shown in photographs at Figure 25 and by notations on Figures 26 and 27. The Policy states that development proposals that might affect the identified views and vistas should ensure that they take account of the view or vista concerned, and that development which would be overly prominent and/or have unacceptable or adverse impacts on the landscape or character of the areas covered by those views and vistas will not be supported.</p> <p>I have assessed each of the views and vistas during the course of my site visit and consider that they all justify inclusion within the policy. I also consider that the policy is appropriately drafted and justified.</p>	<p>The examiner considers that there is appropriate justification for each of these views and has not therefore considered it necessary to recommend any modifications to the policy, as suggested by the Council in its Regulation 16 response.</p> <p>Given that the policy simply seeks to ensure that development 'respects and takes account of the view or vista concerned', officers consider it appropriate to accept the examiner's response.</p>
<p>STA7: Local Green Spaces</p>	<p>At Reg. 14 the Council notes that the policy reference to incorrect NPPF paragraph numbers and should instead refer to Paragraphs 101, 102 &amp; 103. It was noted that this would be changed, in the Consultation Statement. However, this remains unchanged. Therefore these references still need updating in STA7 &amp; Appendix C.</p>	<p>In my assessment, each of the proposed Local Green Spaces in this policy meets the criteria for designation set out in the NPPF.</p> <p>However, with regard to the policy text, and specifically in relation to managing development within a Local Green Space, this should be consistent</p>	<p>The examiner has, amongst other modifications, sought to amend the reference to the appropriate NPPF paragraph in Appendix C, as recommended in the Council's response. However, he has not</p>



Section of NP	SNC Reg. 16 Representation	Examiner Response	SNC Officer Commentary
		<p>with those for Green Belts (NPPF paragraph 103), and development should not be approved except in very special circumstances. In addition, in the absence of evidenced local justification, the policy cannot impose more onerous requirements than national policy, such as extending restrictions to land adjacent to Local Green Space seeking to constrain the application of NPPF paragraph 101. I recommend that the policy text be amended to reflect the national policy position, together with certain other necessary amendments to the supporting text and to Appendix C.</p> <p>It is my conclusion that, having regard to NPPF paragraphs 101-102 and the guidance in the PPG, the four sites identified within the Plan should be designated as Local Green Spaces and that the policy (as proposed to be modified) meets the Basic Conditions. Recommended modification <b>PM6</b> addresses the necessary amendments to Policy STA7 and to other parts of the Plan.</p> <p><b>Modification PM6:</b> Delete the word “exceptional” in the second sentence of the second paragraph of policy text and replace with “<b>special</b>”; also delete the final sentence in the second paragraph of the policy: “Development on or adjacent to a Local Green Space that would adversely impact upon its special qualities will not be supported.”</p> <p>Paragraph 5.2.13 – delete the words “Environmental Bill (2020) in the third sentence and replace with “<b>Environment Act (2021)</b>”</p>	<p>recommended an amendment to the NPPF reference within paragraph two of the policy wording.</p> <p>In addition, the amendment to the text in Appendix C makes a reference to the wrong paragraph number in the NPPF (paragraph 101, when paragraph 102 is that which sets out the relevant criteria).</p> <p>Officers propose amending the NPPF paragraph references within the second paragraph of STA7 to read “...in accordance with paragraphs 101-103 of the National Planning Policy Framework.”</p> <p>Officers also propose amending the NPPF paragraph reference within paragraph one of Appendix C to read “The criteria are based on paragraph 102 of the National Planning Policy Framework.”</p> <p>Paragraph 12 (6) (e) of Schedule 4B of the Town and Country Planning Act allows a local authority to make modifications for the purpose of correcting errors. It is considered that these proposed modifications</p>



Section of NP	SNC Reg. 16 Representation	Examiner Response	SNC Officer Commentary
		Appendix C – amend the second sentence to read, <b>“The criteria are based on paragraph 101 of the National Planning Policy Framework (July 2021).”</b>	fall within this category, and would therefore not be required to undergo a further period of consultation.  Officers consider it appropriate to accept the examiner’s remaining modifications to this policy.
STA8: Surface Water Drainage	At Reg 14. the Council made comments regarding the requirement for further evidence relating to the areas of localised flooding, beyond that of local knowledge. We would reiterate that to ensure that full effect can be given to the policy it is important to have factual and documented evidence over frequency and severity of flooding incidents. It would also be useful to have some clarity over how the main policy text adds to existing Surface Water Drainage and Flood Risk Policy, and is therefore in conformity with NPPF Para 166, which states that when plan making, a policy should serve a clear purpose, avoiding unnecessary duplication of policies that apply to a particular area.	Norfolk County Council, the Lead Local Flood Authority, has made detailed representations concerning this policy and its supporting justification. I have taken account of those representations, and others that have been made concerning the policy, and I consider that the policy and its justification require modification in order to provide clearer and more comprehensive policy guidance for future users of the Plan. I therefore recommend modification <b>PM7</b> to address this matter.  <b>Modification PM7:</b>  Amend title of policy to read <b>“Surface Water Drainage and Flood Risk”</b> .  Delete existing policy text in full, and replace with: <b>“Development proposals within the Plan area should be accompanied by an appropriate assessment which demonstrates:</b> <ul style="list-style-type: none"> <li>• <b>that the development will not increase flood risk to the site or surrounding area from fluvial, groundwater, surface water or other water sources, and</b></li> </ul>	The examiner has addressed the Council’s Reg. 16 response which raises the need to be clearer on empirical evidence of frequency, severity and location of flooding incidents in the parish.  The examiner’s revision of the policy text makes it clearer and more concise and therefore easier for decision-makers to apply when determining applications.  Officers consider it appropriate to accept the examiner’s modifications.



Section of NP	SNC Reg. 16 Representation	Examiner Response	SNC Officer Commentary
		<ul style="list-style-type: none"> <li>that the development will have no adverse impacts upon surface water drainage of the area.</li> </ul> <p>Where appropriate, development proposals should incorporate Sustainable Drainage (SuDS) measures and any other necessary mitigations in order to reduce the risk of flooding, and include proposals for the future maintenance and management of those drainage measures.”</p> <p>Paragraph 5.2.15 – delete second, third and final sentences.</p> <p>Paragraph 5.2.15 – add new second sentence to read as follows:</p> <p>Figure 30 shows the locations within the parish where surface water flooding events have occurred during recent years.”</p> <p>Figure 30 – delete in its current form, and replace with a map (also to be numbered Figure 30) showing the whole parish and identifying the locations of recorded and documented surface water flooding events and issues in the parish during recent years, based on the datasets held by the Lead Local Flood Authority (LLFA) and the Environment Agency (as referenced in the representations submitted by the LLFA).</p>	

**\*CANCELLED\***



Section of NP	SNC Reg. 16 Representation	Examiner Response	SNC Officer Commentary
STA9: Business Development	At the Reg. 14 stage, the Council made comments regarding how the usage of the extended area relating to home working would be controlled once permission was granted. The response states that the expectation is this would be dealt with through planning conditions or a change of use application. This is not currently explicit in the policy and we would recommend that the policy be added to by including setting out any limitations to home working or reuse of building used for home working. This will provide a clear justification for the imposition of the conditions on home-working proposals envisaged by the neighbourhood plan group to ensure that any uses don't cause detriment to the amenity of the area.	<p>Policy STA9 (Business development) sets out the environmental criteria that will be assessed for the support of new business and employment developments in the Plan area and includes support for the incorporation of high-speed broadband, electric car charging points, low carbon heating and energy sources and rainwater harvesting where possible.</p> <p>I am satisfied that the policy is clear and consistent with current national policy and guidance particularly in respect of its promotion of good design and sustainable forms of development. However, there is an error in the supporting justification, at paragraph 5.3.6, which should be corrected and I address this point by recommended modification <b>PM8</b>.</p> <p><b>Modification PM8:</b></p> <p><u>Paragraph 5.3.6</u></p> <p>Amend reference to Policy STA10 to read "<b>Policy STA9</b>".</p>	<p>The examiner has not considered it necessary to recommend adding in the further detail as suggested by the Council. This means that the Council will need to exercise its planning judgement in respect of the implementation of the policy.</p> <p>On balance , officers consider it acceptable to progress the Neighbourhood Plan in line with the examiner's recommendations.</p>

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## **South Norfolk Council**

### **Starston Neighbourhood Plan - Decision Statement**

#### **1. Summary**

Following an independent examination, South Norfolk Council has received the examiner's report relating to the Starston Neighbourhood Plan. The report makes a number of recommendations for making modifications to policies within the Neighbourhood Plan. South Norfolk Council has decided to make these modifications to the Neighbourhood Plan, albeit with two minor, factual amendments, and to allow the Neighbourhood Plan to proceed to a referendum within the neighbourhood area.

#### **2. Background**

Following the submission of the Starston Neighbourhood Plan to South Norfolk Council in November 2021, 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 21<sup>st</sup> January and 4<sup>th</sup> March 2022.

The local planning authority, with the approval of Starston Parish Council, subsequently appointed an independent examiner, Mr Derek Stebbing 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 has decided to make these modifications to the Neighbourhood Plan, albeit with two minor, factual amendments. This is in accordance with section 12 of Schedule 4B to the Town and Country Planning Act 1990. The Council considers this decision will ensure that the Neighbourhood Plan meets the basic conditions.

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

Subject to the modifications approved by South Norfolk Council, as set out in the table below, the Council is satisfied that the Neighbourhood Plan should proceed to a referendum within the neighbourhood area, in accordance with part 12(4) of Schedule 4B of the Town & Country Planning Act 1990.



Section	Examiner's recommendation	Council consideration of recommendation	Council decision
Section 4 - Vision and Objectives	<p>Add new paragraph 4.5 to read as follows:</p> <p><b>“The Starston Neighbourhood Plan is in conformity with the National Planning Policy Framework, in particular taking a positive approach that reflects the presumption in favour of sustainable development.”</b></p> <p>(As contained in the Parish Council's response to the examiner questions of 17 March 2022).</p>	The Council agrees with the addition of the new paragraph.	Accept examiner's recommended modification.
Policy STA1 – Location and Scale of Residential Development – Exception Policy	<p>Delete the words “Exception Policy” in the title of the policy.</p> <p>Delete existing policy text in full and replace with:</p> <p><b>“Proposals for new small-scale residential development in the Plan area, including rural affordable housing exception schemes, will be supported, with the exception of proposals situated within the sensitive gap between Starston village and Harleston which is subject to Policy STA5, where it can be demonstrated that:</b></p> <ul style="list-style-type: none"> <li>• the proposals will have no adverse impacts upon the character and nature of the existing settlement pattern in the Plan area and upon the landscape character of the area;</li> <li>• there is good access to public services and shops;</li> <li>• the design of proposed new dwellings is of high quality in accordance with the requirements of Policy STA4;</li> <li>• that the development will not lead to increased flood risk or have any adverse impacts upon surface water drainage in the area, in accordance with Policy STA8.</li> </ul> <p><b>All development proposals should take account of the Starston Design Guidelines and Codes (2021), which is a</b></p>	The Council agrees that the examiner's recommended modifications will help to ensure the policy meets the Basic Conditions, in particular that it meets the requirements of the NPPF.	Accept examiner's recommended modification.



Section	Examiner's recommendation	Council consideration of recommendation	Council decision
	<p><b>supporting document to the Plan.”</b></p> <p>Paragraph 5.1.22 – delete existing text in full, and replace with:</p> <p><b>“The limited scale of future residential development in the parish up to 2042 will enable ‘slow and careful development’, allowing Starston to continue to be a small and vibrant rural parish, with a strong sense of community.”</b></p>		
Policy STA2 – Type of Residential Development	<p>Delete the existing six bullet point types of housing set out within the policy text, and replace with the following four bullet point types of housing:</p> <ul style="list-style-type: none"> <li>• <b>small homes suitable for newly formed households and people wishing to downsize from larger homes;</b></li> <li>• <b>affordable housing schemes, including the provision of First Homes for discounted sale;</b></li> <li>• <b>homes for agricultural workers, in accordance with South Norfolk Council policy;</b></li> <li>• <b>custom-build or self-build homes.</b></li> </ul> <p>Delete Footnote no. 22, and re-number Footnote Nos. 23-36 to <b>22-35</b>.</p>	The Council agrees that the recommended modification would provide further clarity to the policy.	Accept examiner's recommended modification.
Policy STA4 - Design of Development	<p>Delete the word “parish” with the first line of the policy text and replace with <b>“Plan area”</b>.</p>	The Council agrees that the recommended modification would provide further clarity to the policy.	Accept examiner's recommended modification.



Section	Examiner's recommendation	Council consideration of recommendation	Council decision
Policy STA5 - Strategic Gap	<p>Amend title of policy to read <b>“Countryside between Starston Village and Harleston”</b></p> <p>Delete existing policy text in full and replace with:</p> <p><b>“Development proposals within the area of open countryside identified on Figure 23 between the settlements of Starston and Harleston will be assessed to ensure that they respect and retain the generally open and undeveloped nature of that area. Proposals within that area that would clearly lead to the erosion of local distinctiveness and the character of Starston, or to the coalescence of settlements, will not be supported.”</b></p> <p>Figure 23 – delete in its current form and replace with a larger scale map showing the full extent of land within the parish between Starston village and Harleston. A broad hatched notation should be applied to the land extending between the Starston settlement boundaries (as defined on Figure 8) and the parish boundary (to the east and south-east). The notation should be applied such that it is <u>not</u> related to property or field boundaries, or to road/byway alignments and that it represents an overlay above such features.</p> <p>The notation panel for Figure 23 should be amended to read <b>“Area of countryside between Starston village and Harleston covered by Policy STA5”</b></p>	<p>The Council agrees that these modifications will help to ensure that the policy meets the Basic Conditions.</p>	<p>Accept examiner's recommended modifications.</p>



Section	Examiner's recommendation	Council consideration of recommendation	Council decision
Policy STA7 – Local Green Spaces	<p>Delete the word “exceptional” in the second sentence of the second paragraph of policy text and replace with “<b>special</b>”; also delete the final sentence in the second paragraph of the policy: “Development on or adjacent to a Local Green Space that would adversely impact upon its special qualities will not be supported.”</p> <p>Paragraph 5.2.13 – delete the words “Environmental Bill (2020)” in the third sentence and replace with “<b>Environment Act (2021)</b>”</p> <p>Appendix C – amend the second sentence to read, “<b>The criteria are based on paragraph 101 of the National Planning Policy Framework (July 2021).</b>”</p>	<p>The Council agrees that these modifications would provide added clarity as regards this policy and help to ensure that it meets the Basic Conditions.</p> <p>However, the Council proposes to correct two factual errors as permitted by Para. 12(6) (c) of Schedule 4B of the Town &amp; Country Planning Act which relate to references to specific paragraphs in the NPPF.</p> <p>The second paragraph of Policy STA7 refers to paragraphs 100 and 101 of the NPPF in the context of the protection afforded to Local Green Spaces. The latest (July 2021) version of the NPPF sets out details on the protection of Local Green Spaces within paragraphs 101-103.</p> <p>In addition, the recommendation for a reference to paragraph 101 of the NPPF in Appendix C would render the sentence factually incorrect. It is paragraph 102 of the NPPF that sets out the criteria for designation of Local Green Spaces.</p>	<p>Amend the first sentence of the second paragraph of STA7 to read:</p> <p><b>“These Local Green Spaces are protected in accordance with paragraphs 101-103 of the National Planning Policy Framework.”</b></p> <p>Amend the second sentence of Appendix C to read:</p> <p><b>“The criteria are based on paragraph 102 of the National Planning Policy Framework (July 2021).”</b></p> <p>Accept all of the examiner's other recommended modifications to this policy and associated supporting text.</p>

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Section	Examiner's recommendation	Council consideration of recommendation	Council decision
Policy STA8 – Surface Water Drainage	<p>Amend title of policy to read <b>“Surface Water Drainage and Flood Risk”</b>.</p> <p>Delete existing policy text in full, and replace with:</p> <p><b>“Development proposals within the Plan area should be accompanied by an appropriate assessment which demonstrates:</b></p> <ul style="list-style-type: none"> <li><b>• that the development will not increase flood risk to the site or surrounding area from fluvial, groundwater, surface water or other water sources, and</b></li> <li><b>• that the development will have no adverse impacts upon surface water drainage in the area.</b></li> </ul> <p><b>Where appropriate, development proposals should incorporate Sustainable Drainage (SuDS) measures and any other necessary mitigations in order to reduce the risk of flooding, and include proposals for the future maintenance and management of those drainage measures.”</b></p> <p>Paragraph 5.2.15 – delete second, third and final sentences.</p> <p>Paragraph 5.2.15 – add new second sentence to read as follows:</p> <p><b>“Figure 30 shows the locations within the parish where surface water flooding events have occurred during recent years.”</b></p> <p>Figure 30 – delete in its current form and replace with a map (also to be numbered Figure 30) showing the whole parish and identifying the locations of recorded and documented surface water flooding events and issues in the parish during recent years, based on the datasets held by the Lead Local Flood Authority (LLFA) and the Environment Agency (as referenced in the representations submitted by the LLFA).</p>	<p>The Council agrees that the revised policy and figure should provide greater clarification and ensure that the Policy meets the requirements of the Basic Conditions.</p>	<p>Accept examiner's recommended modification.</p>



Section	Examiner's recommendation	Council consideration of recommendation	Council decision
Paragraph 5.3.6	Amend reference to Policy STA10 to read " <b>Policy STA9</b> ".	The Council agrees to this correction to improve clarity.	Accept examiner's recommended modification.
Section 7 – Implementation	<p>Amend title preceding this paragraph to read "<b>Future Reviews</b>"</p> <p>Delete first sentence of this paragraph in full, and replace with new first sentence to read:</p> <p><b>"The plan will be reviewed at regular intervals during the period up to 2042 to ensure that it continues to be consistent with national policy and the strategic policies of the Greater Norwich Local Plan and the South Norfolk Local Plan, or any other strategic plan covering the parish."</b></p> <p>Delete the word "update" in the second sentence of this paragraph and replace with "<b>review</b>".</p>	The Council agrees that this modification would provide added clarity and to help ensure that the Neighbourhood Plan is in accord with national planning guidance.	Accept examiner's recommended modification.

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#### 4. Next Steps

This Decision Statement and the examiner's report into the Starston Neighbourhood Plan will be made available at:

- [www.southnorfolkandbroadland.gov.uk/neighbourhood-plans](http://www.southnorfolkandbroadland.gov.uk/neighbourhood-plans)
- **Harleston Library** – Swan Lane, Harleston, IP20 9AW (Open Mon & Fri: 11:30-19:00; Wed 10:00-19:00; Sat: 11:30-16:00)
- **South Norfolk Council offices** – South Norfolk House, Cygnet Court, Long Stratton, Norwich, NR15 2XE (normal opening times: 8:15am to 5pm Monday to Friday. Closed weekends and Bank Holidays)

**N.B the offices are open for pre-booked appointments only**

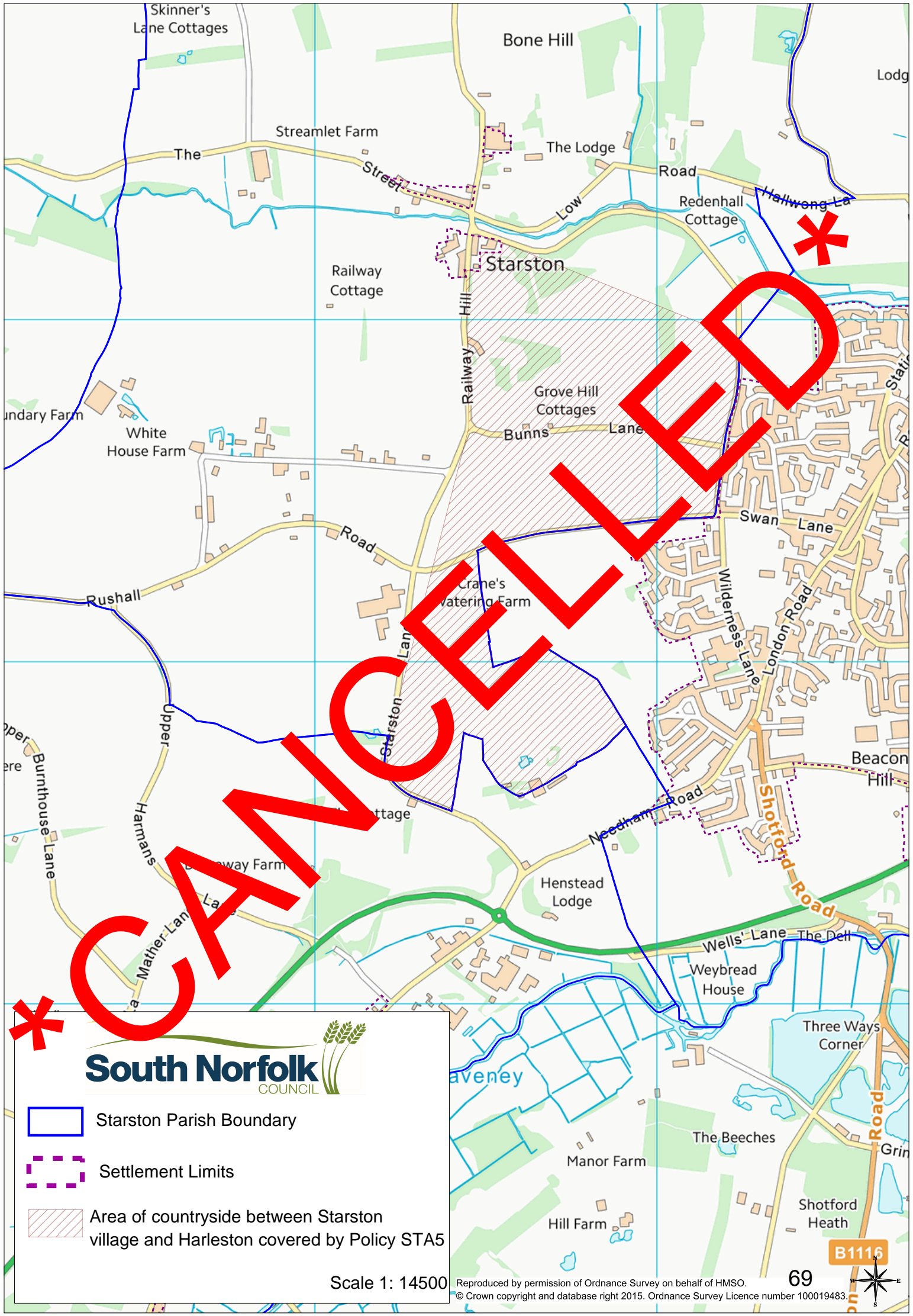
If you wish to make an appointment to view the documents, please contact the Place Shaping Team on (01508) 533805

South Norfolk Council is satisfied that with the modifications it has approved, as detailed above, the Starston Neighbourhood Plan should proceed to a referendum within the neighbourhood area, in which the following question will be posed:

**‘Do you want South Norfolk Council to use the Neighbourhood Plan for Starston to help it decide planning applications in the neighbourhood area?’**

Further information relating to the referendum will be published by South Norfolk Council in due course.





**South Norfolk**  
COUNCIL



Starston Parish Boundary



Settlement Limits



Area of countryside between Starston village and Harleston covered by Policy STA5

Scale 1: 14500

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## **Tivetshall Neighbourhood Plan – Consideration of Examiner’s Report**

**Report Author(s):** Richard Squires  
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**Portfolio:** External Affairs and Policy, Stronger Economy

**Ward(s) Affected:** Beck Valley, Dickburgh and Scole

### **Purpose of the Report:**

South Norfolk Council has received the independent examiner’s report in relation to the Tivetshalls Neighbourhood Plan. The examiner suggests several recommended modifications to the Neighbourhood Plan and concludes that, subject to these modifications, it should proceed to a referendum. South Norfolk Council should now decide whether it is satisfied with these recommendations.

### **Recommendations:**

1. Cabinet to approve each of the recommended modifications to the Tivetshalls Neighbourhood Plan, as detailed within the examiner’s report, and publish a Decision Statement setting out the Council’s response and announcing the intention for the Neighbourhood Plan to proceed to a referendum.



## 1. Summary

- 1.1 South Norfolk Council has now received the report of the independent examiner appointed to inspect the submitted Tivetshalls Neighbourhood Plan (see Appendix 1). In accordance with paragraph 12 of Schedule 4B of the Town & Country Planning Act 1990, South Norfolk Council should now decide on what action to take in respect of each of the examiner's recommendations.
- 1.2 The examiner has recommended sixteen modifications to the Neighbourhood Plan in order to ensure it meets the Basic Conditions of neighbourhood planning. On the basis that these modifications are made, the examiner is satisfied that the Plan should proceed to a referendum.

## 2. Background

- 2.1 The submitted Tivetshalls Neighbourhood Plan (which can be viewed [here](#)) was approved by South Norfolk Council on 19<sup>th</sup> April 2022. This was followed by a statutory six week publication period in which the Plan and its supporting documents were made available for inspection and subject to representations from the public and stakeholder bodies. This was in accordance with Regulation 16 of the Neighbourhood Planning (General) Regulations 2012.
- 2.2 During the six week publication period, which took place between 29<sup>th</sup> April and 15<sup>th</sup> June 2022, a total of sixteen representations were received from eight different organisations/individuals (click [here](#) for details of responses). These representations were submitted, along with the Neighbourhood Plan and supporting information, to the independent examiner, Mr Nigel McGurk, the appointment of whom was confirmed by South Norfolk Council in June.
- 2.3 The examination was conducted via written representations during July/August 2022 (the examiner decided that a public hearing would not be required).

## 3. Current position/findings

- 3.1 The recommended modifications are set out in the examiner's report (see Appendix 2). However, for ease of reference, all of the examiner's recommendations and the proposed responses from South Norfolk Council are set out in the Decision Statement, comprising Appendix 3 to this report.
- 3.2 Each of the recommendations involves modifying the wording of policies/ supporting text within the Neighbourhood Plan, in order to bring the document in line with the Basic Conditions of neighbourhood planning, as set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990. None of the Neighbourhood Plan policies have been recommended for deletion.
- 3.3 During the regulation 16 publication stage, South Norfolk Council submitted nine representations relating to different elements of the submitted Plan. These representations, the examiners recommendations relating to the respective elements of the Neighbourhood Plan, and some subsequent commentary from



Council officers for the purposes of this report, are available to view within Appendix 2.

- 3.4 Having reviewed the examiner's report, officers consider that the examiner's recommendations substantively address the concerns raised by the Council and are otherwise well reasoned. Therefore officers do not consider that there is any clear need for the Council to take a different view to that of the examiner. Officers are content with the recommended modifications. Furthermore, the Tivetshalls Neighbourhood Plan steering group has confirmed that it is satisfied with the recommended modifications of the examiner.

#### **4. Proposed action**

- 4.1 It is proposed that South Norfolk Council approves each of the examiner's recommended modifications, as detailed in his report, and authorises the Neighbourhood Plan to proceed to a referendum within the neighbourhood area.
- 4.2 Following this decision, officers will publish the Council's Decision Statement on its website and notify Tivetshall Parish Council and those individuals and organisations which responded at the Regulation 16 publication stage.
- 4.3 This will fulfil South Norfolk Council's obligations in terms of paragraph 12 of Schedule 4B of the Town & Country Planning Act 1990.

#### **5. Other options**

- 5.1 South Norfolk Council could decide not to approve either one of the examiner's recommendations, should it wish, and make alternative proposals.
- 5.2 However, should the local planning authority propose to make a decision that differs from any of the examiner's recommendations (and the reason for the difference is wholly or partly as a result of new evidence or a new fact or a different view taken by the authorities about a particular fact) then the local authority:
- (a) is required to notify all those identified in the Neighbourhood Plan consultation statement about this position and invite representations over a six week period;
  - (b) may refer the issue to an independent examination if it is considered appropriate.
- 5.3 Officers do not consider that any of the examiner's recommended modifications would prevent the Neighbourhood Plan from meeting the Basic Conditions set out in paragraph 8 of Schedule 4B of the 1990 Act.



## 6. Issues and risks

- 6.1 **Resource Implications** – Officers will be required to publish the Decision Statement online and send a copy to the Parish Council and previous consultees.
- 6.2 The preparation for and holding of the local referendum will demand a significant amount of officer time, particularly from within the Electoral Services team and, to a lesser extent, the Place Shaping team. This will be met from the existing staff resource.
- 6.3 The Council is required to pay for the referendum and this will be met from within the existing budget. The average cost of a Neighbourhood Plan referendum is approximately £4,500. It is worth noting that, to date, the Council has been able to claim £20,000 from DLUHC for each Neighbourhood Plan that has been approved to proceed to a referendum.
- 6.4 **Legal Implications** – The procedures highlighted within this report follow legislation set out in the Neighbourhood Planning (General) Regulations 2012 (as amended) and Schedule 4B of the Town & Country Planning Act 1990.
- 6.5 **Equality Implications** – An Equalities Impact Assessment has been completed on the submitted Neighbourhood Plan.
- 6.6 **Environmental Impact** – Habitats Regulation Assessment and Strategic Environmental Assessment Screening Reports have been produced for the Plan and agreed with the Environment Agency, Historic England and Natural England.
- 6.7 **Crime and Disorder** – The Plan is not likely to have any impacts on crime and disorder, nor is it likely to have any impacts on disadvantaged groups.
- 6.8 **Risks** – No other particular risks associated with the Neighbourhood Plan are identified.

## 7. Conclusion

- 7.1 In accordance with the conclusions of the independent examiner, it is proposed that Cabinet agree to make the recommended modifications to the Tivetshalls Neighbourhood Plan and to approve it for a referendum within the neighbourhood area.

## 8. Recommendations

- 8.1 Cabinet to approve each of the recommended modifications to the Tivetshalls Neighbourhood Plan, as detailed within the examiner's report, and publish a Decision Statement setting out the Council's response and announcing the intention for the Neighbourhood Plan to proceed to a referendum.



## **Background papers**

[Tivetshalls Neighbourhood Plan – Submission Version](#)

[Tivetshalls NP Regulation 16 Consultation Responses](#)

**Appendix 1: Tivetshalls Neighbourhood Plan Independent Examiner's Report**

**Appendix 2: South Norfolk Council Reg. 16 representations and examiner responses**

**Appendix 3: Tivetshalls Neighbourhood Plan – Proposed Decision Statement**

**\*CANCELLED\***



## THE TIVETSHALLS NEIGHBOURHOOD PLAN

The Tivetshalls Neighbourhood Plan Examination  
A Report to South Norfolk Council

by Independent Examiner, Nigel McGurk BSc (Hons) MCD MBA MRPI

August 2022



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## 1. Summary

1 Subject to the recommendations within this Report, made in respect of enabling the Tivetshalls Neighbourhood Plan to meet the basic conditions, I confirm that:

- having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the neighbourhood plan;
- the making of the neighbourhood plan contributes to the achievement of sustainable development;
- the making of the neighbourhood 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);
- the making of the neighbourhood plan does not breach, and is otherwise compatible with, European Union (EU) obligations; and
- the making of the neighbourhood plan is not likely to have a significant effect on a European site or a European offshore marine site, either alone or in combination with other plans or projects.

2 Taking the above into account, and that the Tivetshalls Neighbourhood Plan meets the basic conditions<sup>1</sup> and I recommend to South Norfolk Council that, subject to modification, it should proceed to Referendum.

<sup>1</sup> It is confirmed in Chapter 3 of this Report that the Tivetshalls Neighbourhood Plan meets the requirements of Paragraph 8(1) of Schedule 4B to the Town and Country Planning Act 1990.



## 2. Introduction

### The Neighbourhood Plan

- 3 This Report provides the findings of the examination into the Tivetshalls Neighbourhood Plan (referred to as the Neighbourhood Plan) prepared by Tivetshall Parish Council.
- 4 As above, the Report recommends that the Neighbourhood Plan should go forward to a Referendum. At Referendum, should more than 50% of votes be in favour of the Neighbourhood Plan, then the Plan would be formally *made* by South Norfolk Council.
- 5 The Neighbourhood Plan would then form part of the relevant development plan and as such would be used to determine planning applications and guide planning decisions in the Tivetshalls Neighbourhood Area.
- 6 Neighbourhood planning provides communities with the power to establish their own policies to shape future development in and around where they live and work.

*“Neighbourhood planning gives communities the power to develop a shared vision for their area. Neighbourhood Plans can shape, direct and help deliver sustainable development.”*

(Paragraph 29, National Planning Policy Framework)

- 7 As confirmed under “*Legal and Regulatory Compliance*” in Section 2 on page 3 of the Basic Conditions Statement, submitted alongside the Neighbourhood Plan, Tivetshall Parish Council is the *Qualifying Body*, ultimately responsible for the Neighbourhood Plan.
- 8 Section 2 of the Basic Conditions Statement also confirms that the Neighbourhood Plan relates to the development and use of land in the designated Tivetshalls Neighbourhood Area and that there is no other neighbourhood plan in place in the Tivetshalls Neighbourhood Area.



- 9 In this regard, the Tivetshalls Neighbourhood Plan meets with the aims and purposes of neighbourhood planning, as set out in the Localism Act (2011), the National Planning Policy Framework (2021) and Planning Practice Guidance (2014).

#### Role of the Independent Examiner

- 10 I was appointed by South Norfolk Council to conduct the examination of the Tivetshalls Neighbourhood Plan and to provide this report.
- 11 As an Independent Neighbourhood Plan Examiner, I am independent of the Qualifying Body and the relevant Local Authorities. I do not have any interest in any land that may be affected by the Neighbourhood Plan and I possess appropriate qualifications and experience.
- 12 I am a chartered town planner and have ten years' direct experience as an Independent Examiner of Neighbourhood Plans and Orders. I also have over thirty years' land, planning and development experience, gained across the public, private, partnership and community sectors.
- 13 As the Independent Examiner, I must make one of the following recommendations:
- that the Neighbourhood Plan should proceed to Referendum, on the basis that it meets all legal requirements;
  - that the Neighbourhood Plan, as modified, should proceed to Referendum;
  - that the Neighbourhood Plan does not proceed to Referendum, on the basis that it does not meet the relevant legal requirements,
- 14 If recommending that the Neighbourhood Plan should go forward to Referendum, I must then consider whether the Referendum Area should extend beyond the Tivetshalls Neighbourhood Area to which the Plan relates.
- 15 Where modifications are recommended, they are presented as bullet points and highlighted in **bold print**, with any proposed new wording in *italics*.



### Neighbourhood Plan Period

- 16 A neighbourhood plan must specify the period during which it is to have effect.
- 17 The title page of the Neighbourhood Plan refers to the plan period as "2022 – 2042."
- 18 Taking this into account, the Neighbourhood Plan meets the requirement in respect of specifying the period during which it is to have effect.

### Public Hearing

- 19 According to the legislation, it is a general rule that neighbourhood plan examinations should be held without a public hearing – by written representations only.
- 20 However, it is also the case that *when the examiner considers it necessary* to ensure adequate examination of an issue, or to ensure that a person has a fair chance to put a case, then a public hearing must be held.
- 21 Further to consideration of the information submitted, I determined not to hold a public hearing as part of the examination of the Tivetshalls Neighbourhood Plan.
- 22 However, further to consideration of the submission documents, I wrote to the Qualifying Body in respect of matters where further information was sought. At the same time, in line with good practice, the Qualifying Body was provided with an opportunity to respond to representations received during the Submission consultation process.



### **3. Basic Conditions and Development Plan Status**

#### **Basic Conditions**

- 23 It is the role of the Independent Examiner to consider whether a neighbourhood plan meets the “*basic conditions*.” These were set out in law<sup>2</sup> following the Localism Act 2011.
- 24 Effectively, the basic conditions provide the rock or foundation upon which neighbourhood plans are created. A neighbourhood plan meets the basic conditions if:
- having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the neighbourhood plan;
  - the making of the neighbourhood plan contributes to the achievement of sustainable development;
  - the making of the neighbourhood 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);
  - the making of the neighbourhood plan does not breach, and is otherwise compatible with, European Union (EU) obligations; and
  - prescribed conditions are met in relation to the neighbourhood plan and prescribed requirements have been complied with in connection with the proposal for the neighbourhood plan.
- 25 Regulations 32 and 33 of the Neighbourhood Planning (General) Regulations 2012 (as amended) set out two additional basic conditions to those set out in primary legislation and referred to above. Of these, the following basic condition, brought into effect on 28<sup>th</sup> December 2018, applies to neighbourhood plans:
- the making of the neighbourhood development plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations.<sup>3</sup>

<sup>2</sup> Paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990 (as amended).

<sup>3</sup> *ibid* (same as above).



- 26 In examining the Plan, I am also required, as set out in sections 38A and 38B of the Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act), to check whether the neighbourhood plan:
- has been prepared and submitted for examination by a qualifying body;
  - has been prepared for an area that has been properly designated for such plan preparation (under Section 61G of the Town and Country Planning Act 1990 (as amended));
  - meets the requirements to i) specify the period to which it has effect; ii) not include provision about excluded development; and iii) not relate to more than one Neighbourhood Area; and that;
  - its policies relate to the development and use of land for a designated Neighbourhood Area in line with the requirements of Section 38A of the Planning and Compulsory Purchase Act (PCPA) 2004.
- 27 An independent examiner must also consider whether a neighbourhood plan is compatible with the Convention rights.<sup>4</sup>
- 28 I note that, in line with legislative requirements, a Basic Conditions Statement was submitted alongside the Neighbourhood Plan and this sets out how, in the qualifying body's opinion, the Neighbourhood Plan meets the basic conditions.

<sup>4</sup> The Convention rights has the same meaning as in the Human Rights Act 1998.



### European Convention on Human Rights (ECHR) Obligations

- 29 I am satisfied, in the absence of any substantive evidence to the contrary, that the Neighbourhood Plan has regard to fundamental rights and freedoms guaranteed under the ECHR and complies with the Human Rights Act 1998.
- 30 In the above regard, information has been submitted to demonstrate that people were provided with a range of opportunities to engage with plan making in different places and at different times. A Consultation Statement was submitted alongside the Neighbourhood Plan and the role of public consultation in the plan-making process is considered later in this Report.

### European Union (EU) Obligations

- 31 In some limited circumstances, where a neighbourhood plan is likely to have significant environmental effects, it may require a Strategic Environmental Assessment. In this regard, national advice states:

*"Draft neighbourhood plan proposals should be assessed to determine whether the plan is likely to have significant environmental effects."*  
(Planning Practice Guidance<sup>5</sup>)

- 32 This process is often referred to as "screening"<sup>6</sup>. If likely environmental effects are identified, an environmental report must be prepared.

The Strategic Environmental Assessment Screening Report submitted alongside the Neighbourhood Plan concluded that:

*...the Tivetshalls Neighbourhood Plan is not likely to have significant environmental effects and full SEA is not required. There are no site allocations within the Neighbourhood Plan."*

- 34 The statutory bodies, Historic England, Natural England and the Environment Agency were all consulted and all agreed with the conclusion above.

<sup>5</sup> Planning Guidance, Paragraph 027, Ref: 11-027-20150209.

<sup>6</sup> The requirements for a screening assessment are set out in Regulation 9 of the Environmental Assessment of Plans and Programmes Regulations 2004.



- 35 In addition to SEA, a Habitats Regulations Assessment identifies whether a plan is likely to have a significant effect on a European site, either alone or in combination with other plans and projects. This Assessment must determine whether significant effects on a European site can be ruled out on the basis of objective information<sup>7</sup>. If it is concluded that there is likely to be a significant effect on a European site, then an appropriate assessment of the implications of the plan for the site must be undertaken.
- 36 In the case *People Over Wind & Sweetman v Coillte Teoranta* ("People Over Wind" April 2018), the Court of Justice of the European Union clarified that it is not appropriate to take account of mitigation measures when screening plans and projects for their effects on European protected habitats under the Habitats Directive. In practice this means that if a likely significant effect is identified at the screening stage of a habitat assessment, an Appropriate Assessment of those effects must be undertaken.
- 37 In response to this judgement, the government made consequential changes to relevant regulation through the Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018, allowing Neighbourhood plans and development orders in areas where there could be likely significant effects on a European protected site to be subject to an Appropriate Assessment to demonstrate how impacts will be mitigated in the same way as would happen for a draft Local Plan or a planning application.
- 38 A Habitat Regulations Screening Report was produced by South Norfolk Council and submitted alongside the Neighbourhood Plan. The Report assessed whether policies of the Neighbourhood Plan would give rise to the potential for a likely significant effect on Natura 2000 European sites either within or in relative proximity to the Neighbourhood Area.
- 39 Whilst there are no designated European sites in the Neighbourhood Area, the Report recognised that Norfolk Valley Fen Special Area of Conservation (SAC) and Waveney and Little Ouse Fens SAC are within 15km of the Neighbourhood Area.

<sup>7</sup> Planning Guidance Paragraph 047 Reference ID: 11-047-20150209.



- 40 The Screening Report concluded that:

*"The screening assessment suggests that there will be no likely significant effect of the proposed Tivetshall St Mary and St Margaret Neighbourhood Plan on European designated sites, and therefore that a full Appropriate Assessment is not required."*

- 41 In response to consultation on the outcome of the process, the statutory consultee Natural England stated that:

*"Based on the documents provided, it is Natural England's understanding that there are no housing allocations included within the Tivetshall St Mary & St Margaret Neighbourhood Plan and that it is in general conformity with the Broadland and South Norfolk Local Plan. On this basis we agree with the conclusions of the SEA and HRA."*

- 42 Further to all of the above, I am mindful that national guidance establishes that the ultimate responsibility for determining whether a draft neighbourhood plan meets EU obligations lies with the local planning authority:

*"It is the responsibility of the local planning authority to ensure that all the regulations appropriate to the nature and scope of a neighbourhood plan proposal submitted to it have been met in order for the proposal to progress. The local planning authority must decide whether the draft neighbourhood plan is compatible with EU regulations (including obligations under the Strategic Environmental Assessment Directive)" (Planning Practice Guidance<sup>8</sup>).*

- 43 In undertaking the work that it has and in reaching the conclusions that it has, South Norfolk Council has no outstanding concerns in respect of the Neighbourhood Plan's compatibility with EU obligations.

- 44 Taking this and the recommendations contained in this Report into account, I am satisfied that the Neighbourhood Plan is compatible with European obligations.

<sup>8</sup> ibid, Paragraph 031 Reference ID: 11-031-20150209.



#### **4. Background Documents and the Tivetshalls Neighbourhood Area**

##### **Background Documents**

- 45 In completing this examination, I have considered various information in addition to the Tivetshalls Neighbourhood Plan. I also spent an unaccompanied day visiting the Tivetshalls Neighbourhood Area.
- 46 Information considered as part of this examination has included the following main documents and information:
- National Planning Policy Framework (referred to in this Report as “the Framework”) (2021)
  - Planning Practice Guidance (2014, as updated)
  - Town and Country Planning Act 1990 (as amended)
  - The Localism Act (2011)
  - The Neighbourhood Plan Regulations 2012 (as amended)
  - Joint Core Strategy for Broadland, Norwich and South Norfolk (2011, amendments 2014) (referred to in this Report as the “JCS”)
  - South Norfolk Local Plan Site Specific Allocations and Policies Document (2015)
  - South Norfolk Local Plan Development Management Policies Document (2015)
  - Basic Conditions Statement
  - Consultation Statement
  - Representations received
  - SEA/HRA Screening Reports
  - Supporting Evidence

##### **Tivetshalls Neighbourhood Area**

- 47 The boundary of the Tivetshalls Neighbourhood Area is identified on Figure 2 on page 6 of the Neighbourhood Plan.
- 48 The Tivetshalls Neighbourhood Area was designated by South Norfolk Council in July 2020.



- 49 The designation of the Neighbourhood Area satisfies a requirement in line with the purposes of preparing a Neighbourhood Development Plan under section 61G (1) of the Town and Country Planning Act 1990 (as amended).

## **5. Public Consultation**

### **Introduction**

- 50 As land use plans, the policies of neighbourhood plans form part of the basis for planning and development control decisions. Legislation requires the production of neighbourhood plans to be supported by public consultation.
- 51 Successful public consultation enables a neighbourhood plan to reflect the needs, views and priorities of the local community. It can create a sense of public ownership, help achieve consensus and provide the foundations for a 'Yes' vote at Referendum.

### **Tivetshalls Neighbourhood Plan Consultation**

- 52 A Consultation Statement was submitted to South Norfolk Council alongside the Neighbourhood Plan. The information within it sets out who was consulted and how, together with the outcome of the consultation, as required by the neighbourhood planning *Regulations*<sup>9</sup>.
- 53 During the Autumn of 2020 and further to the first Neighbourhood Plan Steering Group Workshop, which took place in September 2020, a series of display panels introducing the concept of neighbourhood planning, were moved around the Neighbourhood Area for residents to consider.
- 54 Between October 2020 and March 2021, Placecheck, an online application, invited the community to place pins on a map of the Neighbourhood Area, identifying views on various matters and over a hundred comments were received.

<sup>9</sup> Neighbourhood Planning (General) Regulations 2012.



- 55 Over the same time period, Zoom meetings were held with various stakeholders and a business survey was carried out. A housing needs assessment was completed in March 2021; and a household survey was distributed to all households. The survey had a high, 43%, response rate.
- 56 Policy ideas were tested with the local community at a Fayre in May 2021 and the draft Local Plan was produced for consultation between September and November that year. Draft consultation was supported by a two-day launch exhibition held in the Village Hall.
- 57 In addition to the above, public consultation was supported by, amongst other things, use of the Parish Council website, the local "Sockerow" magazine, Facebook, flyers and posters. The household survey was publicised on the local South Norfolk radio station, Park Radio.
- 58 Taking the Consultation Statement and the above into account, I find that there is evidence to demonstrate that public consultation was central to the plan-making process, that there were opportunities for people to have a say and that matters raised were duly considered.
- 59 Taking this and the submitted information into account, I am satisfied that the consultation process for the Tivetshalls Neighbourhood Plan complied with the neighbourhood planning regulations referred to above.



## 6. The Neighbourhood Plan – Introductory Section

60 In the interests of clarity and precision, I recommend the following changes (in *italics*) to the introductory section of the Neighbourhood Plan:

- Page 3, Para 1.1, change line 5 to: “...’made,’ *it will form part of the development plan and South Norfolk...*”
- Page 4, Para 1.5, line 4, change to: “...document *as part of the development plan for the Neighbourhood Area (which will also include adopted Local Plan documents)*. The Neighbourhood Plan provides...”
- Page 4, delete Para 1.6, which has been overtaken by events
- Page 5, delete Paras 1.8 and 1.9 which have been overtaken by events
- Page 6, change annotation under Figure 2 to: “...annotations). *The black line denotes the Neighbourhood Area, which is the same as the Parish boundary.*”
- Page 9, Para 2.10, delete last sentence (“The Local...”)
- Page 9, Para 2.11, delete last sentence (“The Tivetshalls...”)
- Page 10, Para 2.12, delete last sentence (“The Tivetshalls...”)
- Page 10, Para 2.14, line 1, change to: “...JCS *and is anticipated to adopted in 2022.*”



## **7. The Neighbourhood Plan – Neighbourhood Plan Policies**

### **Housing and Design**

#### **Policy TIV1: Pattern and quantity of development**

- 61 The Neighbourhood Plan does not allocate land for development. As a consequence, housing land allocations will be determined at the District-wide level by the Local Planning Authority.
- 62 Notwithstanding this, Policy TIV1 seems to exert significant controls over the interrelated pattern and quantity of future residential development.
- 63 As presented, the first paragraph of the Policy appears as a statement to the effect that, in respect of the pattern and quantity of residential development, the Neighbourhood Plan is reliant upon the yet-to-be determined policies of the emerging Local Plan.
- 64 Such an approach fails to have regard to national guidance, which states that a planning policy should be<sup>10</sup>:
- “...concise, precise and supported by appropriate evidence. It should be distinct to reflect and respond to the unique characteristics and planning context of the specific neighbourhood area for which it has been prepared.”*
- 65 Paragraph 6 of Policy TIV1 comprises a general statement setting out the Qualifying Body's preferences, rather than land use planning policy requirements.
- 66 Statements and aspirations are generally more suited to the supporting text of a policy albeit that, in this circumstance, the Neighbourhood Plan is not allocating housing land and there is no substantive evidence to demonstrate that the Qualifying Body's preferences in respect of the form of development and size of development sites, can be delivered.

<sup>10</sup> Planning Guidance, Paragraph: 041 Reference ID: 41-042-20140306.



- 67 Given the above, I am unable to conclude that Policy TIV1 is deliverable, having regard to Paragraph 16 of the Framework, which requires plans to be deliverable.
- 68 I also note that the Qualifying Body is not the Local Planning Authority and that consequently, it does not determine planning applications. Neighbourhood plans cannot dictate how a Local Planning Authority should determine planning applications and consequently, it is inappropriate for Policy TIV1 to state what the “*primary consideration*” in determining a planning application will be.
- 69 Further to the above, the Policy includes a reference to “*limited amount*” of windfall development, but provides no clarity in respect of what that actually means. Consequently, this part of the Policy appears vague, contrary to national guidance, which requires planning policies to be unambiguous<sup>11</sup>:
- “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.”*
- 70 In addition to this, it is not clear what is meant by “*where there is a current cluster of housing on or outside of the settlement boundary,*” – no definition of what will be considered to be a “*cluster of housing*” is provided and the Neighbourhood Plan does not provide a plan of any settlement boundary.
- 71 Notwithstanding all of the above, I note that part of the Policy reflects detailed work that has been taken to ensure that development reflects local character.
- 72 This element of the Policy has regard to Chapter 12 of the Framework, “*Achieving well-designed places,*” which recognises that the creation of high quality, beautiful and sustainable places is fundamental to what the planning and development process should achieve.

<sup>11</sup> Planning Guidance, Paragraph: 041 Reference ID: 41-042-20140306.



73 Taking everything into account, I recommend:

- Policy TIV1 delete all of the Policy wording and replace with:  
*"New residential development should respect the form, character and setting of the Neighbourhood Area's established pattern of development, including the open nature and aspects, linear arrangements and style of adjacent housing (see Character Appraisal in the Design Guidance and Codes, for guidance)"*
- 5.1.14 delete last sentence which reads as though it is a Policy, which it is not



**Policy TIV2: Housing size, type and tenure**

- 74 Policy TIV2 seeks to steer the housing mix for new development. In general terms, this has regard to Paragraph 62 of the Framework, which states that:

*“...the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies...”*

- 75 However, as presented, the Policy appears to be founded upon the assumption that all new residential development in the Neighbourhood Area will be provided on sites large enough to provide for a housing mix, including affordable housing.
- 76 There is no substantive evidence to demonstrate that this is the case and rather, given the context of the Tivetshalls, it appears likely that at least a proportion of new residential development over the plan period will come forward on sites for one or for small numbers of housing – sites which cannot provide for the mix envisaged in Policy TIV2.
- 77 In this regard, as the trigger for affordable housing is for ten or more dwellings, in the interests of clarity it is appropriate for Policy TIV2 to specify that it applies to major development proposals and this is a matter addressed in the recommendations below.
- 78 The Policy includes the phrase “*particularly supported*” but it is not clear, in the absence of any definitions, how this differs from “*supported*.” Notwithstanding the use of the word “*supported*” in a Policy implies that non-compliance will not be supported. In the absence of any substantive viability information, there is nothing to demonstrate that the housing mix provided in the five bullet points is deliverable and consequently, I am unable to conclude that this part of the Policy has regard to Paragraph 16 of the Framework.
- 79 There is no substantive evidence to demonstrate that it is deliverable for Policy TIV2 to enable a mix of incomes.
- 80 However, taking the supporting text into account, it is clear that the Policy aims to steer development proposals towards an ideal mix and this is a factor taken into account in the recommendations below.



81 I recommend:

- Policy TIV2, change first sentence to: *“Major residential development proposals should provide for a housing mix (size, type and tenure) that meets housing needs, with a view to enabling a mixed community.”*
- Policy TIV2, change second sentence to: *“...Assessment, major residential development proposals should provide a well-balanced mix of housing sizes, with a similar...”*
- Policy TIV2, change third sentence to: *“In determining the housing mix, major residential development proposals should demonstrate how regard has been had to the provision of the following (FIVE BULLET POINTS HERE)”*
- Policy TIV2, change last sentence to: *“...above, the following types of housing...”*



**Policy TIV3: Design guideline and codes**

- 82 National planning policy recognises that:

*“Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development accessible to communities.”*

(Paragraph 126, the Framework)

- 83 JCS Policy 2 (“Promoting good design”) seeks to ensure that all development is designed to the highest possible standard, creating a strong sense of place.
- 84 Policy TIV3 is focused on ensuring that high quality development reinforces the Neighbourhood Area’s positive qualities. In this way, the Policy has regard to national policy and is in general conformity with the JCS.
- 85 However, as presented, the wording of the first paragraph of the Policy is unclear. No indication is provided in respect of how the Policy can “encourage” actions. Further, there is nothing to demonstrate that it is possible and realistic for development to “enhance each of the settlement’s aesthetic qualities.”
- 86 In the absence of substantive evidence to the contrary, the first part of the Policy does not have regard to the national policy requirement for plans to be deliverable.
- 87 Design guidance is not precisely that. It provides guidance rather than requirements. Whilst it is clearly in the interests of developers to take advantage of the Tivetshall Design Guidance and Codes, the guidance is there to inform and use of it cannot be enforced.
- 88 The Policy goes on to state that the “best” environmental standards are encouraged. No indication is provided of what these might be and this part of the Policy appears ambiguous.



89 Taking all of the above into account, I recommend:

- **Policy TIV3**, delete the first sentence and change the second paragraph to create a new opening sentence, presented as a paragraph: *"All new development in the Neighbourhood Area must demonstrate high quality design, reinforce local character and respect the pattern of development, the rural character and the appearance of the Tivetshalls."*
- Delete the last two sentences and change the rest of the Policy to create the following two new sentences, separated into two paragraphs: *"To achieve this, development should demonstrate how it has taken account of the Tivetshalls Design Guidance and Codes."*

*Development which does not have regard to local context, or which does not respond positively to the character and aesthetic qualities of the Tivetshalls will not be supported."*



**Policy TIV4: Non-designated Heritage Assets**

- 90 Chapter 16 of the Framework, *"Conserving and enhancing the historic environment,"* recognises that the nation's heritage assets comprise an irreplaceable resource. Paragraph 189 of the Framework requires all heritage assets to:

*"...be conserved in a manner appropriate to their significance."*

- 91 The Framework goes on to require plans to set out a positive strategy for the conservation and enjoyment of the historic environment and take opportunities to draw on the contribution made by the historic environment to the character of a place.
- 92 Policy TIV4 identifies a number of non-designated heritage assets and in so doing, it raises awareness of locally important historic assets in the Tivetshalls, in addition to existing designated assets, and affords an additional layer of protection to the identified buildings and features. In this way, the Policy has regard to the Framework.
- 93 Chapter 16 of the Framework sets out a detailed and carefully worded approach to the conservation of heritage assets. The approach provides for the balanced consideration of development proposals affecting historic assets.
- 94 Whether or not other neighbourhood planning policies in other plans fail to have regard to national policy and effectively introduce new and different approaches to the protection of heritage assets which fail to have regard to the requirements set out in national policy, does not provide any basis for over-riding the basic conditions. If other such policies exist, they would simply comprise policies that could themselves, at any stage, be over-riden because they do not meet the basic conditions.
- 95 As noted above, national heritage policy, as set out in the Framework is carefully worded. It is not so sweeping as to state, for example, that harm to heritage assets must simply be avoided. Rather, national policy has been designed in recognition of the fact that where development impacts upon heritage assets, some degree of harm to the significance of the asset may be unavoidable.



- 96 Taking this into account alongside the aim, amongst other things, of conserving and encouraging the enjoyment of the historic environment, national policy purposefully requires the balanced consideration of development proposals whereby the significance of the heritage asset, the level of harm (if any), the justification for the harm and the benefits arising from development can all be relevant factors.
- 97 With specific regard to planning applications involving non-designated heritage assets, national policy explicitly requires decision-makers to make a balanced judgement, having regard to the scale of any harm or loss and the significance of the heritage asset.
- 98 Consequently, Policy TIV4's requirement for development proposals to simply avoid harm to non-designated heritage assets does not have regard to national policy and this is addressed in the recommendations below.
- 99 As pointed out by South Norfolk Council, Boudicca Way is a public right of way. It traverses a variety of footpaths, bridleways, lanes and roads and is not a non-designated heritage asset.

100 I recommend:

- **Policy TIV4 delete Boudicca Way from the list of non-designated assets**
- **Policy TIV4 change the second part of the Policy to:**  
*"Development proposals should conserve these heritage assets in a manner appropriate to their significance. Proposals affecting a non-designated heritage asset should give consideration to:*
  - the character, distinctiveness and important features of the heritage asset;*
  - the setting of the heritage asset and its relationship to its immediate surroundings;*
  - the contribution that the heritage asset makes to the character of the area."*



Business and Employment

Policy TIV5: Employment

- 101 Chapter 6 of the Framework, “*Building a strong, competitive economy*,” supports the expansion and growth of all types of business in rural areas, both through the conversion of existing buildings and the provision of well-designed new buildings.
- 102 Further, JCS Policy 5 (“*The economy*”) provides a supportive policy framework for economic growth and the diversification of the rural economy.
- 103 Policy TIV5 supports sensitively designed business and employment development in the Neighbourhood Area and in this way, it is in general conformity with the JCS and has regard to the Framework.
- 104 The wording of the Policy includes a vague reference to opportunities rather than development and is worded, it is not clear how “*the potential*” for home-working might be designed into homes. These are matters addressed by the recommendations below.
- 105 I recommend:

**Policy TIV5 change to: “*New or expanded business and employment uses will be supported where development proposals have taken account of the Tivetshall Design Guidance and Codes and demonstrated respect for the character of the rural area, residential amenity and highway safety.*”**

***New dwellings should provide for high-speed digital connectivity. Development providing space for home-working, including home offices, will be supported where it has been demonstrated to respect residential amenity and local character.”***



**Policy TIV6: Potential employment sites**

- 106 Policy TIV5 supports appropriate economic growth in the Neighbourhood Area, having regard to national policy and in general conformity with adopted strategic District-wide policy.
- 107 To some extent, Policy TIV6 reiterates TIV5 – it supports well-designed business development – and there is no need for the Neighbourhood Plan to repeat Policies.
- 108 However, the Qualifying Body has pointed out that it is keen to highlight the potential for improvements to the old waste site, off the A140, referred to in Policy TIV6 and identified on Figure 19. In this regard, I note that the Neighbourhood Plan does not allocate the site for development.
- 109 Having regard to the above, I recommend:
- **Policy TIV6, delete wording and replace with: “The re-development of the old waste site off the A140 (identified in Figure 19) for business or employment use will be supported.”**



Access

**Policy TIV7: Walking, cycling and horse riding**

110 Paragraph 100 of the Framework states that:

*“Planning policies and decisions should protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users...”*

111 In general terms, Policy TIV7 supports the protection and enhancement of the Tivetshalls Neighbourhood Area's public rights of way network and in this way, it has regard to the Framework.

112 However, as set out, the Policy includes a vague reference for all development to contribute to footpath enhancement *“where appropriate.”* No indication is provided of when it might be appropriate for contributions to be made, who will determine this and on what basis.

113 Further, this part of the Policy does not have regard to Paragraph 57 of the Framework, which requires planning obligations to be necessary, directly related to development and fairly and reasonably related in scale and kind to development. In the absence of any detail in this regard, I cannot conclude that the requirements relating to this part of the Policy are deliverable.

114 In a similar vein, the Policy goes on to require all new development to enhance public rights of way and sets out requirements without any evidence of deliverability. No mechanism is identified in respect of how the Policy requirements might be delivered – or even whether they *can* be delivered - and consequently, the requirements simply appear as a *“wish-list.”*

115 Taking this into account, I recommend below that improvements to the Tivetshalls public right of way network form a Community Action project. In this way, the Parish Council can seek to progress the aspirations outlined in the Policy.



116 In respect of the final sentence of the Policy, I note that public rights of way are protected by law. Statute exists (and is not controlled by the Neighbourhood Plan) to provide for diversions where necessary.

117 Taking all of the above into account, I recommend:

- Policy TIV7, delete wording and replace with: *"The provision of new and/or the enhancement of existing footpaths, cycle ways and bridleways will be supported."*
- Page 72, table of Community action projects, add: *"Enhance the parish's public rights of way network"*



**Policy TIV8: Traffic and road safety**

118 National policy states that:

*“Development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.”*  
(Paragraph 111, the Framework)

119 The Framework goes on to require development to create places that are safe, secure and attractive.

120 Policy TIV8 seeks to address road safety matters, albeit it suggests an approach that moves away from preventing any unacceptable impact on highway safety and towards the imposition of measures aimed solely at identifying and reducing the impacts of increased traffic generation. As worded, Policy TIV8 could potentially allow development to come forward that resulted in increased harm to highway safety.

121 I recommend:

- **Policy TIV8 delete text and replace with: “All development proposals must ensure that they do not result in any unacceptable impact on highway safety.”**



**Policy TIV9: Parking**

122 Subject to recommendations re: drafting and being mindful that not all planning applications involve parking, I note that Policy TIV9 seeks to improve the quality of parking, having regard to Paragraph 108 of the Framework and in this way, it meets the basic conditions. I note that Norfolk County Council's Parking Standards do not form part of the Neighbourhood Plan, but that development must in any case take these into account.

123 I recommend:

- **Policy TIV9, change to: “Development proposals for on-street parking will not be supported. New development should provide off-road parking through parking bays, drives or garages (large enough for modern cars), and incorporate electric car charging points.**

**Spaces for visitors and parking or manoeuvring space for service vehicles should be designed into new developments.**

**Development proposals should have regard to the Tivetshall Design Guidance and Codes.**



**Policy TIV10: Landscape setting and views of community importance**

124 Policy TIV10 seeks to ensure that development respects the Neighbourhood Area's important landscapes and views and in this way, it has regard to Paragraph 130 of the Framework, which requires planning policies to ensure that development is:

*"...sympathetic to local character...including...landscape setting..."*

125 However, as worded, the Policy's first sentence is unclear. A requirement to position development appropriately, having regard to the visual impact of character is a vague and confusing requirement, open to wide interpretation.

126 The Policy and its supporting text provide clear and detailed information relating to important views. However, the phrase "unacceptable adverse impact" is open to wide and subjective interpretation.

127 Further to this, planning for sustainable development requires a balanced approach to decision-making, allowing for any harm arising to be considered against any benefits. As worded, Policy TIV10 adopts a binary approach in relation to harm and this poses an obstacle in the way of the Neighbourhood Plan contributing to the achievement of sustainable development.

128 In the interests of clarity and taking all of the above into account, I recommend:

- Policy TIV10, delete the first sentence and replace with:  
*"Development proposals must respect their landscape setting including any identified important public views within which they are located, or which they affect."*
- Policy TIV10, change the final paragraph to: *"Development proposals within or affecting an important view must demonstrate how they have taken account of the view concerned."*



**Policy TIV11: Natural Assets**

129 The Framework requires planning policies to contribute to and enhance the natural environment by

*"...minimising impacts on and providing net gains for biodiversity..."*

(Paragraph 174, the Framework)

130 JCS Policy 1 ("Addressing climate change and protecting environmental assets") states that:

*"The environmental assets of the area will be protected, maintained, restored and enhanced..."*

131 Policy TIV11 identifies important environmental assets and promotes biodiversity gains. It has regard to national policy and is in general conformity with the JCS.

132 However, the phrases "All avenues" and "where possible" are vague and imprecise and this is a matter addressed in the recommendations below. The Policy also includes a vague reference to the Environment Bill, which appears confusing without further detailed information.

133 I recommend:

- Policy TIV11, change second sentence to: ***"The conservation and/or enhancement of the landscape and biodiversity value of these assets will be supported."***
- Policy TIV11, delete: ***"(in line with the Environment Bill)"***
- Policy TIV11, change last sentence to: ***"Development proposals should have regard to the Tivetshall Design Guidance and Codes"***



**Policy TIV12: Local Green Space**

- 134 Local communities can identify areas of green space of particular importance to them for special protection. Paragraph 101 of the Framework states that:

*“The designation of land as a Local Green Space through local and neighbourhood plans allows communities to identify and protect green areas of particular importance to them.”*

- 135 Paragraph 103, of the Framework requires policies for the managing of development within a Local Green Space to be consistent with those for Green Belts. A Local Green Space designation therefore provides protection that is comparable to that for Green Belt land. Consequently, Local Green Space comprises a restrictive and significant policy designation.
- 136 Given the importance of the designation, Local Green Space boundaries should be clearly identifiable. Whilst Figure 2 indicates the general location of areas of Local Green Space, it is not possible to clearly determine the precise boundaries of each area. This is a matter addressed in the recommendations below.
- 137 The Local Green Space tests set out in the Framework are that the green space is in reasonably close proximity to the community it serves; that it is demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and that it is local in character and is not an extensive tract of land.
- 138 With one exception, the Neighbourhood Plan provides clear and detailed evidence to demonstrate why the areas of Local Green Space identified are demonstrably special and meet the national policy tests set out in the Framework.
- 139 Both Norfolk County Council and South Norfolk Council expressed concerns in respect of the proposed designation of the School playing field and adjacent land as Local Green Space. In response, the Qualifying Body has confirmed that it wishes to remove the School playing field designation but has also suggested that the adjacent land could still be designated.



- 140 However, the School playing field and adjacent land emerged through the plan-making and consultation process as a single site. Consequently, the adjacent land would comprise a new and different site to that considered by the community. Given this, it would be inappropriate to simply designate the adjacent land as a new area of Local Green Space that has not been fully consulted upon.
- 141 Consequently, I recommend the deletion of Site 9, in full, in the recommendations below.
- 142 National policy is explicit in respect of requiring policies for managing development within a Local Green Space to be consistent with those for Green Belts.
- 143 The wording of Policy TIV12 is inconsistent with national Green Belt policy, as set out in Chapter 13 of the Framework, “*Protecting Green Belt land*,” which does not require development that is not inappropriate to the Green Belt to demonstrate exceptional circumstances, and this is a matter addressed in the recommendations below.
- 144 I recommend:
- Policy TIV1, add to first sentence: “...(Figure 26 and related plans)”
  - Policy TIV2, change last sentence to: “*The management of development within areas of Local Green Space will be consistent with that for development within Green Belts as set out in national policy.*”
  - Delete Site 9 “School playing field and adjacent land” from the list of Local Green Space designations and from Figure 26 and from Appendix C
  - Add plans below Figure 26 showing the precise boundaries of each designated area of Local Green Space. These can be taken from the plans provided in Appendix C



**Policy TIV13: Dark Skies**

145 Policy TIV13 seeks to protect the Neighbourhood Area's dark skies, having regard to Paragraph 174 of the Framework, which requires planning policies to recognise:

*"...the intrinsic character and beauty of the countryside..."*

146 As set out, much of the Policy is focused on controlling lighting. I note that most forms of lighting do not require planning permission.

147 Taking the above into account, I recommend:

- **Policy TIV13, change to: "Development proposals must take account of the area's dark skies. New street lighting should not be located at the edge of the settlement. In new developments, lighting necessary for security or safety should be designed to minimise the impact on dark skies by, for example, minimal light spillage, use of downlighting and restricting hours of lighting."**

*Proposals including prominent lighting visible from the surrounding landscape will not be supported, unless it can be demonstrated that such lighting is required in the interests of safety and security. Proposals including lighting likely to cause disturbance or risk to wildlife should seek to mitigate such disturbance or risk.*



**Policy TIV14 Surface water drainage**

148 Policy TIV14 seeks to address matters relating to the management of flood risk and drainage. \*

149 In this respect, the Policy has regard to Chapter 14 of the Framework, “*Meeting the challenge of climate change, flooding and coastal change,*” which, amongst other things, seeks to ensure that development addresses flooding and flood risk.

150 Whilst I note that, to some considerable degree, the Policy overlaps with existing South Norfolk Development Management Policies relating to flood risk and drainage, it is clear that flooding is a major local issue and the Policy identifies specific locations in the Neighbourhood Area. In this way, I am satisfied that Policy TIV14 does not simply comprise unnecessary duplication.

151 South Norfolk Council has recommended the addition of a sentence in the interest of providing clarity and I recommend the inclusion below.

152 Water pollution controls lie outside the scope of the Neighbourhood Plan and the recommendations below take account of this.

153 As set out, the Policy includes a confusing reference to surface water drainage “*areas*.” The Qualifying Body has provided further clarification in this regard and I have taken account of this in the recommendations below.

154 I recommend:

**Policy TIV14, add new sentence at the beginning of the Policy and change Policy to: “*Development proposals within the immediate locality of the areas identified below as having surface water drainage issues, should take account of all relevant evidence of flooding. Development must not cause or contribute to new flooding or drainage issues and should mitigate its own flooding and drainage impacts.*”**

***There are...Station Road.”***



**Policy TIV15: Community infrastructure**

155 Paragraph 84 of the Framework states that:

*"Planning policies and decisions should enable the... development of accessible local services and community facilities, such as local shops, meeting places...cultural buildings, public houses and places of worship."*

156 Further, Paragraph 93 of the Framework goes on to require planning policies and decisions to:

*"...plan positively for the provision and use of...community facilities (such as local shops, meeting places...(and) ensure that established shops, facilities and services are able to develop and modernise, and are retained for the benefit of the community..."*

157 Policy TIV15 supports improvements to existing community infrastructure and supports the development of a new village shop. The Policy also seeks to prevent the loss of community facilities.

158 The Policy has regard to the Framework and no changes are recommended.



## **8. The Neighbourhood Plan: Other Matters**

159 It is beyond the powers of the Neighbourhood Plan or the Qualifying Body to place a requirement on the Local Planning Authority to monitor the use of the Neighbourhood Plan.

160 I recommend:

- **Page 73, Para 7.5, change to: “...stand. Tivetshalls Parish Council will promote and monitor the use of the Neighbourhood Plan for planning applications.”**

161 The recommendations made in this Report will have a subsequent impact on Contents, including page and paragraph numbering; and the addition of Local Green Space plans.

162 I recommend:

- **Update the Contents page and paragraph numbering; and add the Local Green Space plans, taking into account the recommendations contained in the Report**



## **9. Referendum**

- 163 I recommend to South Norfolk Council that, subject to the recommended modifications, **the Tivetshalls Neighbourhood Plan should proceed to a Referendum.**

### **Referendum Area**

- 164 I am required to consider whether the Referendum Area should be extended beyond the Tivetshalls Neighbourhood Area.
- 165 I consider the Neighbourhood Area to be appropriate and there is no substantive evidence to demonstrate that this is not the case.
- 166 Consequently, I recommend that the Plan should proceed to a Referendum based on the Tivetshalls Neighbourhood Area approved in July 2020.

**Nigel McGurk, August 2022**  
**Erimax – Land, Planning and Communities**



Tivetshalls Neighbourhood Plan – South Norfolk Council Reg.16 representations and examiner responses

Section of NP	SNC NP submission comments	Examiner Response	SNC Officer Commentary
5.1 Housing & Design; Para 5.1.12; 5.1.13	<p>South Norfolk Council commented at the Reg. 14 stage and whilst the wording has been changed, this paragraph is in direct conflict with what South Norfolk Council is proposing within the Village Clusters Housing Allocations Plan (VCHAP). The current preferred site within Tivetshall is for 25 dwellings (Site: SN0319).</p> <p>The Council recognises that the development of the preferred site would represent a departure from the historic linear pattern of development, however for the reasons set out in its site assessment for its preferred option, it does not consider that a contained development of 25 dwellings would have a significant detrimental impact on the character and appearance of the area.</p> <p>The Council recognises the community preference for smaller sites. However, if the Council is to keep to the 25 homes overall that it is seeking to achieve within the cluster then it would be necessary to develop one or both identified sites below their potential capacity. Given that both have recognised constraints and low capacity development may not be possible. In addition, the suitability of SN103 is limited in the site assessment to finding a solution that would not result in an unacceptable loss of frontage trees and hedgerows. The net result is that it is far from clear that Tivetshall's cluster would be able to achieve its intended housing requirement if the</p>		<p>The examiner considered the section of introductory text alongside TIV1. Please refer to this section for recommendations.</p>



Section of NP	SNC NP submission comments	Examiner Response	SNP or Commentary
	available sites are delivered in line with the aspirations set out in the Neighbourhood Plan.		
TIV1: Pattern and quantity of development	<p>South Norfolk Council notes that amendments have been made to this policy following its comments at the Reg. 14 consultation stage. The Council welcomes the explicit reference to the plan's commitment to meeting the total allocation of housing identified in the Local Plan, including for Affordable Housing.</p> <p>The second paragraph of the policy sets out primary considerations for the location, design and layout of development, by reference to the Design Guidance and Codes produced to support the plan. South Norfolk Council cannot be certain that the Neighbourhood Plan has established (other than by simplistic reference to shortlisted sites and without consideration of their constraints and challenges) whether the requirements of this element of the policy could be achieved, whilst also fulfilling the policy's commitment to meeting the Local Plan housing requirements. In this way the Council does not see how the plan is consistent with the Framework, but not limited to paragraphs 16(2), 60, 68 and 79.</p> <p>The Council has similar concerns with the practical effects of the preference expressed for smaller sites in the third paragraph, where it is slightly unclear how the strong preference for smaller sites which reflect the overall scale, pattern and character of existing development can be realised in practical terms.</p>	<p>Part of Policy TIV1 comprises a general statement setting out the Qualifying Body's preferences, rather than land use planning policy requirements.</p> <p>Statements and aspirations are generally more suited to the supporting text of a policy sheet than that, in this circumstance, the Neighbourhood Plan is not allocating housing land and there is no substantive evidence to demonstrate that the Qualifying Body's preferences in respect of the form of development and size of development sites, can be delivered.</p> <p>Given the above I am unable to conclude that Policy TIV1 is deliverable, having regard to paragraph 16 of the Framework, which requires plans to be deliverable.</p> <p><b>Recommendation:</b> Policy TIV1 delete all of the Policy wording and replace with: "New residential development should respect the form, character and setting of the Neighbourhood Area's established pattern of development, including the open nature and aspects, linear arrangements and style of adjacent housing (see Character Appraisal in the Design Guidance and Codes, for guidance)."</p>	<p>The examiner's recommended modifications address the concerns raised in the Council's representation regarding a lack of substantive evidence to justify the Qualifying Body's preferences for the form and scale of development. The Council's concerns regarding specific design requirements and references to windfall development have also been addressed. The proposed modification brings the policy in accord with the NPPF and provides clarity for decision makers.</p> <p>Officers therefore consider it appropriate to accept the examiner's response.</p>



Section of NP	SNC NP submission comments	Examiner Response	SNC or Commentary
	<p>In respect of the element of the policy that reads 'Housing should be arranged to have open views or views of significant green space.' South Norfolk Council identified previously that it is not always going to be practicable, viable or necessary to require all new dwellings to have an open view of the countryside or a view of significant green space, as set out in this policy. Moreover, a more concentrated form of development may have benefits in terms of other elements of the Design Guidance and Codes, e.g. Section 3 that seeks the promotion of walking and cycling. It is considered that a balanced reference within the policy that refers applicants and decision makers to consider the Design Guidance and Codes, taken as a whole, would be more appropriate and reflective of wider policy consideration.</p> <p>In this vein, the Council is also unclear how establishing a primary consideration of design is consistent with the requirement of paragraph 10 to pursue the three objectives of sustainable development in mutually supportive ways as opposed to explicitly favouring one aspect above another. The Council would recommend that this is reworded to read that "In determining planning applications, significant weight should be given to the desirability of maintaining and enhancing form, character ... Codes, other policies consistent with meeting the overall need for development including the need for new homes and affordable housing."</p> <p>In order to ensure it is clear how a decision maker should react to development proposals, the Council also considers it necessary for the</p>	<p>5.1.14 delete last sentence which reads a though it is a Policy, which it is not</p>	



Section of NP	SNC NP submission comments	Examiner Response	SNM Officer Commentary
	<p>Neighbourhood Plan to clarify how it defines “small scale” in a manner that would allow for the needs for housing to be met. In its current form it appears, that small scale is defined by reference to the Character Appraisal and Design Guidance and Codes. Whilst, in principle, establishing a scale of development can be left to the decision maker by reference to a set of considerations, in this instance it is unclear how the policy as worded allows for development needs to be met.</p> <p>The Council previously enquired how the final paragraph of the policy interacts with GNLP Policy 7.5. In particular, is it the intention of the Neighbourhood Plan to enable a more permissive approach in terms of number of windfall dwellings allowed? There does not appear to be any further explanation or reference to the GNLP policy within the policy or supporting text. Again, we would recommend the addition of further criteria that define when development will be acceptable (e.g. reference to the settlement boundary). The term ‘limited’ clearly seeks to impose a quantitative constraint, but this does not seem to be defined. If it is intended that this is less than the limit of the GNLP policy, then the Neighbourhood Plan risks not meeting the Basic Conditions.</p>		
TIV 4: Non-designated Heritage Assets	<p>South Norfolk Council previously commented at Reg.14 that the wording implies that all development proposals (irrespective of their proximity to any of the listed heritage assets) would need to demonstrate that consideration has been given to these factors, even where there is not likely to be any harm. No changes were</p>	<p>With specific regard to planning applications involving non-designated heritage assets, national policy explicitly requires decision makers to make a balanced judgement, having regard to the scale of any harm or loss and the significance of the heritage asset.</p>	<p>The examiner has addressed the matters raised within the Council’s representation.</p> <p>Officers therefore consider it appropriate to accept the examiner’s response.</p>



Section of NP	SNC NP submission comments	Examiner Response	SNP or Commentary
	<p>made following this comment. The Council still feels that the wording should be amended to ensure the requirement is proportionate and that the policy is deliverable, as per the NPPF. The Council also commented previously that the Boudicca Way is not a heritage asset, but a relatively modern path. However, this is still listed as a Non-designated Heritage Asset. A heritage asset is defined in the NPPF as "A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest." The Council suggests that in order to be a heritage asset it does need to have some heritage value/age. Having only been created in 2000 the Council would not classify the trail as part of the county's "heritage". The PPG states "Non-designated heritage assets are buildings, monuments, sites, places, areas or landscapes identified by planning bodies as having a degree of heritage significance meriting consideration" and that "it is important that the decisions to identify them as non-designated heritage assets are based on sound evidence." The Council therefore considers that this specific listing is not in accordance with the NPPF or relevant PPG definitions and therefore does not meet the Basic conditions.</p>	<p>Consequently, Policy TIV4's requirement for development proposals to simply avoid harm to non-designated heritage assets does not have regard to national policy and this is addressed in the recommendations below.</p> <p>As pointed out by South Norfolk Council, Boudicca Way is a public right of way. It traverses a variety of footpaths, bridleways, lanes and roads and is not a non-designated heritage asset.</p> <p><b>Recommendation:</b> Policy TIV4, delete Boudicca Way from the list of non-designated assets</p> <p>Policy TIV4, change the second part of the Policy to: "Development proposals should conserve these heritage assets in a manner appropriate to their significance. Proposals affecting a non-designated heritage asset should give consideration to: - the character, distinctiveness and important features of the heritage asset; - the setting of the heritage asset and its relationship to its immediate surroundings; - the contribution that the heritage asset makes to the character of the area."</p>	
TIV5: Employment	<p>South Norfolk Council commented at Reg.14 with regards to proposals for home working / incorporation of home office space (final sentence) and whether this purely relates to</p>	<p>The wording of the Policy includes a vague reference to opportunities rather than development and as worded, it is not clear how "the potential" for home-working might</p>	<p>The examiner has addressed the concerns raised in the Council's representation with the proposed modification providing greater clarity for decision makers.</p>



Section of NP	SNC NP submission comments	Examiner Response	SNC Officer Commentary
	<p>enabling home-office working, or whether it also incorporates live-work style development, which might require a building extension or out-building relating to a particular type of employment. This has not been clarified and the Council feels this clarity would help to bring the policy in line with the requirements of the NPPF para. 16(d).</p>	<p>be designed into homes. These are matters addressed by the recommendations below.</p> <p><b>Recommendation:</b> Policy TIV5, change to: “New or expanded business and employment uses will be supported where development proposals have taken account of the Tiverton Hall Design Guidance and Codes and demonstrated respect for the character of the rural area, residential amenity and highway safety.”</p> <p>New dwellings should provide for high-speed digital connectivity. Development providing space for home-working, including home offices, will be supported where it has been demonstrated to respect residential amenity and local character.”</p>	<p>On this basis, officers consider it appropriate to accept the examiner’s response.</p>
TIV6: Potential employment sites	<p>As the Council has stated previously, it is felt that the sentiment of TIV6 is already adequately covered in TIV5. TIV 6 is therefore duplicating TIV5 meaning there is no need to include this point. NPPF para. 16 (f) states that policies should serve a clear purpose and avoid unnecessary duplication of policies.</p>	<p>To some extent, Policy TIV6 reiterates TIV5 – it supports well-designed business development – and there is no need for the Neighbourhood Plan to repeat Policies.</p> <p>However, the Qualifying Body has pointed out that it is keen to highlight the potential for improvements to the old waste site, off the A140, referred to in Policy TIV6 and identified on Figure 19. In this respect, I note that the Neighbourhood Plan does not allocate the site for development.</p>	<p>The examiner has acknowledged the concerns raised in the Council’s representation regarding duplication and has recommended a modification that addresses this point. The modification removes any duplication with TIV5 and instead allows TIV6 to purely focus on the redevelopment of a specific site for employment use.</p> <p>Officers therefore consider it appropriate to accept the examiner’s response.</p>



Section of NP	SNC NP submission comments	Examiner Response	SNC or Commentary
		<p><b>Recommendation:</b> Policy TIV6, delete wording and replace with: “The redevelopment of the old waste site off the A140 identified in Figure 19 for business or employment use will be supported.”</p>	
TIV7: Walking and cycling and horse riding	<p>The Council notes that the wording of the second paragraph of this policy has been amended to address concerns that it previously read more as a list of projects than as a list of potential considerations for new development. However, it is felt that (in a similar fashion to paragraph one of the policy) the words ‘Where appropriate,’ should be added to the start of the second paragraph, to ensure that these requirements are proportionate.</p>	<p>The Policy includes a vague reference to all development to contribute to footpath enhancement “<i>where appropriate.</i>” No indication is provided of when it might be appropriate for contributions to be made, who will determine this and on what basis.</p> <p>Further, this part of the Policy does not have regard to Paragraph 57 of the Framework, which requires planning obligations to be necessary, directly related to development and fairly and reasonably related in scale and kind to development. In the absence of any detail in this regard, I cannot conclude that the requirements relating to this part of the Policy are deliverable.</p> <p>In a similar vein, the Policy goes on to require all new development to enhance public rights of way and sets out requirements without any evidence of deliverability. No mechanism is identified in respect of how the Policy requirements might be delivered – or even whether they <i>can</i> be delivered – and consequently, the requirements simply appear as a “<i>wishlist.</i>”</p>	<p>The examiner’s recommended modification, although going further than that suggested by the Council, does address the concern raised in relation to the deliverability of the proposed requirements in paragraph two of the policy.</p> <p>Officers therefore consider it appropriate to accept the examiner’s response.</p>



Section of NP	SNC NP submission comments	Examiner Response	SNC or Commentary
		<p>Taking this into account, I recommend below that improvements to the Tivetshalls public right of way network form a Community Action project. In this way, the Parish Council can seek to progress the aspirations outlined in the Policy.</p> <p><b>Recommendation:</b> Policy TIV7, delete wording and replace with: “The provision of new and/or the enhancement of existing footpaths, cycle-ways and bridleways will be supported.”</p> <p>Page 22, table of Community Action projects, add “Enhance the parish’s public rights of way network.”</p>	
TIV10: Landscape setting and views of community importance	<p>South Norfolk Council previously stated at Reg 18 that many of the photos illustrate views that have seen the loss of hedgerows and trees, and so it could be argued that adding such features (as expressed elsewhere within this chapter) could not conserve the view, indeed could block it. This would mean there is potential conflict with what is said elsewhere in the Neighbourhood Plan. We would suggest that a statement is added, explaining that whilst new trees and new vegetation is encouraged, it should not interfere with identified views.</p>	<p>As worded, the Policy’s first sentence is unclear. A requirement to position development appropriately, having regard to the visual impact of character is a vague and confusing requirement, open to wide interpretation.</p> <p>The Policy and its supporting text provide clear and detailed information relating to important views. However, the phrase “<i>unacceptable adverse impact</i>” is open to wide and subjective interpretation.</p> <p>Further to this, planning for sustainable development requires a balanced approach to decision-making, allowing for any harm arising to be considered against any benefits. As</p>	<p>Whilst the examiner’s recommended modifications do not explicitly address the concern raised in the Council’s representation, officers consider that the modifications will offer greater clarity for decision makers with regard to respecting the identified views.</p> <p>Officers therefore consider it appropriate to accept the examiner’s response.</p>



Section of NP	SNC NP submission comments	Examiner Response	SNP or Commentary
		<p>worded, Policy TIV10 adopts a binary approach in relation to harm and this places an obstacle in the way of the Neighbourhood Plan contributing to the achievement of sustainable development.</p> <p><b>Recommendation:</b> Policy TIV10, delete the first sentence and replace with: “Development proposals must respect their landscape setting including any identified important public views within which they are located or which they affect.”</p> <p>Policy TIV10, change the final paragraph to: “Development proposals within or affecting an important view must demonstrate how they have taken account of the view concerned.”</p>	
TIV12: Local Green Space	<p>With reference to Site 9, and despite the inclusion of the final paragraph in the policy, the Council would raise again that school playing fields are not considered to be suitable for listing as proposed Local Green Space. The site's inclusion would be inconsistent with the NPPF and the related requirements of section 8(2)(a) of Schedule 4B of the Town &amp; Country Planning Act 1990.</p> <p>As stated previously, in its report of April 2020 into the proposed Taverham Neighbourhood Plan (adopted May 2021), the independent examiner appointed made the following comments regarding school playing fields that were proposed as Local Green Spaces:</p>	<p>Given the importance of the designation, Local Green Space boundaries should be clearly identifiable. Whilst Figure 26 indicates the general location of areas of Local Green Space, it is not possible to clearly determine the precise boundaries of each area. This is a matter addressed in the recommendations below.</p> <p>With one exception, the Neighbourhood Plan provides clear and detailed evidence to demonstrate why the areas of Local Green Space identified are demonstrably special and meet the national policy tests set out in the Framework.</p>	<p>The examiner has addressed the concerns raised in the Council's representation, with the proposed modifications necessary in order for the policy to be in accord with the NPPF.</p> <p>Officers therefore consider it appropriate to accept the examiner's response.</p>



Section of NP	SNC NP submission comments	Examiner Response	SNC or Commentary
	<p>‘(...) Site Nos. 14, 26, 30 and 32 are all school playing fields (...).Paragraph 94 (now Para. 95) of the NPPF states that local planning authorities should give great weight to the need to create, expand or alter schools through the preparation of plans, and the designation of the respective playing fields as Local Green Spaces could place limitations on the possible future expansion of the schools concerned (...). I therefore recommend modification PM7(a) to delete (these) proposed Local Green Spaces (...) from the Policy and accompanying material in the draft Plan.’</p> <p>For the same reasons, we would recommend that this site is removed from the list.</p>	<p>Both Norfolk County Council and South Norfolk Council expressed concerns in respect of the proposed designation of the school playing field and adjacent land as Local Green Space. In response, the Qualifying Body has confirmed that it wishes to remove the School playing field designation but has also suggested that the adjacent land could still be designated.</p> <p>However, the School playing field and adjacent land emerged through the planning and consultation process as a single site. Consequently the adjacent land would comprise a new and different site to that considered by the community. Given this, it would be inappropriate to simply designate the adjacent land as a new area of Local Green Space that has not been fully consulted upon.</p> <p><b>Recommendation:</b></p> <p>Policy TIV12, add to first sentence: “...(Figure 26 and related plans)”</p> <ul style="list-style-type: none"> <li>• Policy TIV2, change last sentence to: “The management of development within areas of Local Green Space will be consistent with that for development within Green Belts as set out in national policy.”</li> <li>• Delete Site 9 “School playing field and adjacent land” from the list of Local Green</li> </ul>	



Section of NP	SNC NP submission comments	Examiner Response	SNM or Commentary
		<p>Space designations and from Figure 26 and from Appendix C</p> <ul style="list-style-type: none"> <li>• Add plans below Figure 26 showing the precise boundaries of each designated area in Local Green Space. These can be taken from the plans provided in Appendix C.</li> </ul>	
TIV14: Surface water drainage	<p>At Reg 14. the Council made comments regarding the enhancement of this policy. Whilst the policy content has been swapped around, in line with the Council's previous suggestion, it is still felt that a statement should be added to the first part of the policy, explaining that such measures should take account of all relevant evidence of flooding. It would also be useful to have some clarity within supporting text over how the main policy text adds to existing South Norfolk Development Management Policies and is therefore in conformity with NPPF Para 16(f), which states that when plan making, a policy should serve a clear purpose, avoiding unnecessary duplication of policies that apply to a particular area.</p>	<p>Whilst I note that, to some considerable degree, the Policy overlaps with existing South Norfolk Development Management Policies relating to flood risk and drainage, it is clear that flooding is a major local issue and the Policy identifies specific locations in the Neighbourhood Area. In any way, I am satisfied that Policy TIV14 does not simply comprise unnecessary duplication.</p> <p>South Norfolk Council has recommended the addition of a sentence in the interest of providing clarity and I recommend its inclusion below.</p> <p>As set out, the Policy includes a confusing reference to surface water drainage "areas." The Qualifying Body has provided further clarification in this regard and I have taken account of this in the recommendations below.</p> <p><b>Recommendation:</b> Policy TIV14, add new sentence at the beginning of the Policy and change Policy to: "Development proposals within the</p>	<p>The examiner has directly addressed the Council's concern in respect of development proposals taking account of all relevant evidence of flooding.</p> <p>The examiner has also given consideration to the Council's comment regarding duplication of policies, and has concluded that, on balance, the policy does not comprise unnecessary duplication.</p> <p>Although elements of this policy overlap with South Norfolk's Development Management Policies, it should not create issues in determining relevant applications.</p> <p>Officers therefore consider it appropriate to accept the examiner's response.</p>



Section of NP	SNC NP submission comments	Examiner Response	SNC or Commentary
		<p>immediate locality of the areas identified below as having surface water drainage issues, should take account of all relevant evidence of flooding. Development must not cause or contribute to new flooding or drainage issues, and should mitigate its own flooding and drainage impacts.</p> <p>There are...Station Road."</p>	

**\*CANCELLED\***



### South Norfolk Council

### Tivetshalls Neighbourhood Plan - Decision Statement

#### 1. Summary

Following an independent examination, South Norfolk Council has received the examiner's report relating to the Tivetshalls 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 and to allow the Neighbourhood Plan to proceed to a referendum within the neighbourhood area.

#### 2. Background

Following the submission of the Tivetshalls Neighbourhood Plan to South Norfolk Council in February 2022, 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 29<sup>th</sup> April and 15<sup>th</sup> June 2022.

The local planning authority, with the approval of Tivetshalls Parish Council, subsequently appointed an independent examiner, Mr Nigel McGurk, 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 has decided to approve each of the examiner's recommended modifications. This is in accordance with section 12 of Schedule 4B to the Town and Country Planning Act 1990. The Council considers this decision will ensure that the Neighbourhood Plan meets the basic conditions.

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

Subject to the modifications approved by South Norfolk Council, as set out in the table below, the Council is satisfied that the Neighbourhood Plan should proceed to a referendum within the neighbourhood area, in accordance with part 12(4) of Schedule 4B of the Town & Country Planning Act 1990.



Section	Examiner's recommendation	Council consideration and recommendation	Council decision
Various	<ul style="list-style-type: none"> <li>• Page 3, Para 1.1, change line 5 to: "...made,' it will form part of the development plan and South Norfolk..."</li> <li>• Page 4, Para 1.5, line 4, change to: "...document, as part of the development plan for the Neighbourhood Area (which will also include adopted Local Plan documents). The Neighbourhood Plan provides..."</li> <li>• Page 4, delete Para 1.6, which has been overtaken by events</li> <li>• Page 5, delete Paras 1.8 and 1.9, which have been overtaken by events</li> <li>• Page 6, change annotation under Figure 2 to: "... (Annotations). The black line denotes the Neighbourhood Area, which is the same as the Parish boundary."</li> <li>• Page 9, Para 2.10, delete last sentence ("The Local...")</li> <li>• Page 9, Para 2.11, delete last sentence ("The Tivetsalls...")</li> <li>• Page 10, Para 2.12, delete last sentence ("The Tivetsalls...")</li> <li>• Page 10, Para 2.14, line 1, change "...CS and is anticipated to be adopted in 2022."</li> </ul>	The Council agrees with the list of corrections for clarity in the introductory section of the plan	Accept examiner's recommended modifications.



Section	Examiner's recommendation	Council consideration of recommendation	* Council decision
TIV1: Pattern and quantity of development	<ul style="list-style-type: none"> <li>• Policy TIV1 delete all of the Policy wording and replace with: "New residential development should respect the form, character and setting of the Neighbourhood Area's established pattern of development, including the open nature and aspects, linear arrangements and style of adjacent housing (see Character Appraisal in the Design Guidance and Codes, for guidance)."</li> <li>• 5.1.14 delete last sentence which reads as though it is a Policy, which it is not</li> </ul>	The Council agrees with this modification as it will bring the policy in line with the NPPF and improve the clarity of the policy for developers and decision-makers.	Accept examiner's recommended modification.
TIV2: Housing size, type and tenure	<ul style="list-style-type: none"> <li>• Policy TIV2, change first sentence to: "Major residential development proposals should provide for a housing mix (size, type and tenure) that meets housing needs, with a view to enabling a mixed community."</li> <li>• Policy TIV2, change second sentence to: "...Assessment, major residential development proposals should provide a well-balanced mix of housing sizes, with a similar..."</li> <li>• Policy TIV2, change third sentence to: "In determining the housing mix, major residential development proposals should demonstrate how regard has been had to the provision of the following: (FIVE BULLET POINTS HERE)"</li> <li>• Policy TIV2, change last sentence to: "Above, the following types of housing..."</li> </ul>	The Council agrees with this modification as it will help to improve the clarity and deliverability of the policy regarding housing mix on residential development.	Accept examiner's recommended modification.

**\*CANCELLED**



Section	Examiner's recommendation	Council consideration of recommendation	* Council decision
TIV3: Design guideline and codes	<ul style="list-style-type: none"> <li>• Policy TIV3, delete the first sentence and change the second paragraph to create a new opening sentence, presented as a paragraph: "All new development in the Neighbourhood Area must demonstrate high quality design, reinforce local character and respect the pattern of development, the rural character and the appearance of the Tivetshalls."</li> <li>• Delete the last two sentences and change the rest of the Policy to create the following two new sentences, separated into two paragraphs: "To achieve this, development should demonstrate how it has taken account of the Tivetshalls Design Guidance and Codes.</li> </ul> <p>Development which does not have regard to local context, or which does not respond positively to the character and aesthetic qualities of the Tivetshalls will not be supported."</p>	<p>The Council agrees with the recommendation to provide clarity to the policy with reference to the design guide, ensuring that the policy meets the requirements of the NPPF.</p>	<p>Accept examiner's recommended modification.</p>

**\*CANCELLED**



Section	Examiner's recommendation	Council consideration of recommendation	* Council decision
TIV4: Non-designated Heritage Assets	<ul style="list-style-type: none"> <li>• Policy TIV4, delete Boudicca Way from the list of non designated assets</li> <li>• Policy TIV4, change the second part of the Policy to: “Development proposals should conserve these heritage assets in a manner appropriate to their significance. Proposals affecting a non-designated heritage asset should give consideration to:               <ul style="list-style-type: none"> <li>- the character, distinctiveness and important features of the heritage asset;</li> <li>- the setting of the heritage asset and its relationship to its immediate surroundings;</li> <li>- the contribution that the heritage asset makes to the character of the area.”</li> </ul> </li> </ul>	The Council agrees with the recommendations to the policy in order that it has regard to the NPPF.	Accept examiner's recommended modification.
TIV5: Employment	<ul style="list-style-type: none"> <li>• Policy TIV5, change to: “New or expanded business and employment uses will be supported where development proposals have taken account of the Tivetshall Design Guidance and Codes and demonstrated respect for the character of the rural area, residential amenity and highway safety.</li> </ul> <p>New dwellings should provide for high-speed digital connectivity. Development providing space for home working, including home offices, will be supported where it has been demonstrated to respect residential amenity and local character.”</p>	The Council agrees with the examiner's recommended modification to add clarity in respect of home-working within the policy.	Accept examiner's recommended modification.

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Section	Examiner's recommendation	Council consideration of recommendation	Council decision
TIV6: Potential employment sites	<ul style="list-style-type: none"> <li>Policy TIV6, delete wording and replace with: "The redevelopment of the old waste site off the A140 (identified in Figure 19) for business or employment use will be supported."</li> </ul>	The Council agrees with this modification as it will help to improve the clarity of the policy for developers and decision-makers and reduce duplication.	Accept examiner's recommended modification.
TIV7: Walking, cycling and horse riding	<ul style="list-style-type: none"> <li>Policy TIV7, delete wording and replace with: "The provision of new and/or the enhancement of existing footpaths, cycle-ways and bridleways will be supported."</li> <li>Page 72, table of Community action projects, add: "Enhance the parish's public rights of way network"</li> </ul>	The Council agrees with this modification as it will help to improve the clarity of the policy for developers and decision-makers and allow the policy to have regard to the NPPF.	Accept examiner's recommended modification.
TIV8: Traffic and road safety	Policy TIV8, delete text and replace with: "All development proposals must ensure that they do not result in an unacceptable impact on highway safety."	The Council agrees with this modification as it will help to improve strengthen and improve the clarity of the policy for developers and decision-makers.	Accept examiner's recommended modification.
TIV9: Parking	<ul style="list-style-type: none"> <li>Policy TIV9, change to: "Development proposals for on-street parking will not be supported. New development should provide off-road parking through parking bays, drives and garages (large enough for modern cars), and incorporate electric car charging points.</li> <li>Spaces for visitors and parking and manoeuvring space for service vehicles should be designed into new developments.</li> <li>Development proposals should have regard to the Tivetshall Design Guidance and Codes."</li> </ul>	The Council agrees with this modification as it will help to improve the clarity of the policy for developers and decision-makers.	Accept examiner's recommended modification.



Section	Examiner's recommendation	Council consideration of recommendation	Council decision
TIV10: Landscape setting and views of community importance	<ul style="list-style-type: none"> <li>• Policy TIV10, delete the first sentence and replace with: "Development proposals must respect their landscape setting including any identified important public views within which they are located, or which they affect."</li> <li>• Policy TIV10, change the final paragraph to: "Development proposals within or affecting an important view must demonstrate how they have taken account of the view concerned."</li> </ul>	The Council agrees that the examiner's recommended modifications will help to make the policy succinct, allowing the Plan to contribute to sustainable development in accordance with the NPPF.	Accept examiner's recommended modification.
TIV11: Natural Assets	<ul style="list-style-type: none"> <li>• Policy TIV11, change second sentence to: "The conservation and/or enhancement of the landscape and biodiversity value of these assets will be supported."</li> <li>• Policy TIV11, delete: "(in line with the Environment Policy)"</li> <li>• Policy TIV11, change last sentence to: "Development proposals should have regard to the Tivetshall Design Guidance and Codes"</li> </ul>	The Council agrees with this modification as it will help to improve the clarity of the policy for developers and decision-makers, as required by the NPPF.	Accept examiner's recommended modification.

**\*C**

**CANCELLED**



Section	Examiner's recommendation	Council consideration of recommendation	* Council decision
TIV12: Local Green Space	<ul style="list-style-type: none"> <li>• Policy TIV12, add to first sentence: "... (Figure 26 and related plans)"</li> <li>• Policy TIV12, change last sentence to: "The management of development within areas of Local Green Space will be consistent with that for development within Green Belts as set out in national policy."</li> <li>• Delete Site 9 "School playing field and adjacent land" from the list of Local Green Space designations and from Figure 26 and from Appendix C</li> <li>• Add plans below Figure 26 showing the precise boundaries of each designated area of Local Green Space. These can be taken from the plans provided in Appendix C</li> </ul>	The Council agrees with the modifications proposed in order to ensure the LGS listed meet the requirements for designations set out in the NPPF	Accept examiner's recommended modification.
TIV13: Dark Skies	<ul style="list-style-type: none"> <li>• Policy TIV13, change to: "Development proposals must take account of the area's dark skies. New street lighting should not be located at the edge of the settlement. In new developments, lighting necessary for security or safety should be designed to minimise the impact on dark skies by, for example, minimal light spillage, use of downlighting and restricting hours of lighting.</li> </ul> <p>Proposals including prominent lighting visible from the surrounding landscape will not be supported unless it can be demonstrated that such lighting is required in the interests of safety and security. Proposals including lighting likely to cause disturbance or risk to wildlife should seek to mitigate such disturbance or risk."</p>	The Council agrees with this modification as it will help to improve the clarity of the policy for developers and decision-makers.	Accept examiner's recommended modification.

\* CANCLED



Section	Examiner's recommendation	Council consideration of recommendation	* Council decision
TIV14: Surface water drainage	<ul style="list-style-type: none"> <li>Policy TIV14, add new sentence at the beginning of the Policy and change Policy to: "Development proposals within the immediate locality of the areas identified below as having surface water drainage issues, should take account of all relevant evidence of flooding. Development must not cause or contribute to new flooding or drainage issues and should mitigate its own flooding and drainage impacts.</li> </ul> <p>There are...Station Road."</p>	The Council agrees with this modification as it will help to improve the clarity of the policy for developers and decision makers and will ensure that all relevant evidence is taken into account.	Accept examiner's recommended modification.
Other Matters	<ul style="list-style-type: none"> <li>Page 73, Para 7.5, change to: "...stand. Tivetshalls Parish Council will promote and monitor the use of the Neighbourhood Plan for planning applications."</li> <li>Update the Contents page and paragraph numbering; and add the Local Green Space plans, taking into account the recommendations contained in this Report</li> </ul>	The Council agrees with this modification as it will help to improve the clarity to the document.	Accept examiner's recommended modification.

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CANCELLED



#### 4. Next Steps

This Decision Statement and the examiner's report into the Tivetshalls Neighbourhood Plan will be made available at:

- [www.southnorfolkandbroadland.gov.uk/neighbourhood-plans](http://www.southnorfolkandbroadland.gov.uk/neighbourhood-plans)
- **Long Stratton Library** – The Street, Long Stratton, NR15 2XJ (Open Mon 11am-7pm, Tues & Thurs 1pm-7pm and Sat 11am-4pm)
- **South Norfolk Council offices** – South Norfolk House, Cygnet Court, Long Stratton, Norwich, NR15 2XE (normal opening times: 8:15am to 5pm Monday to Friday. Closed weekends and Bank Holidays)

**N.B the offices are open for pre-booked appointments only**

If you wish to make an appointment to view the documents, please contact the Place Shaping Team on (01508) 533805

South Norfolk Council is satisfied that with the modifications it has approved, as detailed above, the Tivetshalls Neighbourhood Plan should proceed to a referendum within the neighbourhood area, in which the following question will be posed:

**‘Do you want South Norfolk Council to use the Neighbourhood Plan for Tivetshall to help it decide planning applications in the neighbourhood area?’**

Further information relating to the referendum will be published by South Norfolk Council in due course.



## DISS & DISTRICT NEIGHBOURHOOD PLAN SUBMISSION

**Report Author(s):**

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**Portfolio:**

External Affairs and Policy; Stronger Economy

**Ward(s) Affected:**

Diss and Repton; Bressingham & Burston; Beck Vale,  
Dickleburgh & Scolt

**Purpose of the Report:**

Diss Town Council, as Qualifying Body, has submitted the proposed Diss and District Neighbourhood Plan, along with the necessary supporting information to South Norfolk Council. The purpose of this report is to agree to take the proposed Plan through to the next stages of consultation and independent examination.

**Recommendation**

It is proposed that Cabinet agree:

1. That the submitted Diss & District Neighbourhood Plan meets the requirements of Part 6 of Schedule 4B of the Town and Country Planning Act 1990.
2. That the Neighbourhood Plan can therefore proceed to consultation, in accordance with Regulation 16 of the Neighbourhood Planning (General) Regulations 2012, and subsequently to an independent examination.
3. That the proposed South Norfolk Council response, as detailed in Appendix 2, is formally submitted as part of the Regulation 16 consultation.



## 1 SUMMARY

- 1.1 Diss Town Council submitted the proposed Diss & District Neighbourhood Plan (Appendix 1), along with necessary supporting information to both South Norfolk Council and Mid Suffolk Council in July 2022. The purpose of this report is to agree to take the proposed Plan through to the next stages of formal consultation and independent examination.

## 2 BACKGROUND

- 2.1 Diss Town Council, as the appropriate Qualifying Body, applied to South Norfolk Council and Mid Suffolk District Council in June 2017 to designate a Neighbourhood Area for the purpose of producing a Neighbourhood Plan.
- 2.2 The Neighbourhood Area covers several parishes and also crosses the county boundary into Suffolk. The parishes included within the Neighbourhood area are Diss, Roydon, Burston & Shimpling, Scole, Palgrave Stuston, and Brome & Oakley (the last three parishes being located within Mid Suffolk District). As the Qualifying Body, Diss Town Council is acting for and on behalf of each of the respective parish councils.
- 2.3 Since the Neighbourhood Area was designated, South Norfolk Council has supported the Neighbourhood Plan steering group in terms of funding and professional advice and guidance from officers. The process of producing the Plan has seen the steering group undertaking extensive consultation with residents and other stakeholder organisations, with a view to developing and drafting Neighbourhood Plan objectives and policies, with the help of independent consultants.
- 2.4 At an early stage in the process of Neighbourhood Plan production, the Neighbourhood Plan steering group formally requested an indicative housing requirement figure for the DDNP Neighbourhood Area from the local planning authority. This was sought because the steering group had signalled its intention to allocate sites for growth in the area through the Neighbourhood Plan, rather than this being progressed via the Greater Norwich Local Plan (GNLP) and the South Norfolk Village Clusters Housing Allocations Plan. Ultimately, the steering group was informed that sites to provide for a minimum of 250 new homes in Diss (in addition to carrying forward or replacing existing commitments) should be allocated through the Neighbourhood Plan, whilst (for strategic reasons) the GNLP should continue to propose the allocation of the Frontier site within the town for 150 homes. In addition, the group was informed that sites for a minimum of 25 new homes should be found in each of the South Norfolk villages (i.e. Roydon, Scole, Burston), in line with the strategy of the South Norfolk Village Cluster Housing Allocations Plan.



2.5 As can be seen on page 33 of the proposed Neighbourhood Plan, proposed allocation sites have been put forward to deliver an expected 335 additional homes in Diss. Of these, 278 can be considered “new homes” to fulfil the minimum housing requirement for Diss. The remaining sites are existing commitments that have been carried forward. It should be noted that officers are recommending that for reasons set out in appendix 2, some modifications should be made to the proposed allocation policies. The plan will continue to meet its minimum requirements if modified in line with these recommendations.

2.6 Sites have also been allocated to provide a total of 25 new homes in Roydon, 25 in Burston, and 81 in Scole. It should be noted that only 50 homes in Scole are “new” allocations. 25 homes are identified on the current, undeveloped South Norfolk allocation site and 6 on an approved windfall site. Within Mid-Suffolk, sites are allocated to deliver 12 new homes in Brome and Oakley. These allocations are supported by a comprehensive Site Options and Assessment report, which is one of the many supporting documents that has been submitted alongside the Neighbourhood Plan.

### 3 CURRENT POSITION/FINDINGS

3.1 On submission of a Neighbourhood Plan to the local planning authority, the authority must undertake an assessment of the proposed plan against certain criteria. This is required by paragraph 5 of Schedule 4B of the Town and Country Planning Act 1990.

3.2 The legislation states that the local planning authority may only refuse to progress a submitted Neighbourhood Plan to the next stages if it considers that any of these specific criteria have not been met or if the Neighbourhood Plan proposal is considered a repeat proposal, as defined in paragraph 5 of the above Act.

3.3 The following sets out details of the assessment against each of the prescribed criteria (bold headings);

#### 3.4 Is the parish/town council authorised to act?

As stated above, Diss Town Council applied to South Norfolk Council and Mid Suffolk Council to designate the Neighbourhood Area in June 2017. The application confirmed that Diss Town Council is acting as the lead relevant body for undertaking the Neighbourhood Plan and that this has been agreed with the relevant parish councils and parish meeting (Stuston) included within the proposed Neighbourhood Area. This application was approved in August of that year. It is therefore considered that the Town Council is authorised to act in relation to this neighbourhood area.

#### 3.4 Do the proposals and accompanying documents:

##### (a) Comply with the rules for submission to the Council?

Regulation 15 of the Neighbourhood Planning Regulations 2012 (as amended) states that the submitted documents should include:



- A map or statement identifying the area to which the plan relates.
- A Consultation Statement, which contains details of those consulted, how they were consulted, summarises the main issues and concerns raised and how these have been considered and, where relevant, addressed in the Neighbourhood Plan.
- The proposed Neighbourhood Plan.
- A Basic Conditions Statement, showing how the Plan meets the basic conditions set out in Schedule 4B of the 1990 Act.
- An SEA screening assessment and, if required as a result of the latter, an SEA.

The Town Council has supplied all of the above documentation, including (in the case of the latter bullet point) a full SEA. This was required as the Neighbourhood Plan allocates sites for development within the Neighbourhood Area.

### 3.5 Do the proposals and accompanying documents:

#### (b) Meet the definition of a Neighbourhood Plan?

It is considered that the proposed Diss & District Neighbourhood Plan meets the definition of a Neighbourhood Plan as set out in Section 38A of the Planning and Compulsory Purchase Act 2004, containing (as it does) a series of planning policies that seek to manage development within the Neighbourhood Area.

### 3.6 Do the proposals and accompanying documents:

#### (c) Meet the scope of Neighbourhood Plan provisions?

The Diss & District Neighbourhood Plan states that it is a development plan for Diss & District, which runs until 2031. The Neighbourhood Plan does not make any provision regarding excluded development. Excluded development is that which is either a 'county matter' (relating to minerals), any operation relating to waste development, or development consisting wholly or partly of a national infrastructure project.

### 3.7 The Neighbourhood Plan only relates to the designated Neighbourhood Area and it does not repeat an existing planning permission. It is therefore considered that it satisfactorily meets the provisions defined in Section 38B of the Planning and Compulsory Purchase Act 2004.

### 3.8 Has the parish/town council undertaken the correct procedures in relation to consultation and publicity regarding the Neighbourhood Plan?

Regulation 14 of the Neighbourhood Planning Regulations 2012 states that, before submitting the Neighbourhood Plan to the local planning authority, the Qualifying Body should publicise the Plan and consult the public and stakeholder bodies over a period of six weeks.

### 3.9 The original pre-submission (Reg. 14) consultation undertaken by the Neighbourhood Plan steering group between June and August 2021 is summarised in the Consultation Statement. This provides details of the publicity that was undertaken at this (and prior) consultation stages and the bodies that



were consulted on the draft Plan. A copy of the draft Neighbourhood Plan was received by South Norfolk Council for comments at this stage (which were duly made).

- 3.10 In this instance, a follow-up Reg. 14 consultation on 'Major Modifications' was subsequently carried out between March and May 2022. This was a focused consultation on proposed significant modifications to the draft Plan, following feedback received during the original Reg. 14 consultation. Details of this consultation, the responses received and how these comments have been addressed are also available within the submitted Consultation Statement.

#### **4 PROPOSED ACTION**

- 4.1 It is proposed that, as Diss Town Council has met each of the criteria specified above, South Norfolk Council approves the submission of Neighbourhood Plan and that confirmation of this is sent to the Town Council.
- 4.2 Before progressing to the next stages, officers will require confirmation that Mid Suffolk Council has also approved the submission of the Neighbourhood Plan.
- 4.3 Once approved, South Norfolk Council officers will arrange for the Neighbourhood Plan to be published and will invite comments from the public, stakeholder bodies and previous consultees over a minimum period of six weeks. This requirement is set out in Regulation 16 of the Neighbourhood Planning (General) Regulations 2012.
- 4.4 Officers have considered the content of the submitted Neighbourhood Plan to identify whether there are any significant issues about which South Norfolk Council may wish to make its own representations during the Reg. 16 consultation.
- 4.5 A number of representations are being proposed by officers, most of which re-iterate responses made to South Norfolk Council during the earlier Regulation 14 consultation stage. These proposed responses (set out in Appendix 2) largely relate to the need for Neighbourhood Plan policies to be deliverable, clear and unambiguous in accordance with paragraphs 16.b) and 16.d) of the National Planning Policy Framework (with which Neighbourhood Plans must be in accord).
- 4.6 The Reg. 16 publication period will be followed by an independent examination which will be carried out by a (yet to be appointed) accredited Neighbourhood Plan examiner, in accordance with Regulation 17.
- 4.7 Following the examination (which is normally dealt with via written representations, but which could take the form of a public hearing, at the discretion of the examiner), the examiner will produce a report recommending whether or not the Neighbourhood Plan should proceed to a referendum (with or without certain modifications). South Norfolk Council and Mid Suffolk Council will then need to consider this report and decide whether or not to approve the examiner's recommendations.



- 4.8 If it is decided that the Plan should proceed to a referendum, then everyone eligible to vote within the Neighbourhood Area will be invited to vote on whether they wish to see the Neighbourhood Plan made. This is a simple 'yes/no' vote and a majority of those voting in favour of the Plan (50%+1) is required before it can be made by South Norfolk Council and Mid Suffolk Council.

## 5 OTHER OPTIONS

- 5.1 As set out in paragraph 3.2, the submitted Neighbourhood Plan can only be refused if it is felt that the criteria discussed above have not been met, or if the Plan is a repeat proposal, as defined in legislation.
- 5.2 If the Council decides to refuse the submitted Neighbourhood Plan proposal on either of these grounds, then a written statement would need to be sent to the Town Council, detailing the reasons why the proposal has not been approved. However, it is considered that the above criteria have been met and there appear to be no valid reasons for refusal.
- 5.3 If Cabinet considers that further evidence is needed from the Town Council before it can make a judgement as to whether the proposals address each of the criteria above, then the decision can potentially be deferred pending further information. However, it is worth noting that Regulation 16 of the Neighbourhood Planning (General) Regulations 2012 states that the local planning authority must publish the submitted proposals for consultation 'as soon as possible after receiving a plan proposal'.

## 6 ISSUES AND RISKS

- 6.1 **Resource implications:** There are no significant resource implications in approving the submitted Plan. There will be a small amount of officer time required to issue notice of the decision to Diss Town Council.
- 6.2 The subsequent stages will demand greater officer time (preparing the plan and related documents for consultation, preparing and arranging the examination). This will be resourced from within the Place Shaping team.
- 6.3 There are limited costs involved in undertaking the consultation, as the majority of this will be via electronic means. A copy of the Neighbourhood Plan will be made available in the local library and at the Town Council and both District Council offices, for inspection.
- 6.4 Following the consultation period, there will be costs to the Council associated with the examination and referendum. The average cost of an examination is currently approximately £5,000 and slightly less for a referendum. However, these averages are largely based on single parish Neighbourhood Plans and not significant joint Plans such as this. Both costs will be above average, particularly that associated with the referendum as this will require polling cards to be issued and polling



stations established in each of the parishes within the Neighbourhood Area (although Mid Suffolk Council will clearly be required to resource the polling requirements in those parishes within its jurisdiction).

- 6.5 It is worth noting that the Council is currently able to claim £20,000 from DLUHC once the Neighbourhood Plan has been approved to proceed to a referendum, allowing some of the cost to be recouped.
- 6.6 **Legal Implications** – The steps outlined in this report comply with appropriate legislation within Schedule 4B of the Town & Country Planning Act 1990 and the Neighbourhood Planning (General) Regulations 2012 (as amended).
- 6.7 They also have regard to the Environmental Assessment of Plans and Programmes Regulations 2004 and The Conservation of Habitats and Species Regulations 2010. If successful at referendum, the Neighbourhood Plan will become part of the statutory Development Plan and will therefore be one of the main considerations in the determination of applications for planning permission within the parish.
- 6.8 **Equality Implications** – There are no significant equality implications associated with the approval of the submitted Diss & District Neighbourhood Plan. A full Equality Assessment has been carried out in relation to the submitted plan (see Appendix 3).
- 6.9 **Environmental Impact** – The Neighbourhood Plan has been subject to a Strategic Environmental Assessment (SEA) and a Habitat Regulations Assessment (HRA).
- 6.10 **Crime and Disorder** – There are no significant risks associated with the matters covered in this report.
- 6.11 **Risks** – There are no significant risks associated with the matters covered in this report.
- 6.12 There are risks associated with the subsequent stages in the process of adopting a Neighbourhood Plan; specifically that the Plan fails the examination, and also that the Plan fails to gain support during the local referendum. It is felt that these risks are relatively low, at present, and measures will be taken where possible, by either the District Council or Diss & District Neighbourhood Plan steering group, to mitigate against their occurrence.

## 7 CONCLUSION

- 7.1 As discussed above, on submission of a Neighbourhood Plan to the local planning authority, the authority must undertake an assessment of the proposed plan against certain criteria. This is required by Schedule 4B of the Town and Country Planning Act 1990.



- 7.2 As Diss Town Council has met each of the assessment criteria set out above, the next step is to accept their submission and to start preparations for the Reg.16 consultation.
- 7.3 Officers are proposing that a number of representations are submitted on behalf of South Norfolk Council, as part of this consultation.

## 8 RECOMMENDATIONS

- 8.1 It is proposed that Cabinet agree:
1. That the submitted Diss & District Neighbourhood Plan meets the requirements of Part 6 of Schedule 4B of the Town and Country Planning Act 1990.
  2. That the Neighbourhood Plan can therefore proceed to consultation in accordance with Regulation 16 of the Neighbourhood Planning (General) Regulations 2012, and subsequently to an independent examination.
  3. That the proposed South Norfolk Council response, as detailed in Appendix 2, is formally submitted as part of the Regulation 16 consultation.

**Appendix 1: Diss & District Neighbourhood Plan - submission draft**

**Appendix 2: Proposed South Norfolk Council consultation response (Reg. 16)**

**Appendix 3: Diss & District Neighbourhood Plan - EQIA**

**Background Paper**

[Diss & District Neighbourhood Plan submission documents](#)



**Submission Draft**  
**June 2022**



[www.ddnp.info](http://www.ddnp.info)



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Regulation 15 Submission Draft  
of the  
**DISS & DISTRICT NEIGHBOURHOOD PLAN**

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June 2022



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The Neighbourhood Plan itself is only one of the documents that the Steering Group submits to the Local Planning Authorities at Regulation 15 stage.

The full suite of documents is listed below.

They can all be accessed at <https://ddnp.info/submission-documents>

**Statement of Basic Conditions**

**Consultation Statement**

**Evidence Base**

**TECHNICAL SUPPORT REPORTS**

by AECOM:

**Housing Needs Assessment (HNA)**

**Site Options Assessment (SOA) Part 1**

**Site Options Assessment (SOA) Part 2**

**Site Options Assessment (SOA) Consolidated Report**

**Strategic and Environmental Assessment (SEA)**

**Habitat Regulations assessment (HRA)**

**Design Code**

**PARISH ALLOCATION & ASSET MAPS:**

**Diss**

**Brome & Oakley**

**Burton Chilving**

**Palgrave**

**Boydton**

**Scotney**

**Stuston**

**ASSET ASSESSMENT REPORTS:**

**Local Green Spaces Assessment Report**

**Key Views Assessment Report**

**Non-Designated Heritage Assets Assessment Report**



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# PREFACE

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Neighbourhood Planning was introduced in the Localism Act of 2011. Since that time, just over 200 community groups throughout our two counties have taken the decision to create their own neighbourhood plan – 114 in Suffolk and 90 in Norfolk. It takes a lot of effort and dedication to create such a plan but surprisingly few who started have given up along the way. Some take longer than others but of those who have persisted, 43 in Norfolk and 40 in Suffolk now have their neighbourhood plan adopted and playing a part in determining planning applications in their area.

Although there had been a significant period of preparation, work on the *Diss & District Neighbourhood Plan* began in earnest when the plan area, covering seven parishes and straddling the county boundary, was designated by the district councils in August 2017. By then, a DDNP Steering Group had been formed, made up of two or three representatives from the seven member parishes. It has met nearly every month since then and has overseen every stage of the Plan's development.

The submission of the Plan for Examination is an important milestone in its development but it still has hurdles to clear before it can be presented for the final approval of the communities it means to serve. The Steering Group will continue its efforts until the Plan is adopted and in the meantime will assist the district councils and the Examiner in whatever ways are necessary.

## **The DDNP Steering Group's representatives:**

*Diss*

Simon Olander and Eric Taylor

*Burston & Shimpling*

Alison Wakeham

*Roydon*

Paul Curson, Jane Jennifer and Trevor Ault

*Scole*

Graham Moore, Dola Ward and Corinne Moore

*Brome & Oakley*

Ursula Halton and Roger Broughton

*Palgrave*

Rebecca Dingle

*Stuston*

Roger Greenacre and Steve Leigh



# ACKNOWLEDGEMENTS

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A venture like the *Diss and District Neighbourhood Plan* would get nowhere without input and support from a wide range of people, every one of whom deserves our thanks and gratitude. The Steering Group would first like to thank the many businesses and members of the communities in the Plan area who manoeuvred us in the direction they wanted the Plan to go. Their participation in the surveys and consultations has been invaluable. Thank you.

We would also like to acknowledge the wealth of support we have had from the clerks and officers of the parent town council, parish councils and parish meeting, on whose behalf we carried out the work

Our thanks and appreciation are also extended to the members of the working group: Brian Falk, Richard Pither and Tim Holt-Wilson for the time and expertise they put into researching the wealth of information included in the asset assessment reports on Key Views, Local Green Space and Non-designated Heritage Assets. We are also grateful to George Waterman, who has shared his social media expertise with us and helped with publicity. Thank you also to Hugh and Sian Bunbury for their help with aspects of design.

Over the years that a neighbourhood plan is in preparation, the membership of its steering group inevitably changes but the contribution of its former members remains embedded in the Plan. For the parts they played, many grateful thanks go to Deborah Sarson, Mike Bootman, Ivan Pace, Dave Poulter, Neil Weston, David Goldson and Sharon Cousins-Clarke.

The expertise of Louise Cunnell and Mark Thompson of Collective Community Planning our consultants, has been indispensable. They have been a pleasure to work with and very much deserve our warmest thanks.

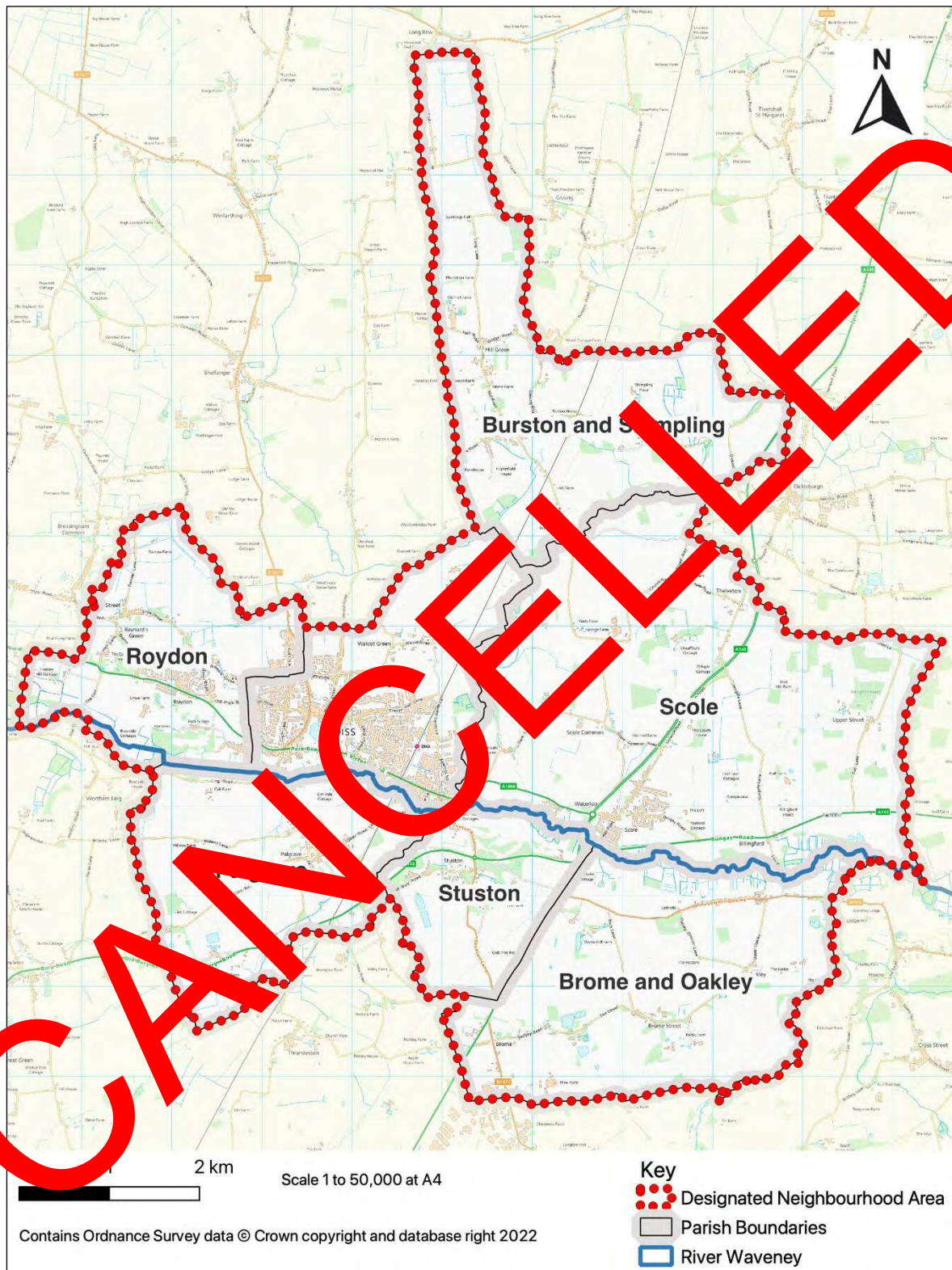
Finally, our project manager, Stephanie Ayden, has done her absolute best, often against the odds, to manage consultations, surveys, much of our publicity, the website and general admin – a role that she has frequently likened to nailing jelly to the ceiling. Even so, quite a lot of it must have stuck, because she seems to get us there in the end. Thanks for everything Stephanie.

from

The DDNP Steering Group



# 1 INTRODUCTION



**MAP 1** *The Diss & District Neighbourhood Plan area comprises seven parishes and is thought to be one of the most complex plans to be undertaken in the country.*





- 1 The creation of the Diss & District Neighbourhood Plan (DDNP or 'the Plan') is a joint project involving Diss Town Council and the surrounding parish councils of Heydon, Burston & Shimpling, and Scole in South Norfolk, and Palgrave, Stuston and Brome & Oakley in Mid Suffolk.
- 2 The Plan area is split into two by the county boundary between Norfolk and Suffolk, which is demarcated by the environmentally important River Waveney. It therefore lies within the administrative areas of both South Norfolk Council (SNC) and Mid Suffolk District Council (MSDC), which are the Local Planning Authorities (LPA).
- 3 The partnership of seven parishes was formed in July 2017 on the basis that Diss is regarded as the commercial, cultural and leisure hub for the residents of town and also for those living in its surrounding parishes. All seven parishes benefit from its facilities and take a keen interest in its plans for the town centre, housing, leisure and employment.
- 4 The parishes of Heyward, Wymtham & Bungate and Thrandeston were also invited to join the Plan but declined.
- 5 A joint plan ensures that policies such as those in relation to housing, walking and cycling routes and green corridors are considered across a wider area. This ensures a greater and more coordinated impact than if each individual parish were to create its own plan. Housing growth will generally be expected to focus on the more sustainable locations such as Diss first and foremost as well as those villages with day-to-day services.
- 6 The planning period for the DDNP will be 2021-2038.
- 7 Map 1 on the previous page shows the designated area for the Plan. Diss is the urban settlement, whilst the surrounding parishes are generally rural with small villages and some scattered development and farm buildings.



## SUMMARY OF KEY SETTLEMENTS



FIGURE 1 The weekly market in Diss dates from 1135

### DISS

- 8 Diss is a market town mentioned as a Royal Manor in the Domesday Book. The market dates from 1135 and a Charter for the 'Great Annual Fair' was granted in 1195. The fair was held by the bridge crossing the River Waveney at Fair Green for 700 years until 1872.
- 9 The 13<sup>th</sup> to 16<sup>th</sup> centuries saw the rise of the wool and linen trade and merchants used their wealth to build fine houses, town houses and guildhalls. They also built and added to the parish church.
- 10 This prosperity was consolidated in the 16<sup>th</sup> and 17<sup>th</sup> centuries and many of the town centre buildings survive from this period although some were lost in a fire in Mere Street in 1640. Some fine Georgian houses and cottages were built in the 18<sup>th</sup> and 19<sup>th</sup> centuries, mostly of brick, compared with the timber framing of their predecessors. The arrival of the railway in the 19<sup>th</sup> century led to the growth of industries and housing along Victoria Road, and helped the town to prosper without affecting the centre.
- 11 The centre comprises the Market Place, St Mary's Church, Market Hill, the Corn Hall, St Nicholas Street and a network of alleys, passages and shopping courtyards clustered around what is probably the original hub of the town. This area is known today as the Diss Heritage Triangle. It forms a part of the main shopping area, which extends southwards to the A1066.
- 12 Many famous people have lived or been connected to Diss, which is borne out by the number of streets named after them. Sir John Betjeman thought that Diss was "the perfect English Country town", but one that was better appreciated if you walk about it, rather than just drive through it.
- 13 The town is located in the Waveney Valley on the Norfolk/Suffolk border in South Norfolk. It is connected by the A140, A1066 and regular rail services on the Norwich to London railway line. It has a wide selection of shops ranging from small local businesses to large superstores, meaning it not only serves its residents but the surrounding rural catchment.
- 14 The town centre has a mixture of attractions including Georgian and Edwardian buildings, a public park, the Mere, auction rooms, the Diss Corn Hall Theatre and Arts Centre, plus a



broad range of cafes, restaurants, pubs and a marketplace with a regular Friday market.

- 15 Norfolk County Council's Norfolk Market Town Centre Report (2019)<sup>1</sup> found that Diss has 160 town centre retail and business units. Most town centre units are comparison retailers, which include clothing and charity shops. Vacant units have reduced in the town centre by seven units since 2018, and in 2019 four vacant units were recorded. This evidence is of course somewhat outdated now, particularly given the impact of Covid-19, the true effects of which on the 'high street' we are yet to fully see.
- 16 Diss is identified as a Main Town in the Joint Core Strategy for Broadland, Norwich and South Norfolk (JCS) and in the emerging Greater Norwich Local Plan (GNLP)
- 17 The town offers a wide range of services and facilities; it is therefore seen as suitable for significant housing and employment growth. As well as a good range of shops and facilities in the town centre, there is a concentration of commercial and industrial businesses to the east of the town (located either side of the railway), with further land allocated for expansion.
- 18 Further afield, some three miles from the town, near Eye, is the Mid Suffolk Business Park which also offers significant employment opportunities. This falls just outside the DDNP area.
- 19 The town is located to the north west of the junction of the A140 and A143 and is on the main Norwich-Ipswich-London rail line. It is therefore well located for new development. There are vehicular pressures on the A1066 Victoria Road and B1077 Denmark Street as they pass through the town. Traffic congestion, especially at key junctions such as the Morrisons A1066 roundabout, is considered a barrier to growth. The roundabout on the road going into Morrisons is also important to the development of land to the south of Park Road, for which there is an ambition to develop a new 'Waveney Quarter' of the town with leisure facilities and green open space.
- 20 The growth of housing along Frenze Hall Lane, a road which is single track in two places, has also led to congestion issues and it is a major route for those travelling into the town or to the schools from the east, and also those travelling west to the railway station or commuting in the Eye/Ipswich/Norwich direction.
- 21 Diss has an attractive historic town centre within an extensive Conservation Area, that extends to Sunnyside at the north and Park Road to the south. The historic core of Diss is formed by the Market Place, Market Hill, and St Nicholas Street and the town includes an exceptional concentration of historic buildings.
- 22 Several open green spaces are located within the town, including the Mere and adjacent park, as well as private open land that contributes significantly to the town's character.
- 23 The South Norfolk Local Plan (SNLP) and emerging GNLP seek to avoid the coalescence of Diss with the nearby villages, particularly Roydon to the west, where the settlement boundary of Diss crosses the parish boundary into Roydon. As such, the scope for expansion of the town is seen to be constrained.

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<sup>1</sup> [Norfolk Market Town Centre Report](#) (2019)



## SOUTH NORFOLK VILLAGES

### Roydon, Scole and Burston & Shimpling

- 24 Both Roydon and Scole have been designated Service Villages in the JCS and are therefore able to accommodate small scale growth through site allocations, and infill. The village of Burston (in the civic parish of Burston & Shimpling) is designated as an 'Other Village' and so suitable for small-scale development only. Shimpling is considered a smaller rural community within the countryside, where development is not usually permitted, apart from agreed exceptions such as affordable housing meeting a specific local need.

#### ROYDON

- 25 The main settlements in the parish are concentrated in several distinct areas. There is the main village of Roydon, focused around the High Road, and the nearby hamlet of Snow Street. For the purposes of development, certain parts of east Roydon are included within the settlement boundary of Diss; namely those parts of Roydon parish to the west of Shelfanger Road and north of Factory Lane and, in addition, Totington Lane west of Fair Green.
- 26 The parish also contains clusters of housing around Brewers Green, Baynards Green and along Roydon Fen track.
- 27 Roydon village is located on the A1066 overlooking the Waveney Valley. It comprises several residential estates to the north of the road built over a period of decades during the second half of the 20<sup>th</sup> century, and a ribbon development, started in 1930, along its south side. To the east, Factory Lane, containing a single row of cottages and some of the earliest council houses built in Roydon, leads to Quaker Wood (the Diss Community Woodland Project). The surrounding fields and Quaker Wood help to separate Roydon from the developed area of Diss.
- 28 Elsewhere, the village is surrounded by open farmland affording attractive views from Swamp Lane and Baynards Lane to Snow Street, from Darrow Lane across a shallow valley to the north and east, and across the larger Waveney Valley to the south (including the Roydon Fen Nature Reserve). Settlement is of a linear nature along Snow Street, Baynards Lane and Hall Lane. These combine to create an attractive environment, where trees are integral to the setting of the dwellings. Roydon has a fine abundance of Grade II listed houses, the majority of which are on Snow Street, with others to be found in Baynards Lane, Hall Lane and Brewers Green.
- 29 Roydon's only Grade I listed building is its church, St Remigius. The church building dates from the 1100s with many changes through the ages. It has one of the distinctive round towers that are to be found in Norfolk with an octagonal top added in the 1800s to replace an earlier top. Pevsner remarks on its particularly good north porch with flushwork panelling.
- 30 The A1066 provides Roydon with a direct east-west link to Diss and other settlements along the Waveney Valley. Old High Road provides a further link to the centre of Diss via Roydon Road. The B1077 Shelfanger Road links northward to Shelfanger and Attleborough.



- 31 The village contains a range of facilities including a primary school, service station with a well-stocked shop, village hall and pub with restaurant. The late 19<sup>th</sup> century primary school now boasts a substantial 21<sup>st</sup> century extension. Roydon benefited in 1988 from the building of its Village Hall which is fully utilised. The timber-framed 16<sup>th</sup> century White Hart pub with restaurant is well supported by the local community.

## SCOLE

- 32 The parish of Scole is one of the largest parishes in Norfolk by area. The village itself is located in the south of the parish on the northern edge of the Waveney Valley. It is centred around the junction of the former Roman roads that became the A140 and A143. Scole contains extensive frontage development to the north, east and south of this junction backed by several large housing estates.
- 33 Relatively little development is located on the western side of the former A140, except for some limited frontage development along The Street and Norwich Road. A small, 15 home estate has recently been built on the west side of Norwich Road, opposite St Andrew's Church. The area around the junction of Bungay Road, Norwich Road and the Street forms the village core and includes a variety of buildings of considerable historical significance.
- 34 Approximately half of the village consists of relatively modern dwellings, many of which are detached, and the village is characterised by several open spaces near the centre, some of which afford views over the surrounding countryside.
- 35 The A140 and A143, which both bypass the village, provide direct links to Norwich and Ipswich and to towns along the Waveney Valley. The somewhat congested A1066 to the west of the village links Scole to Diss railway station, around 2.5km from the village.
- 36 The settlement has a range of social and community facilities including a primary school, shop, playing fields and a small community centre. The village has the benefit of mains sewerage although this will need surveying to ensure capacity exists to support any medium to large scale housing development.

## BURSTON & SHIMPLING

- 37 The separate parishes of Burston & Shimpling were merged in 1935 and include the outlying hamlets of Audley and Mill Green.
- 38 St George's Church in Shimpling is the only remaining Grade I listed building. The Burston Strike School was founded as a consequence of a school strike and became the centre of the longest running strike in British history. It is now a museum and community building. Although the village has seen some growth in the last 20 years, it still retains a very rural character. Its Conservation Area, designated in 1994 which centres on the two village greens.
- 39 Development is focused around the Diss Road/Rectory Road crossroads, where there is St. Mary's Church and the Burston Crown Public House. Burston Primary School and large playing field, with a popular BMX track, are nearby on Crown Green. The Space wellbeing centre is in Mill Green.



## MID SUFFOLK VILLAGES

### Palgrave, Stuston and Brome & Oakley

- 40 The Mid Suffolk *Core Strategy* (MSCS) defines Palgrave as one of 26 ‘Secondary Villages’ in the settlement hierarchy. Brome and Oakley (now within the single civic parish, Brome & Oakley) and Stuston are not listed in the settlement hierarchy and as such are designated ‘Countryside Villages’.
- 41 Secondary Villages and Countryside Villages are not required to accommodate development over the period 2012 to 2027. Policy in the emerging Babergh & Mid Suffolk *Joint Local Plan* for 2018 to 2037 (JLP) identifies Brome, Palgrave and Stuston as Hinterland Villages. Oakley is identified as a Hamlet. Together, these villages are expected to deliver 6,000 homes over the Plan period.

### PALGRAVE

- 42 Palgrave is located south of Diss, just inside the Mid Suffolk District boundary. The settlement consists of primarily 20<sup>th</sup> century residential development with several listed buildings mainly located around the triangular green to the north of the Parish Church of Saint Peter.
- 43 The Green is the core of the settlement and the Conservation Area. The landscape in Palgrave and the immediate surrounding area is characterised primarily as Ancient Plateau Claylands, as identified in the *Suffolk Landscape Character Assessment*<sup>2</sup>, with a band that wraps around from the north to the east and the south characterised as Rolling Valley Farmlands and Furze. Palgrave lies within the Protected Habitats Mitigation Zone.

### STUSTON

- 44 Stuston is located east of Diss, 11km south-east of Diss and close to the south bank of the River Waveney, which divides the Plan area between Norfolk and Suffolk. The linear settlement pattern is concentrated along the Old Bury Road and consists primarily of heritage buildings, with a small amount of 20<sup>th</sup> century residential development.
- 45 A large area of the parish is dominated by Stuston Common, covering some 70 hectares. The northern part of the Common is occupied by Diss Golf Club’s course.
- 46 The landscape in Stuston and the immediate surrounding area is characterised primarily as Rolling Valley Farmlands and Furze with the western aspect of the settlement characterised as Rolling Valley Claylands.

<sup>2</sup> <https://suffolklandscape.org.uk>



## BROME & OAKLEY

- 47 Brome is located to the north and east of Eye Airfield and is identified as a Hinterland Village.
- 48 The settlement consists of primarily linear 20<sup>th</sup> century residential development along Rectory Road, with a number of dispersed individual listed buildings and a small cluster of listed buildings in Brome Street.
- 49 The landscape in Brome and the immediate surrounding area is characterised as Rolling Valley Claylands.
- 50 Oakley is classified as a Hamlet Village. Upper Oakley consists of a series of dispersed residential buildings continuing east from Brome Street, and Lower Oakley is a linear development alongside the B1118 and adjacent to the River Waveney. It has a number of listed buildings, including the Grade II\* listed Poplar Farmhouse.



## 2 WHAT IS NEIGHBOURHOOD PLANNING?

### 2.1 OVERVIEW OF NEIGHBOURHOOD PLANNING

- 51 Neighbourhood Planning was introduced in the Localism Act 2011. It is an important and powerful tool that gives communities, through their parish councils, statutory powers to develop a shared vision and shape how their community develops and changes over the years.
- 52 The DDNP will be a document that sets out local planning policies for the Plan area and these will be taken into account to decide whether planning applications are approved or not alongside the adopted policies of South Norfolk Council (SNC) and Mid Suffolk District Council (MSDC). It is a community document, that is created by local people who know and love the area.
- 53 The Plan has to support the delivery of the 'strategic policies' contained in the *Local Plans* of the two Local Planning Authorities (LPA), SNC and MSDC. This includes the scale of housing growth for the area and the distribution of that housing growth.
- 54 The LPAs have provided indicative housing numbers that the DDNP should accommodate. Most of the housing growth will be in Diss with some in the villages, though not all of the villages. This is discussed further in Section 7.
- 55 A neighbourhood plan can include 'non-strategic policies', such as the mix of housing needed, design principles for new development, conserving and enhancing the natural and historic environment, and protecting local green spaces from development. It can also allocate land for the indicative housing growth or it can leave that to the LPAs.
- 56 The DDNP is allocating a number of sites for housing so that there is more local control over where new development is built.
- 57 Once a neighbourhood plan has been brought into force, following consultation with residents and a local referendum, it becomes part of the statutory development plan for the parish and will be used by the LPA in the determination of all relevant planning applications in the neighbourhood plan area.

### 2.2 THE PROCESS OF DEVELOPING THIS NEIGHBOURHOOD DEVELOPMENT PLAN

- 58 The Plan area is shown in Map 1. It was designated in August 2017 following a consultation by SNC and MSDC.
- 59 The seven member parishes of the DDNP agreed to the formation of a steering group to be responsible for the creation of the Plan. As far as was possible, it was made up of two members of the community from each parish, plus a substitute member and was supplemented, as required, by others or local experts by invitation. The DDNP Steering Group was responsible for gathering evidence, consultation, publicity, procurement of consultants, project management and generally overseeing the Plan's development. For formal administrative efficiency the Steering Group recognises South Norfolk Council as the lead local authority and Diss Town Council as the qualifying body and lead parish council.



60 Working on behalf of the community and the town and parish councils, the Steering Group has prepared this Plan, which will shape and influence future growth across the area. The key stages in developing the Plan included:

- Apply to the LPAs to designate the Plan area
- Collect evidence and determine initial ideas
- Undertake a Housing Needs Assessment and Design Guide for the Plan area
- Identify issues and options for addressing them
- Undertake a 'call for sites' that could be allocated in the Plan
- Assess potential sites against a range of objective criteria
- Consult the community and local stakeholders on issues and options (including sites) for the Plan
- Prepare a pre-submission draft Plan
- Screen the draft Plan for environmental impacts
- Undertake a full assessment of environmental impacts, including on designated wildlife sites
- Consult on the pre-submission draft Plan and Environmental Report
- Revise the draft to produce a submission draft of the Plan
- Submit the draft Plan to the LPAs for further consultation and independent examination and revise it if required
- LPAs organise a community referendum
- If approved by a majority, the Plan is made (adopted)

61 A broad range of evidence has been reviewed to determine the issues and develop policies for the Plan that will ensure the area grows in a way that meets the aims of the Plan and, in particular, respects the needs of current and future residents.

62 The policies contained within it will influence the design, location and type of new homes being delivered, as well as guiding infrastructure improvements that are delivered alongside growth so as to maximise community benefit.

63 The DDNP will be subject to periodic review and modified as required by changes to the guiding planning policy and local circumstances.





### 3 INVOLVING THE COMMUNITY

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- 64 Engaging the wider community in development of the Plan has been a key focus.
- 65 In June 2017, Diss Town Council (as the 'qualifying body') submitted a Neighbourhood Area application to South Norfolk Council (SNC) and Mid Suffolk District Council (MSDC) to define the boundary of the Diss & District Neighbourhood Plan (DDNP) area. A period of consultation ran from 16 June to 31 July 2017, with both local authorities confirming designation of the area on 23 August 2017.
- 66 The first public consultation, in the form of a survey delivered to every household, around 8,000, in the area, in early 2018. The key issues and themes emerging from the initial consultation were:
- The congestion on the A1066 and traffic generally, but in particular regular delays for commuters and train station users, together with the lack of footpaths and safe cycle routes.
  - The need to ensure the area included the right housing to meet local needs.
  - The need to support growing businesses.
  - The need to ensure the sustainability and attractiveness of Diss town centre for visitors and shoppers.
  - The need for each parish to retain its own character and sense of place.
  - The integration of high quality, reliable digital communications
  - The provision of modern medical facilities, community activities, arts and culture, sports and leisure to local communities
  - The preservation of an area rich in natural features, ecology, archaeology, culture, history and heritage.
- 67 A more recent consultation in the summer of 2020 focused on identifying the key issues the Plan should tackle, such as supporting ecology and Diss town centre. The consultation also explored potential policies for the Plan, such as a strategic gap or 'green wedge' between Roydon village and Diss to avoid their coalescence. It also gave a range of options for some policy matters. These included options for affording some protection to valued areas by designating them as Local Green Space and also suggesting various sites that could be allocated for new housing.
- 68 Given the impact of the coronavirus pandemic on the ability to engage with local communities face-to-face, the DDNP Steering Group had to rely on a questionnaire, available both online and in printed format. It was extensively promoted, and had an excellent response, with around 1,000 completed surveys. This was followed up later in the year with a second questionnaire focussing on additional housing sites and Local Green Spaces that had been suggested in the earlier consultation. This second survey had 530 responses.
- 69 A full account of consultation activities, the key points and how these were considered by the Steering Group throughout the process is set out in the *Consultation Statement*, which is one of the documents submitted with the Plan.



## 4 VISION AND AIMS

### 4.1 THE DDNP's VISION STATEMENT AND TEN AIMS:

The vision of the *Diss & District Neighbourhood Plan* is to maintain a vibrant community around a thriving market town.

#### THE TEN AIMS FOR THE PLAN ARE:

- 1 Sustainable Growth**  
Allocate the required housing growth in sustainable locations across the neighbourhood plan area, ensuring that it is the right mix to meet the needs of current and future residents
- 2 Design and Character**  
Ensure that new buildings, especially housing, are designed to a high standard and have a positive impact on the Diss and the villages, retaining the individuality of each community within the Neighbourhood Plan Area
- 3 Growth and Infrastructure**  
Align growth with the required infrastructure and make sure future development will deliver the infrastructure needed for our communities and businesses
- 4 Ecology and habitat**  
Make a positive impact on ecology and ensure everyone across the Plan area has an opportunity to enjoy and support local wildlife
- 5 Transport and Traffic**  
Help people choose sustainable ways of getting around in the Neighbourhood Plan Area
- 6 Sports and Leisure**  
Ensure adequate sports and leisure facilities for the whole community are provided
- 7 Digital Connectivity**  
Provide digital connectivity that supports and benefits all businesses and homes across the Area
- 8 Diss Town Centre**  
Enhance the Diss town centre experience for residents and visitors.
- 9 Community Character**  
Protect and preserve those special qualities and features that are valued by the community.
- 10 Addressing local climate change issues**  
Ensure that the need to address climate change runs through all aspects of the Plan.



## 4.2 HOW THE POLICIES WILL DELIVER THE PLAN

DDNP Aims and Policies	Aim 1: Sustainable Growth	Aim 2: Design & Character	Aim 3: Growth & Infrastructure	Aim 4: Ecology & Habitat	Aim 5: Transport & Traffic
Policy 1: Scale and Location of Housing Growth	✓		✓		✓
Policy 2: Regeneration of Waveney Quarter (new)	✓	✓			
Policy 3: Diss Business Park (new)			✓		
Policy 4: Housing Mix	✓				
Policy 5: Affordable Housing	✓				
Policy 6: Design		✓		✓	
Policy 7: Surface Water Management (new)				✓	
Policy 8: Green Corridors			✓	✓	
Policy 9: Road Traffic Improvements			✓		
Policy 10: Walking and Cycling Networks			✓		✓
Policy 11: Diss Leisure Centre			✓		✓
Policy 12: Broadband			✓		
Policy 13: Funding and delivery of infrastructure			✓		✓
Policy 14: Strategic link between Roydon village					
Policy 15: Local Green Space				✓	
Policy 16: Protection of local views					
Policy 17: Heritage Assets		✓			

Figure 4-1: How the individual planning policies will support Aims 1 to 5 of the DDNP



DDNP Aims and Policies	Aim 6: Sport & Leisure	Aim 7: Digital Connectivity	Aim 8: Diss Town Centre	Aim 9: Community Character	Aim 10: Addressing local climate change issues
Policy 1: Scale and Location of Housing Growth				✓	✓
Policy 2: Regeneration of Waveney Quarter (new)				✓	
Policy 3: Diss Business Park (new)					
Policy 4: Housing Mix				✓	
Policy 5: Affordable Housing					
Policy 6: Design				✓	✓
Policy 7: Surface Water Management (new)					✓
Policy 8: Green Corridors			✓		✓
Policy 9: Road Traffic Improvements					
Policy 10: Walking and Cycling Networks	✓		✓		✓
Policy 11: Diss Leisure Centre	✓				
Policy 12: Broadband		✓			✓
Policy 13: Funding and delivery of infrastructure					
Policy 14: Strategic Gap between Diss/Roydon village				✓	
Policy 15: Local Green Space	✓		✓	✓	✓
Policy 16: Protection of local views			✓	✓	
Policy 17: Heritage Assets				✓	

**TABLE 2** How the individual planning policies will support aims 6 to 10 of the DDNP



DDNP Aims and Community Actions	Aim 1: Sustainable Growth	Aim 2: Design & Character	Aim 3: Growth & Infrastructure	Aim 4: Ecology & Habitat	Aim 5: Transport & Traffic	Aim 6: Sport & Leisure	Aim 7: Digital Connectivity	Aim 8: Town Centre	Aim 9: Community Character	Aim 10: Addressing local climate change issues
Community Action 1: Affordable housing cascade alignment	✓									
Community Action 2: Maintenance of Drainage Ditches				✓						✓
Community Action 3: Village Traffic Speeds					✓					
Community Action 4: Routine Maintenance of Walking and Cycling Routes					✓	✓				
Community Action 5: Town Centre Action Plan		✓						✓	✓	
Community Action 6: Diss Heritage Triangle		✓						✓	✓	

**TABLE 3** Some of the policies are not strictly 'planning' related. Nevertheless, it was felt that they were important enough to include in the plan and be called 'COMMUNITY ACTIONS'



## 4.3 RESPONDING TO CLIMATE CHANGE

- 70 The *National Planning Policy Framework* (NPPF) sets out that plans should take a proactive approach to mitigating and adapting to climate change, taking into account the long-term implications for flood risk, water supply, biodiversity and landscapes, and the risk of overheating from rising temperatures, in line with the objectives and provisions of the Climate Change Act 2008.
- 71 This is a key priority that has been woven into many of the DDNP policies. For example:
- **Aim 10** is to ensure that the need to address climate change runs through all aspects of the Plan.
  - **Policy 6: Design** encourages new homes to be designed to high standards of energy efficiency. Policy 6 also discourages the use of external lighting and street lighting. These will reduce energy consumption which should reduce CO<sub>2</sub> emissions.
  - The assessment of allocation sites in **Policy 1** included consideration of sustainable access to services, such as by walking, and insofar as this will reduce car use, this will result in lower CO<sub>2</sub> emissions compared to less sustainable sites.
  - **Policy 8** will help to deliver significant improvements to green infrastructure across the DDNP area. This will support the health and resilience of wildlife, which is essential in maintaining and enhancing its ability to provide the wealth of ecosystem services, such as water retention and climate regulation, which we rely on. Green infrastructure is also vital to human health and wellbeing and a crucial element of adapting to climate change.
  - **Policy 10** supports the shift towards a low carbon economy, aiming to deliver an improved walking and cycling network that will encourage people to walk and cycle more and use their cars less often, thereby reducing CO<sub>2</sub> emissions.
  - **Policy 12** promotes improved broadband, making it easier for people to work from home and reduce their travel needs, such as for business meetings.





## 5 POLICY CONTEXT

### 5.1 LOCAL PLANS

- 72 The Local Planning Authorities (LPA), South Norfolk Council (SNC) and Mid Suffolk District Council (MSDC) have *Local Plans* in place and are in the process of developing new ones. The *Local Plans* comprise strategic policies such as the housing requirement and how this will be distributed around the districts, site allocations for where new housing should go, and detailed development management policies on matters considered as part of individual planning applications, such impacts as residential amenity and design.
- 73 The policies in a neighbourhood plan must be in general conformity with the strategic policies in the *Local Plans*; it is not allowed to have its own strategic policies. The *Local Plans* also contain non-strategic policies for the whole of South Norfolk and Mid Suffolk. This emerging neighbourhood plan contains some non-strategic policies for Diss and District itself, identifying specifically and which will apply when planning applications are determined.

### 5.2 THE NATIONAL PLANNING POLICY FRAMEWORK

- 74 The *National Planning Policy Framework* (NPPF)<sup>3</sup> also sets out a large number of planning policies and principles, such as how heritage assets need to be protected, how the impacts of traffic should be considered, the management of flood risk, the need for developments to deliver gains for the natural environment.
- 75 There is no need for a neighbourhood plan to repeat or copy the planning policy framework contained within the *Local Plans* and the NPPF. The supporting text around the policies in the following sections tries to explain this for each policy area. However, where there are policy details missing that are important to our neighbourhood area, or where it was felt that a slightly different non-strategic policy is needed, then new policies have been developed for the *Diss and District Neighbourhood Plan*.
- 76 Some of the policies in the following sections are not strictly 'planning' related. Nevertheless, it was felt that they were important enough to include in the Plan and be called 'COMMUNITY ACTIONS', being something that the local community and parish councils and town council will lead on.
- 77 The policies are intended to meet the vision and aims set out earlier. They are aimed at guiding decision makers and applicants to achieve high standards of development in the right places. Development proposals should have regard to all the planning policies in this Plan, and of course those in the *Local Plans*.
- 78 To give more local control over the planning process and particularly where new development should take place, the Plan has allocated a number of sites for housing and other development, rather than leaving the allocations to the LPAs.

<sup>3</sup> [National Policy Planning Framework](#)



## 6 DELIVERING GROWTH

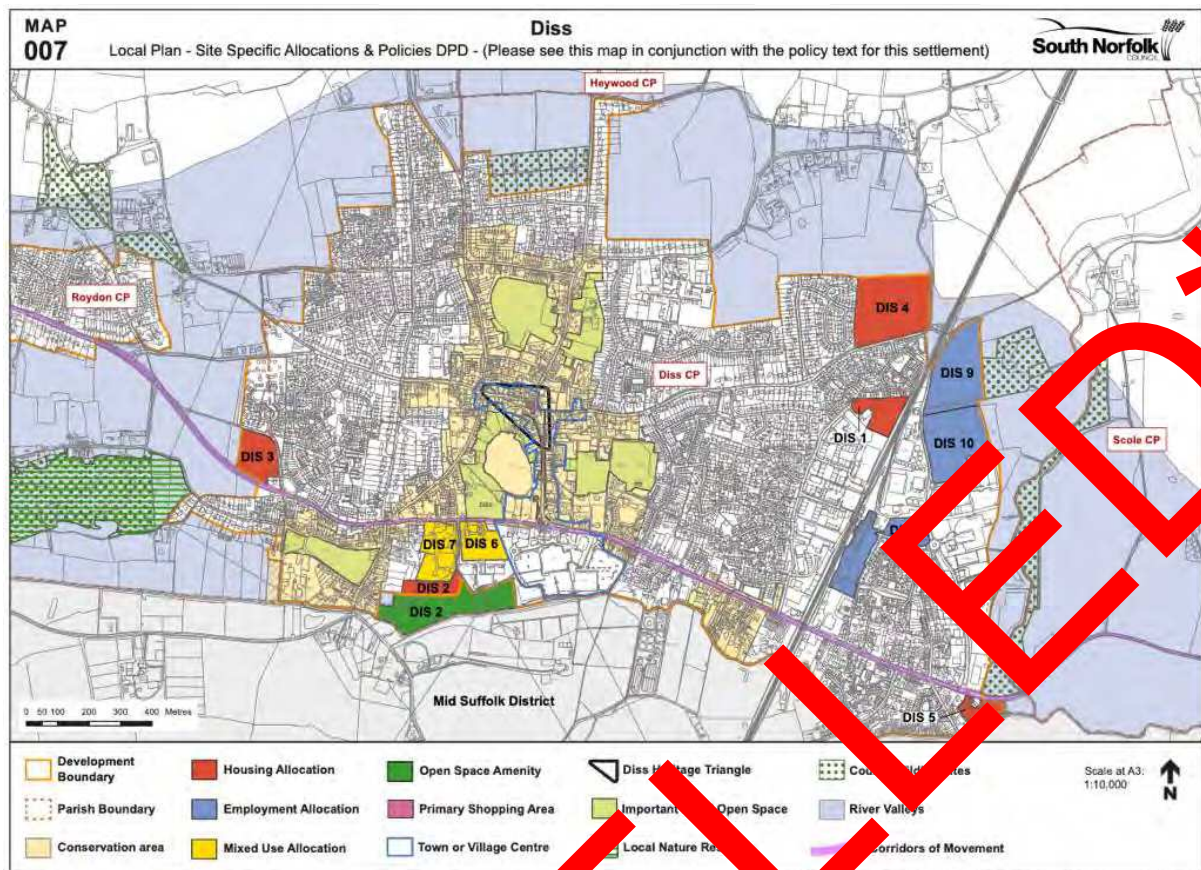
### 6.1 INTRODUCTION

- 79 Chapter 5 of the National Planning Policy Framework (NPPF) requires plans to ensure a significant increase in the supply of new homes. Also, neighbourhood plans should meet the indicative housing requirement provided by the Local Planning Authority (LPA), which needs to be seen as a minimum number of homes to be delivered in the plan period.
- 80 For Diss (including part of Roydon) the LPA has provided an indicative housing growth figure of 400 new homes. Part of this is fulfilled by the allocation of Frontier Agriculture on Sandy Lane for 150 homes in the emerging Greater Norwich Local Plan (GNLP). Another element is made up of recent permissions, including 49 on land south of The Thatcher's Needle<sup>4</sup>. The DDNP will meet the remaining overall housing requirement for 201 homes. In addition to this there are existing housing commitments, totalling 122 new homes, in the South Norfolk Local Plan (SNLP) that have not yet been delivered and will need to be carried forward to the DDNP. This gives a total deliverable housing requirement for the DDNP in Diss (including part of Roydon) of 323.
- 81 The South Norfolk villages of Burston, Scole and Roydon have been provided with an indicative housing growth figure of at least 25 new homes each by South Norfolk Council (SNC). The Regulation 18 stage of the emerging South Norfolk Village Clusters Housing Allocation Plan (VCHAP) confirms that the DDNP will provide site allocations to meet this requirement.
- 82 Policy SP04 of the emerging Babergh & Mid Suffolk Joint Local Plan (JLP) sets out that 10% of new homes will be delivered in the Hinterland Villages. It also sets out a minimum housing requirement for the DDNP of 15 new homes within the parishes of Brome & Oakley, Palgrave and Stuston. Of these, a total of 15 already have planning permission at the JLP's base date (1 April 2018), which leaves a requirement for 15 to be allocated across the three parishes.
- 83 The indicative housing growth requirements across the DDNP area to 2038 are as follows:

	New Housing Requirement	Existing commitments to be carried forward	Total housing commitment for DDNP
Diss (including part of Roydon village)	201	122	323
Roydon	25	0	25
Scole	25	15	40
Burston & Shimpling	25	0	25
Brome & Oakley, Palgrave and Stuston	15	0	15
<b>Total</b>	<b>291</b>	<b>137</b>	<b>428</b>

4 The permission on land behind The Thatcher's Needle is use class C2, which is equivalent to 62 dwellings using a calculation of 1:1.8 as set out in national guidance. GNLP assumes 13 homes on this site as part of existing commitments, therefore, the net additional housing for this site is 49 for the purposes of DDNP.

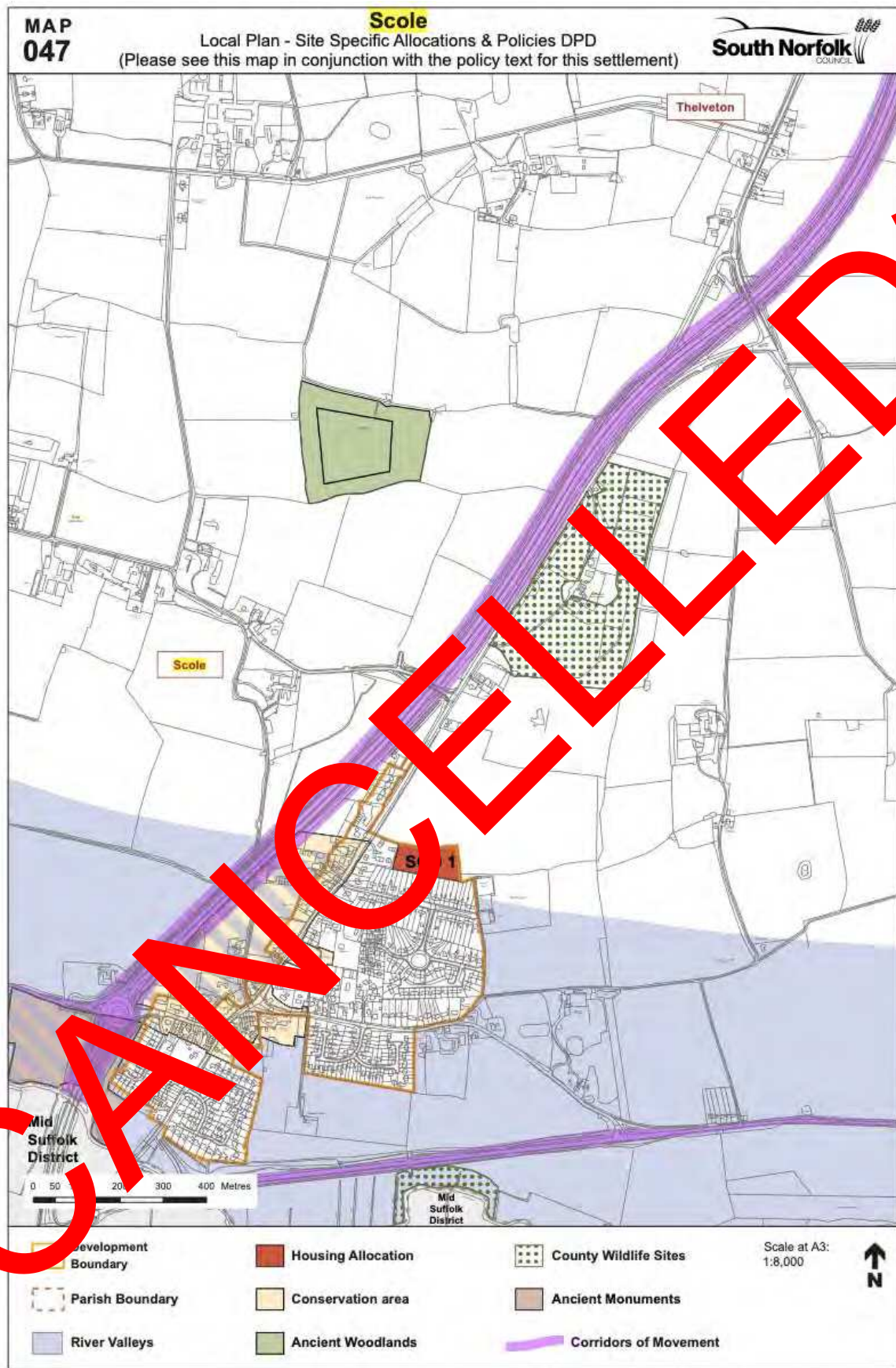




**MAP 2** Allocations in Diss as set out in the existing South Norfolk Local Plan (SNLP)

- 84 The existing commitments for 137 new homes are allocations in the current SNLP. This includes DIS1, DIS2, DIS3 and DIS4 in Diss plus DIS5 which is an employment allocation; and SCO1 in Scale (see Maps 2 and 3 above and on the following page). These allocations will not feature in the GNL or VCHAP. The DDNP is required to meet these housing numbers, either by carrying forward the allocations or identifying alternative sites for the growth.





**MAP 3** Allocation in Scole as set out in the SNLP



## 6.2 DELIVERING HOUSING REQUIREMENTS

- 85 The NPPF and *Local Plans* provide a steer on where to locate new housing. The NPPF highlights the need to allocate land with the least environmental or amenity value. Elsewhere there is strong support for brownfield land for housing within settlements, and support for having due regard to the intrinsic character and beauty of the countryside. There is also support for development in locations that have good access to local amenities and services using sustainable transport. The NPPF focuses on the need to promote sustainable development in rural areas, requiring housing to be located where it will enhance or maintain the vitality of rural communities. \*
- 86 The 2015 SNLP Policy DM 1.3 requires development to be located sustainably and aims to restrict development in the open countryside. Policy CS2 in Mid Suffolk's 2008 *Core Strategy* (MSCS) does the same. The DDNP strategy for allocating sites has aimed to do this, allocating sites principally adjacent to or within the existing settlements.
- 87 Potential sites were put forward either to the LPAs during the development of their *Local Plans*, or directly to the DDNP Steering Group during the Summer 2020 consultation. These were all independently assessed by AECOM as part of the national support framework for neighbourhood plans. Overall, 77 sites have been assessed across the DDNP area as part of three separate *Site Options and Assessment* (SOA) Reports. This assessment work captures all known sites being promoted up to November 2021, with each SOA building on the previous, updating assessments for individual sites where additional new evidence had emerged or been promoted by the landowner.
- 88 The SOA reports use a range of criteria to assess the potential sites, such as flood risk, relationship to existing settlements, access to services. A traffic light system was used such that green indicated no issues, amber indicated some constraints which could be mitigated, whilst red indicated that the site would be unviable.
- 89 These assessments were considered and the better site options were consulted upon during the summer and autumn of 2020. The results of the SOA and consultations led to the preferred sites being identified and subject to a *Strategic Environmental Assessment* (SEA) of reasonable alternatives, prior to allocation. This is detailed in the SEA Report.
- 90 As set out in Section 6, the DDNP is required to allocate a minimum of 428 new homes over the plan period up to 2031.
- 91 In some areas, Diss, Leiston and Brome, the new allocations will deliver more than the quantum of development required, though only marginally, by 50 more in total. This 'over-allocation' provides a useful buffer to ensure delivery of new housing remains on track, and also helps to meet specific local need for housing, as evidenced in the *Housing Needs Assessment* (HNA).
- 92 Policy 1, below, sets out the spatial distribution of housing growth across the DDNP, with each of these set out in detail in Sections 6.3 to 6.11. The allocations are also identified on the *Partnership Allocation and Asset Maps*, which are available in the submission documents library<sup>5</sup> for each parish in the Plan area. \*
- 93 There is an expectation that meaningful engagement will take place with the community prior to a formal planning application being submitted to the LPA for each of the DDNP housing allocations.

<sup>5</sup>[www.ddnp.info/submission\\_documents](http://www.ddnp.info/submission_documents)



## POLICY 1 - Scale and Location of Housing Growth

*The plan is making the following 16 housing allocations across the DDNP area:*

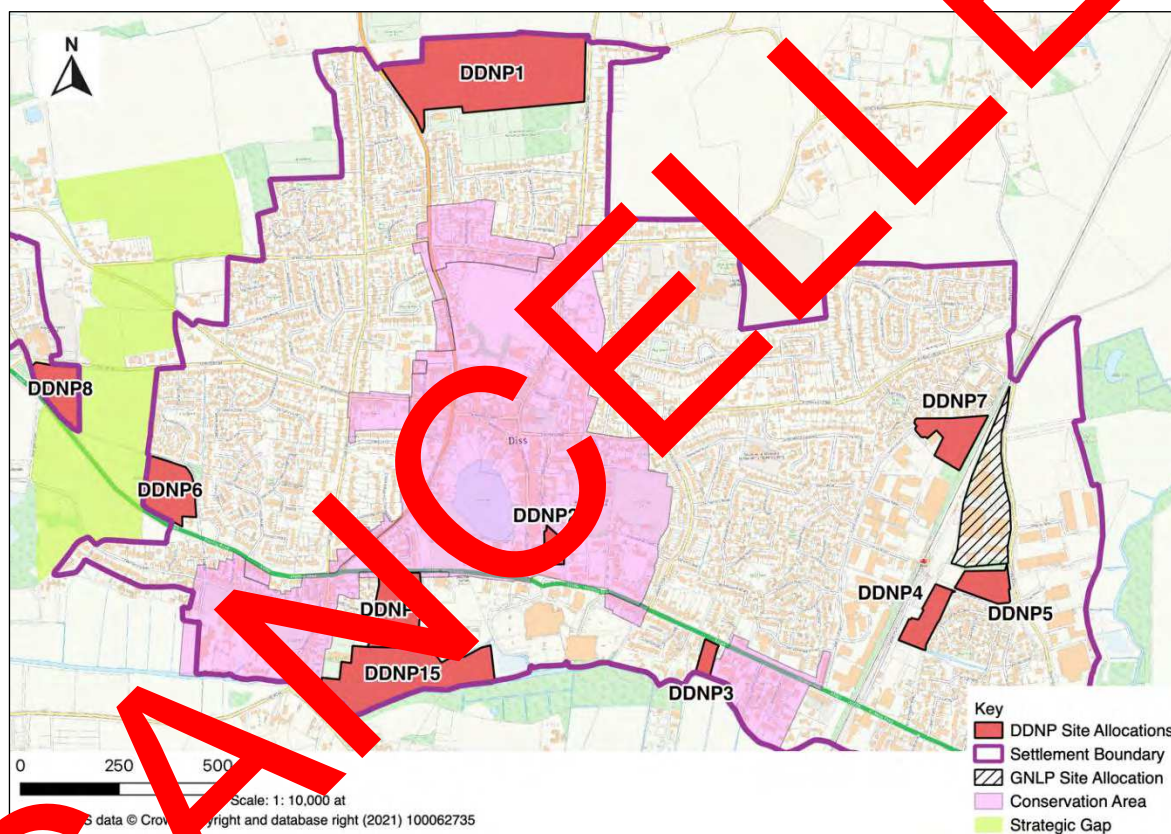
ALLOCATION SITE & POLICY NO.	LOCATION	NUMBER OF HOMES
DDNP1	Land east of Shelfanger Road and west of Heywood Road, Diss (Including part of Roydon parish)	180
DDNP2	Site of derelict Victorian Infant School, the Causeway, Diss	10
DDNP3	Site of the existing leisure centre, Victoria Road, Diss	20
DDNP4	Land west of Nelson Road and east of Station Road, Diss	25
DDNP5	Land north of Nelson Road, Diss	43
DDNP6	Land off Denmark Lane, Diss (including part of Roydon parish)	25
DDNP7	Land north of Vince's Road, Diss	10
DDNP8	Land south of Roydon Primary School, Roydon	25
DDNP9	Land west of Hissing Road, Burston	25
DDNP10	Flowerdew Meadow, Norwich Road, Scole	25
DDNP11	Land east of Norwich Road, Scole	50
DDNP12	Former Scole Engineering Site, Scole	6
DDNP13	Land north-west of Ivy House, Brome	9
DDNP14	Land south of B1118, Lower Oakley	3
DDNP15	Land off Park Road, Diss	10
DDNP16	The Feather Mills site, Park Road, Diss	12
TOTAL		478

*These should be delivered in accordance with the allocation policies set out in sub-sections 6.3 to 6.11*



## 6.3 ALLOCATIONS IN DISS (INCLUDING PART OF ROYDON PARISH)<sup>6</sup>

- 94 The overall strategy is to deliver growth in Diss in the most sustainable locations. There is a focus on sites which are within, close to or well connected to the town centre and link with other policy areas including a new walking/cycle network and green corridors, whilst protecting the heritage value of the town centre.
- 95 A number of allocations are on brownfield land, are within the settlement boundary or have already had the principle of development established.
- 96 There will be a particular focus on good design of new homes to ensure a strong cohesive link with the historic character of the nearby Conservation Area. The area will become a focal point for recreation, walking and cycling as it will include improved links to and from surrounding villages



**MAP 4** Site allocations in Diss

<sup>6</sup> The developed area of the town extends beyond the boundary of Diss parish in a few places on its western edge and takes in parts of Roydon parish. For planning purposes, the local planning authorities recognise a settlement boundary drawn around the urbanised area, regardless of whether it crosses a parish boundary.



## DDNP1

### Land east of Shelfanger Road and west of Heywood Road



**FIGURE 2** This is a concept drawing of the allocation, provided by Scott Properties the promoter

- 97 This allocation is well related to the current character and form of the built-up area of Diss. It will also facilitate an increase in the size of the Cemetery and delivery of a link road from Shelfanger Road to Heywood Road to alleviate some traffic pressure in Diss town centre.
- 98 The SOA rates this site as Amber, which means the site may be appropriate for allocation if certain issues are resolved or constraints mitigated. It identifies that it is located adjacent to a County Wildlife Site and within the Waveney Valley landscape area, which means development will need to be designed sensitively. Boundary trees and hedgerow should be protected for their ecological value. Some wider traffic mitigation measures may be required to alleviate additional traffic pressure on Shelfanger Road and the surrounding area. Enhancement to the sewerage and water supply network will be required.
- 99 This allocation was supported by just over 50% of respondents to the issues and options consultation in Summer 2020.
- 100 A development of this scale has an opportunity to support delivery of low carbon infrastructure (for example, a ground source heat network; or solar PV with battery storage) and high standards of sustainable design and construction. All opportunities to achieve this should be pursued. Policy 2 of the emerging GNLP seeks a 19% reduction against Part L of the 2013 Building Regulations, which if adopted will apply to this allocation. However, at the time of writing the GNLP awaiting examination, thus the requirement has also been included in Policy DDNP1a.



- 102 Policy DDNP1e requires the development to include pedestrian and cycle connections that link to the existing network without the need to utilise the new link road. For example, using a link via Farthing Close at the south-west and at an appropriate point onto Heywood Road on the eastern side of the site.
- 103 Figure 2 is a concept drawing for the site provided by Scott Properties in September 2021. This is indicative and subject to change but provides an illustration of how the development might be laid out. It includes an area that will be gifted to Diss Town Council for an extension to the cemetery.

## POLICY DDNP1

**This 8.4ha site is allocated for residential development to accommodate approximately 180 homes. The development will be expected to address the following specific matters:**

- a) Three individual sites are included in this allocation and will need a coordinated approach to design, layout, landscaping, infrastructure provision and delivery. A master plan will be required to demonstrate how this will be achieved;
- b) Design will need to take into account the presence of a high-pressure pipeline located adjacent to the northern boundary of the site;
- c) A Transport Assessment will be required for the whole site allocation;
- d) Provision of a link road to connect Heywood Road and Shelfanger Road;
- e) Development will be designed to include pedestrian and cycle connections that link to the existing network without the need to utilise the new link road;
- f) Design will need to ensure that parking provision is contained within the site boundaries, so as to ensure that the new link road remains free from parked vehicles. This is essential as the link will become an important strategic east-west route around the town;
- g) Deliver biodiversity net gain which includes habitat enhancement or creation to link with the nearby green corridors identified in Policy 8 and the adjacent Diss Cemetery County Wildlife Site; and
- h) The development will incorporate sustainable design and construction principles that maximise potential to achieve net zero carbon emissions and realise sustainability improvements over and above that set by Building Regulations, unless it can be demonstrated that this is not feasible.



## DDNP2

### Site of derelict Victorian Infant School, the Causeway, Diss

- 104 This is a brownfield site within Diss town centre. The former infant school, Mavery House, situated on the Causeway has been empty since the mid-1980s. It was known as the 'Council School' and remembered for its outside toilets. It started transferring pupils to the new school on Fitzwalter Road in the mid-1970s and finally closed in the mid-1980s. The building is not listed but is of some heritage value, with the building identified as having significant character in the Diss Conservation Area Appraisal. It is currently derelict; part of the boundary wall has collapsed, and it has been subject to vandalism and graffiti.
- 105 The SOA rates this site as amber, which means the site may be appropriate for allocation if certain issues can be resolved or constraints mitigated. It is a brownfield site, with the derelict school building of some heritage merit, although not listed, so any mitigation with respect to this and surrounding heritage assets will be required to ensure any development is sensitive to the historic character of the area.
- 106 Inclusion of the site for housing was supported by 71% of respondents to the DDNP survey in November 2020.

## POLICY DDNP2

This 0.4ha site is allocated for residential development to accommodate approximately 10 homes. The development will be expected to address the following specific matters:

- The old school building is one of townscape significance that will be retained and incorporated into the design and layout of the development unless clear evidence is provided that demolition is not feasible or viable;
- Design of the development will need to ensure adequate space for on-site parking and amenity space;
- Highway access will need to be secured onto Chapel Street with adequate width for two-way traffic and maintaining the existing footway/cycleway. Any impact on community facilities will need to be mitigated; and
- Development will need to be sensitive to the historic character of the area.



## DDNP3

### Site of the existing Leisure Centre

- 107 The current Diss Leisure Centre dates back to the old open-air swimming lido, with a roof added in the 1980s. It is owned and managed by SNC. The current site has a number of constraints that limit the leisure centre offer and a strategic plan exists to upgrade and relocate facilities within Diss. The timetable for this is currently uncertain, with the leisure sector having been significantly affected by the pandemic. However, this is understood to be a priority for SNC, who are confident it will take place during the DDNP's plan period.
- 108 The site is located within the built-up area of Diss and existing settlement boundary. Furthermore, because of its proximity to services, good transport links and the nature of surrounding development, it is felt that a high-density development is appropriate. Twenty homes on this site would be a density of 60 homes per hectare.
- 109 The SOA rates this site as green, which indicates the site is appropriate for relocation. The site is located within the settlement boundary and built-up area of Diss and is adjacent to other residential and commercial uses. It is favourably located in relation to services and facilities and there are no environmental or heritage designations within or adjacent to the site. The site is of medium risk of surface water flooding and would need a water management strategy.
- 110 Just under 50% of individuals supported allocation of the leisure centre site during the July 2020 consultation. This may have been higher had it been clear that the site would only be developed once the leisure centre had moved elsewhere, rather than closed.

### POLICY DDNP3

**This 0.31ha site is allocated for residential development and will accommodate approximately 20 homes. The development will be expected to meet the following specific matters:**

- a) The site will become available once the current leisure centre provision has been relocated; and
- b) The site is of medium risk of surface water flooding, and a water management strategy will be required to demonstrate that the development will not result in additional runoff.

## DDNP3

### Land west of Nelson Road and east of Station Road, Diss

- 111 This brownfield site was allocated for employment use in 2015 as part of the current SNLP but has not yet been developed. The promoter is now suggesting the site for residential use due to its proximity to Diss railway station. This has been agreed with South Norfolk Council and the employment allocation has not been carried forward as part of the emerging GNLP.



- 112 The site lies just east of the railway line and is surrounded by existing industrial development to the north and the south, with residential development to the east. It is within the settlement boundary, is near a range of services and employment opportunities and has good transport links, including mainline train services to Norwich and London.
- 113 Given past uses there may be some contaminated land, and careful mitigation would be necessary to manage noise from the rail line and adjoining industrial uses. Surface water flood risk is an issue on the southern part of the site and the sewerage and surface water networks would need to be upgraded. The site is highly accessible and there would be no impact on designated heritage assets. Mitigation may be required for the nearby County Wildlife Site.
- 114 This allocation was supported by 61% of respondents to the DDNP issues and options consultation in July 2020. Some concerns were raised by residents about the site being adjacent to the railway and fuel depot. The design of the development and its landscaping will need to reflect this to ensure adequate amenity for future residents.

## POLICY DDNP4

**This 0.94ha site is allocated for residential development and will accommodate approximately 25 homes. The development will be expected to address the following specific matters:**

- a) Deliver walking and cycling links to D's railway station;
- b) Subject to agreement by Greater Anglia, deliver a road connection from Nelson Road to the railway station forecourt. This will also enable a one-way bus service to utilise the connection of Nelson Road and Station Road.
- c) Provide appropriate landscaping along the site boundary to ensure adequate amenity for residents given the proximity of industrial uses and the railway;
- d) Assess the potential for land contamination, and manage appropriately any contamination found;
- e) Contribute towards protection and enhancement of green infrastructure along Frenze Beck, including enhancement of the County Wildlife Site and adjacent land currently used for informal access;
- f) Development will incorporate opportunity to improve surface water run-off rates, particularly in the creation of new site access and egress points where there is known high surface water flood risk on adjacent roads; and
- g) Policy CS16 (or any successor policy) of the *Norfolk Minerals and Waste Core Strategy (NMWCS)* applies, as this site is underlain by safeguarded mineral resources.



## DDNP5

### Land north of Nelson Road, Diss

- 115 This site was allocated for employment uses in the SNLP and is currently subject to a planning application (2020/0478) for the erection of an extra care facility containing 77 apartments. This application was approved by SNC on 25 February 2021. Whilst this is commercial development, it is Use Class C2 (residential institutions) and therefore is considered to meet a residential need. The equivalent number of dwellings we can equate to this is 10, a ratio of 1/1.8, in accordance with national *Planning Practice Guidance* (Paragraph 035 Reference ID: 68-035-2019722) and paragraph 11 of the *Housing Delivery Test Measurement Rule Book* (MHCLG, July 2018).
- 116 This site was not included in the SOA as it has been subject to a planning application and is considered to be committed development.

### POLICY DDNP5

This 2.89 ha site is allocated for C2 use residential development for 77 extra-care apartments for people in need of care and support

## DDNP6

### Land off Denmark Lane, Diss

- 117 The site was allocated (Ref DIS01) in 2015 as part of the current SNLP but has not yet been developed. The principle of development is accepted, and it is expected that development will take place within the DDNP timeframe, which mirrors that of the GNLDP.
- 118 The SOA rates this greenfield site as amber, which means it is appropriate for allocation if certain issues can be resolved and constraints mitigated. Although in the parish of Roydon, the site is located within the settlement of Diss, at a reasonable distance from shops and services. The site is small enough not to threaten coalescence between Diss and Roydon, but it will sit on the edge of the strategic gap identified within the DDNP. For this reason, and to protect the landscape value of the gap, a landscape buffer will be required along the western boundary of the site. The site is also just over 150m from an identified Green Corridor and well-used pedestrian and cycle route from Roydon to Diss.
- 119 The site is considered in the calculation of the Diss settlement housing requirement, providing 25 homes, subject to acceptable design and layout being achieved. The density of housing on the site needs to reflect its edge of settlement location.
- 120 Given its proximity to site allocation DDNP8 in Roydon village, there could be cumulative impacts on traffic along the A1066 between Diss and Roydon, when this site is delivered. The stretch of the A1066 between Diss and Roydon is currently 40mph. The opportunity to extend the 30mph speed limit should be considered when this site comes forward for development.



## POLICY DDNP6

This 1.6ha site is allocated for residential development, to accommodate approximately 25 homes. The development will be expected to address the following specific matters:

- a) Make appropriate footway improvement and provide road access from Denmark Lane without impinging on Roydon Loke, which is part of the DDNP Green Corridors and is a well-used pedestrian and cycle route from Roydon to Diss;
- b) Provide approximately 20m landscape belt to the western boundary to protect the landscape value of the strategic gap and to provide a soft edge to the development;
- c) Provision of open amenity play space on site to serve the development and contribute to local community facilities;
- d) Any provision of street lighting should be in accordance with the dark skies element of Policy 6;
- e) Development will incorporate opportunity to improve surface water run-off rates, particularly in the location of new site access and egress points where there is known high surface water flood risk on adjacent roads; and
- f) Policy CS16 (or any successor policy) of the *Norfolk Minerals and Waste Core Strategy (NMWCS)*, as this site is underlain by safeguarded mineral resources.

## DDNP7

### Land north of Vase's Road, Diss

- 121 This greenfield site is located to the north east of the town, within the settlement boundary and adjacent to the railway line. It is currently allocated in the SNLP (Ref DIS1) for 25 homes, and although not yet developed, work to progress a planning application for the site is underway.
- 122 The SOA, which represents an updated assessment of the site, identified that the south eastern part of the site has dense tree cover and would not be appropriate to develop. This reduces the potential development area on the site to around 0.6ha. The proximity to the railway line may also be a constraint, however, due to tree coverage along the railway and the development to the north which has been built up to the edge of the railway, this is unlikely to reduce the developable area further.
- 123 Vehicular access in the policy is required from Prince William Way, onto Frenze Hall Lane, as it was in the SNLP allocation. This is to avoid further mixing of residential and industrial



traffic, and to prevent further pressure on the junction of Vince's Road and Victoria Road. This junction already receives a considerable volume of traffic from the concentration of dwellings and commercial/industrial units that are currently served by it. It is currently a real challenge to exit Vince's Road, particularly during peak traffic hours. The Highway Authority are working on a potential improvement scheme, which is identified in the *Diss Network Improvement Strategy* (DNIS)<sup>7</sup>, that will improve congestion at this junction, but the scheme is not sufficiently advanced at the point of writing DDNP. Without significant improvement at this junction, the access for DDNP7 must remain onto Prince William Way/Frenze Hall Lane.

## POLICY DDNP7

This 1.18ha site is allocated for residential development to accommodate approximately 10 homes. The development will be expected to address the following specific matters:

- a) Trees in the southern part of the site must be retained and managed for their biodiversity and amenity value for new occupiers;
- b) New homes are located to the north of trees at a density similar to those in the adjacent residential development;
- c) Any planning application will need to be accompanied by an arboricultural impact assessment, with development proposals dependent on the mass removal of trees not supported;
- d) Deliver vehicular access to Frenze Hall Lane through Prince William Way, the adjacent housing development to the north of the site;
- e) Ensure appropriate landscaping along the boundary to Vince's Road to the employment area;
- f) Achieve connectivity with green infrastructure along Frenze Beck, including to the County Wildlife Site and adjacent land which is currently used for informal access;
- g) A high standard of design is expected in accordance with the *Diss & District Design Code*, including provision of private gardens; and
- h) Wastewater infrastructure capacity must be confirmed prior to development taking place.

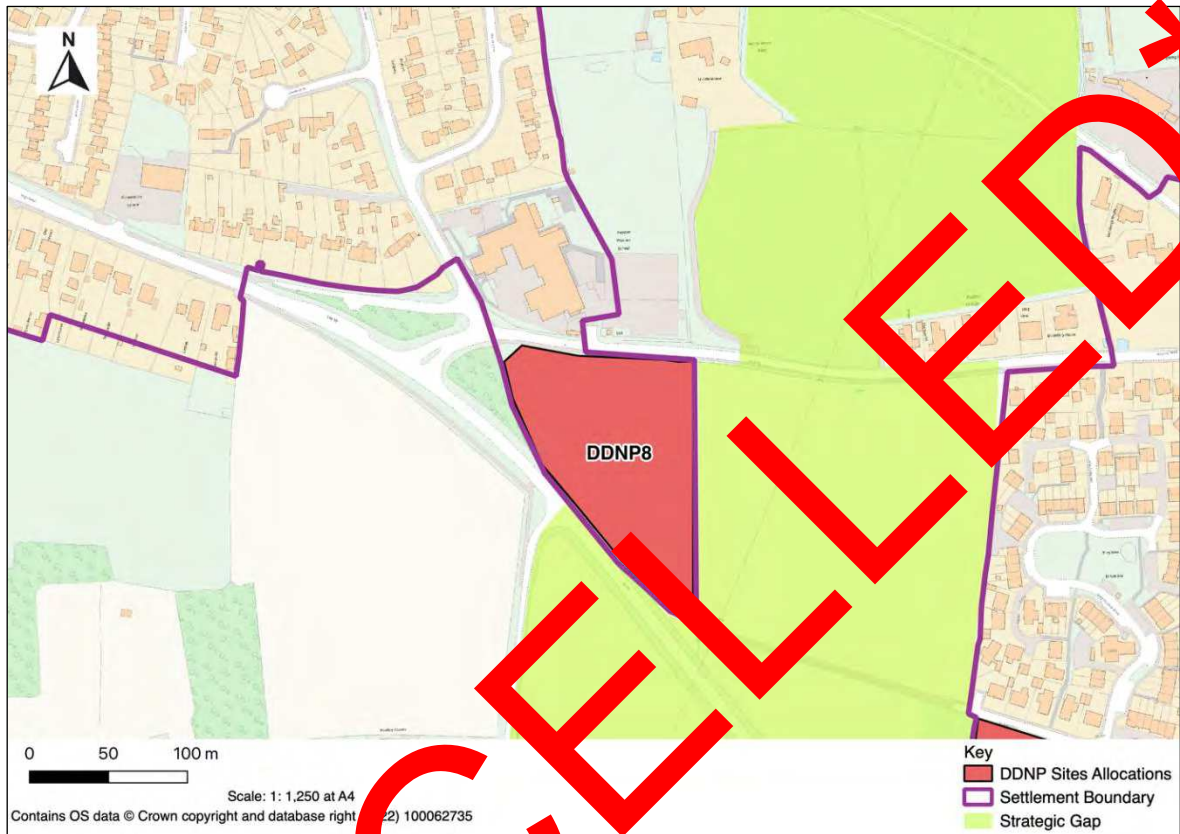
<sup>7</sup> [Diss Network Improvement Strategy](#) (2020)



## 6.4 ALLOCATIONS IN ROYDON VILLAGE

### DDNP8

Land south of Roydon Primary School, Roydon



**MAP 5** Allocation in Roydon village

124 This site is currently utilised as agricultural land. It is well located, south of Roydon Primary School and with good access to local amenities including the shop, garage, village hall, pub and bus stop. Development in this location will further erode the gap between the village of Roydon and the built-up area of Diss, which includes part of Roydon parish. The gap is considered in some detail in Section 8.1.

125 The SOA rates this site as amber, which means the site may be appropriate for allocation if certain issues can be resolved or constraints mitigated. It is within close proximity to a few services in Roydon, though the north-eastern part is closer to Diss services. There is currently no access to the site, but it has road frontage on one side. The site is at medium risk of surface water flooding, which will require mitigation. The site is part of a larger field, without a boundary to the east. There are views of the urban edge of Diss and therefore has high sensitivity to visual amenity. There are views across the site from the Old High Road across the River Waveney Valley and to the south-east and as set out above, development of the site would reduce the gap between Roydon and Diss and lead to a threat of coalescence. Landscape impact will need to be mitigated.



- 126 In November 2020 we consulted on five potential sites for housing development in Roydon. This site received the most support from residents and from a suitability perspective has the fewest constraints.
- 127 Directly to the south of the site is a well-used pedestrian and cycle route between Roydon and Diss. Informally, this is known as Roydon Loke. It is a section of the disused, old A1066/Denmark Lane. Roydon Loke forms part of Roydon's ecological network (see [Appendix A](#), Ecological Network Basemap) and is maintained by Roydon Parish Council volunteers, with the consent of the Highway Authority.
- 128 Given its proximity to site allocation DDNP6 on Denmark Road in Diss (including part of Roydon), there could be cumulative impacts on traffic along the A1066 between Diss and Roydon, when this site is delivered. The stretch of the A1066 between Diss and Roydon is currently 40mph. The opportunity to extend the 30mph speed limit should be considered when this site comes forward for development.

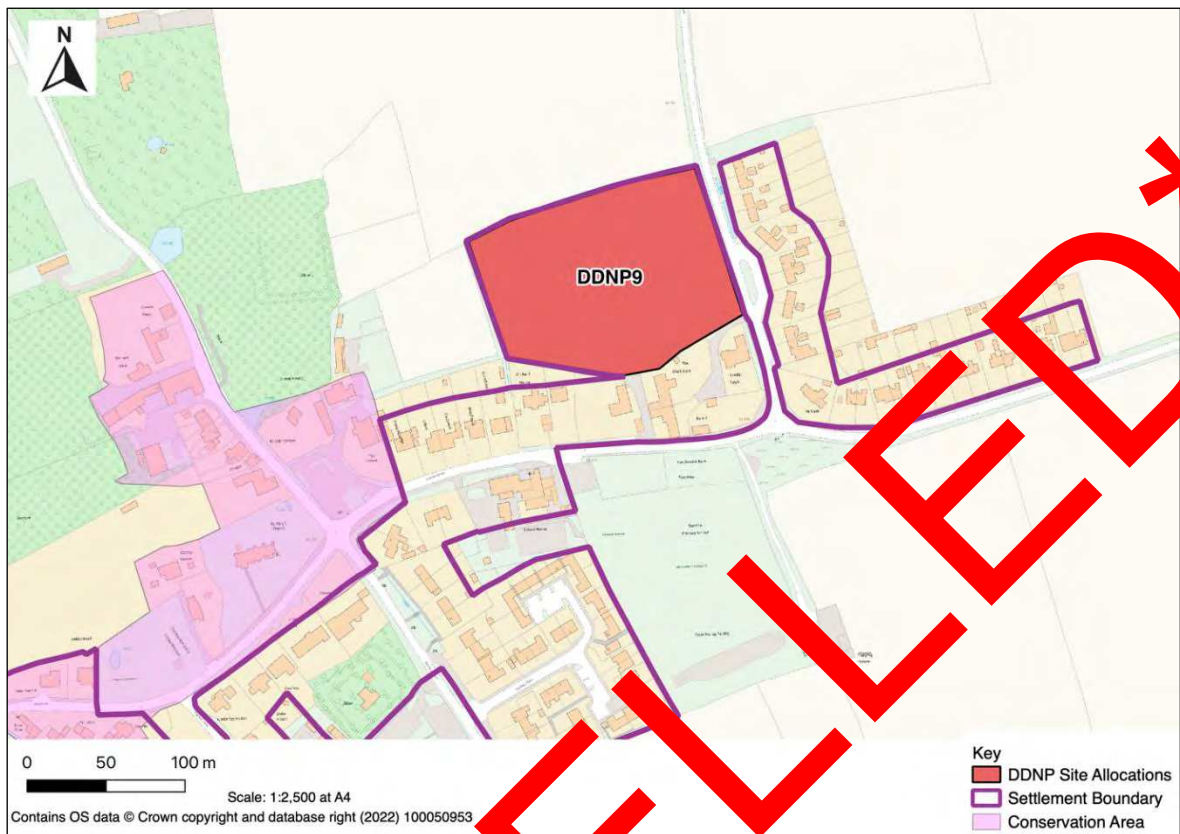
## POLICY DDNP8

This 1.25 ha site is allocated for residential development to accommodate approximately 25 new homes. The development will be expected to address the following specific matters:

- a) Appropriate highway access created onto Old High Road taking into account the close proximity of periodic school traffic peaks;
- b) Adequate separation, in accordance with the strategic gap identified in Policy 14, is maintained between the development and the meadow properties;
- c) Existing trees and hedgerow along the boundary should be retained and enhanced;
- d) Provision of approximately 10m landscape belt to the eastern boundary to provide a soft edge to the development.
- e) Provision of pedestrian and cycle access to Roydon Loke, causing minimal disturbance to the latter due to its Green Corridor status;
- f) A Landscape Management Plan must be submitted alongside any application to demonstrate how the design is fitting with an edge of village location, and ensure impacts on the wider landscape are minimized; and
- g) Where delivered, street lighting should be in accordance with Policy 6: Design.



## 6.5 ALLOCATION IN BURSTON



**Map 6** Allocation in Burston

### DDNP9

#### Land west of Gissing Road, Burston

- 129 This is a large open field site adjacent to the built-up area of the village, within close proximity of the school.
- 130 The site is screened on three sides by mature trees and hedgerow and runs adjacent to a green corridor identified in Policy 8. It therefore provides an opportunity to enhance the corridor through habitat creation and improvement, and expectation is that a proportion of the site will be devoted to new open green space.
- 131 The SOA rates this site as amber, which means the site may be appropriate for allocation if certain issues can be resolved or constraints mitigated. The site is adjacent to the settlement boundary and housing on the opposite side of the road. It is well related to the character and character of the village. Initial highway evidence has highlighted concerns that there are potential access constraints on site, but these could be overcome through development. Also, subject to suitable footpath provision, any potential impact on the functioning of local roads could be reasonably mitigated. There are no concerns over contamination ground stability, loss of high-quality agricultural land, loss of open space or ecology. Other constraints include possible impact to listed building and conservation



area. Anglian Water has advised of major constraints to provision of sewerage infrastructure and substantial off-site sewerage will be required to connect foul water.

- 132 In the consultation on Issues and Options for the DDNP this site was the second most supported by residents, with just under 50% supporting its allocation within the Plan.

## POLICY DDNP9

**This 1.54ha site is allocated for green open space and residential development, accommodating approximately 25 homes. The development will be expected to address the following specific matters:**

- a) Deliver new open green space, which includes habitat improvement and creation that specifically enhances the function of the adjacent green corridor;
- b) The public footpath running along the northern boundary of the site is retained;
- c) Wastewater infrastructure capacity must be confirmed prior to development taking place
- d) Sufficient landscaping to ensure no impact on the Grade II listed Manor House Farm, and
- e) To include a mix of homes, which includes some single-storey.



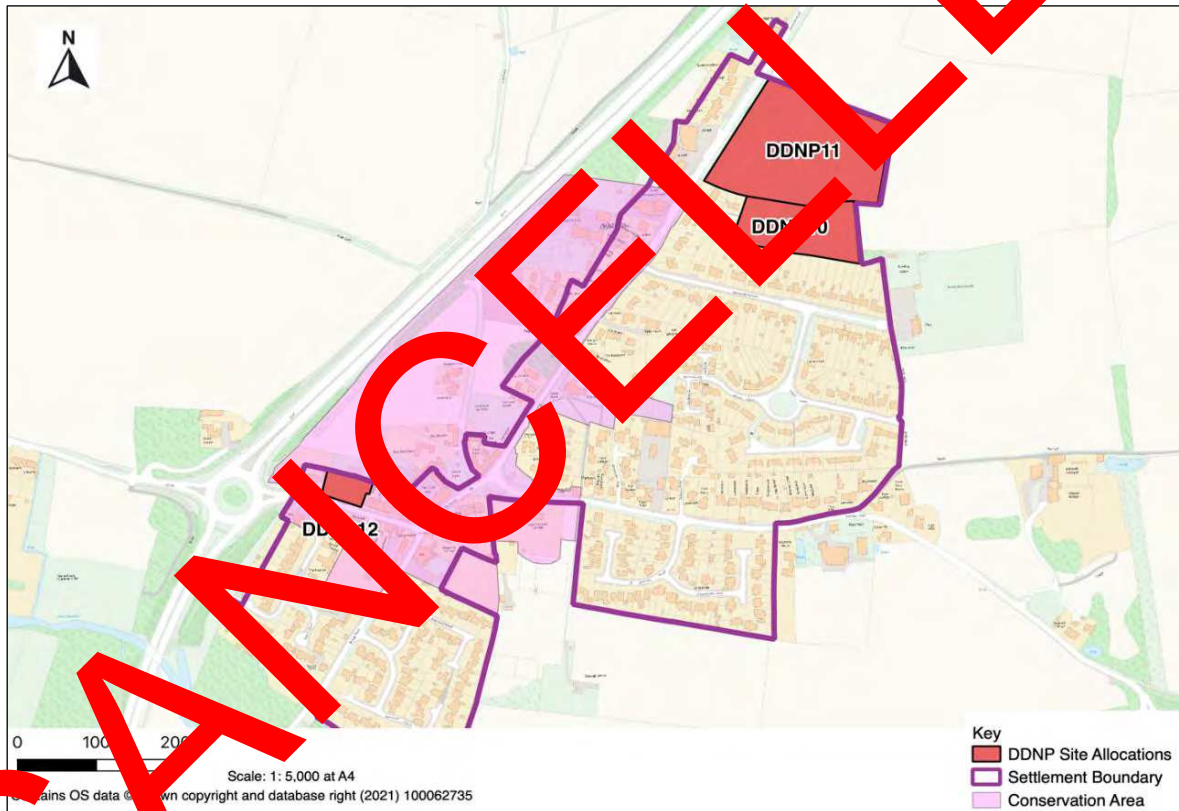


## 6.6 ALLOCATIONS IN SCOPE

### DDNP10

#### Flowerdew Meadow, Scole

- 133 This site could be seen as an extension to an adjacent, recent development for 11 homes.
- 134 Part of the site is already allocated in the SNLP (Ref SCO1) for 15 dwellings. This allocation carries that site forward, but to deliver 25 new dwellings at a slightly higher density which is reflective of the local character.
- 135 This is a large greenfield site that is well related to services and character of the village. Input from highways has indicated that there are potential access constraints, but these could be overcome through development. There are no concerns over contamination, ground stability, loss of open space or landscape character. There are a number of constraints, but these may be possible to mitigate.



**MAP 7** Allocations in Scole

- 136 This site was supported by almost 70% of respondents to the Issues and Options consultation in June 2020.
- 137 Preference is for vehicular access to be achieved through the adjacent allocation DDNP11, which will address community concerns about the impact the development may have on existing residents of adjacent housing. The vehicular access road through adjacent housing is fairly narrow and has an unadopted status nearest the boundary with DDNP10.



Should this not be feasible, due to timings of the allocations coming forward or otherwise, expectation is that provision will be made for a vehicular link between the two allocations and a Construction Management Plan that sets out how impacts on existing residents will be minimised during the construction phase.

## POLICY DDNP10

**This 1ha site is allocated for residential development, accommodating approximately 25 new homes. The development will be expected to address the following specific matters:**

- a) Vehicular access onto Norwich Road will be delivered through the allocated site DDNP10, unless satisfactorily demonstrated this is unfeasible. Where this is the case, expectation remains that vehicular access will be provided to the boundary with DDNP10 (land east of Norwich Road) which enables connectivity between the two sites; and
- b) A Construction Management Plan is required as part of the planning application to demonstrate how the impacts of construction traffic on existing residents of Flowerdown Meadow will be mitigated.

## DDNP11

### Land east of Norwich Road, Scole

- 138 This site is adjacent to the existing settlement boundary of Scole, within close proximity to the primary school and other village services. It will extend the existing built-up area northwards along Norwich Road.
- 139 Originally a much larger site of 5.2ha in size, was promoted by the landowner for 130 new homes. The SOA found this to be suitable for growth, subject to mitigation in relation to noise, heritage and surface water.
- 140 The SOA rates this as amber, which means that the site may be appropriate for allocation if certain issues can be resolved, or constraints mitigated. Due to the proximity of the A140 traffic noise is audible on the site. So, subject to a noise impact assessment, attenuation measures may be required. Also, the site is at medium risk of surface water flooding and mitigation is required if developed. The site is adjacent to a Grade II listed building. It contains no identifiable landscape features. It is suitable subject to establishing an appropriate access and mitigation with respect to heritage, noise, surface water flooding.
- 141 Development of 50 homes at DDNP11 will support delivery of highway infrastructure that is important to the community, including a new crossing point for the school and traffic calming measures along Norwich Road. The site will also enable vehicular traffic to access DDNP10 without going through an existing residential area.



- 142 The level of development being delivered here will result in additional Community Infrastructure Levy funding, which the community would like to use to fund a new accessible footway/cycle link between Scole and Diss. This is identified as link M on the Walking and Cycling Network (Policy 10, Map 19).
- 143 During the issues and options consultation in November 2020 the larger version of this site, for 130 homes, was supported by 30% of respondents.

## POLICY DDNP11

**This 2.6ha site is allocated for residential development, accommodating approximately 50 new homes. The development will be expected to address the following specific matters:**

- a) Include a heritage statement which sets out how the development will mitigate any impacts on nearby listed buildings, including High House, which is located within the vicinity of the site;
- b) Undertake a noise impact assessment and implement noise attenuation measures as required;
- c) Deliver traffic calming measures along Norwich Road, including a new pedestrian crossing point to the primary school; and
- d) Provide vehicular access to the site boundary with DDNP9 (Flowerdew Meadow) which enables connectivity between the two sites.

## DDNP12

### Former Scole Engineering Site, Diss Road, Scole

- 144 This site is located close to the village centre, adjacent to the Conservation Area. It is a brownfield site, currently the location of a garage and vehicle repair business, which intends to relocate to a smaller site. It is surrounded by other residential dwelling, some historic in their character, others more modern.
- 145 This site was not considered in the SOA as has been subject to a planning application and is considered to be committed development.
- 146 In 2020 outline permission (application ref. 2020/1236) was granted for demolition of the existing garage workshop buildings and construction of 6 dwellings.

## POLICY DDNP12

**This 0.2ha site is allocated for residential development, for 6 homes in accordance with outline planning permission 2020/1236.**



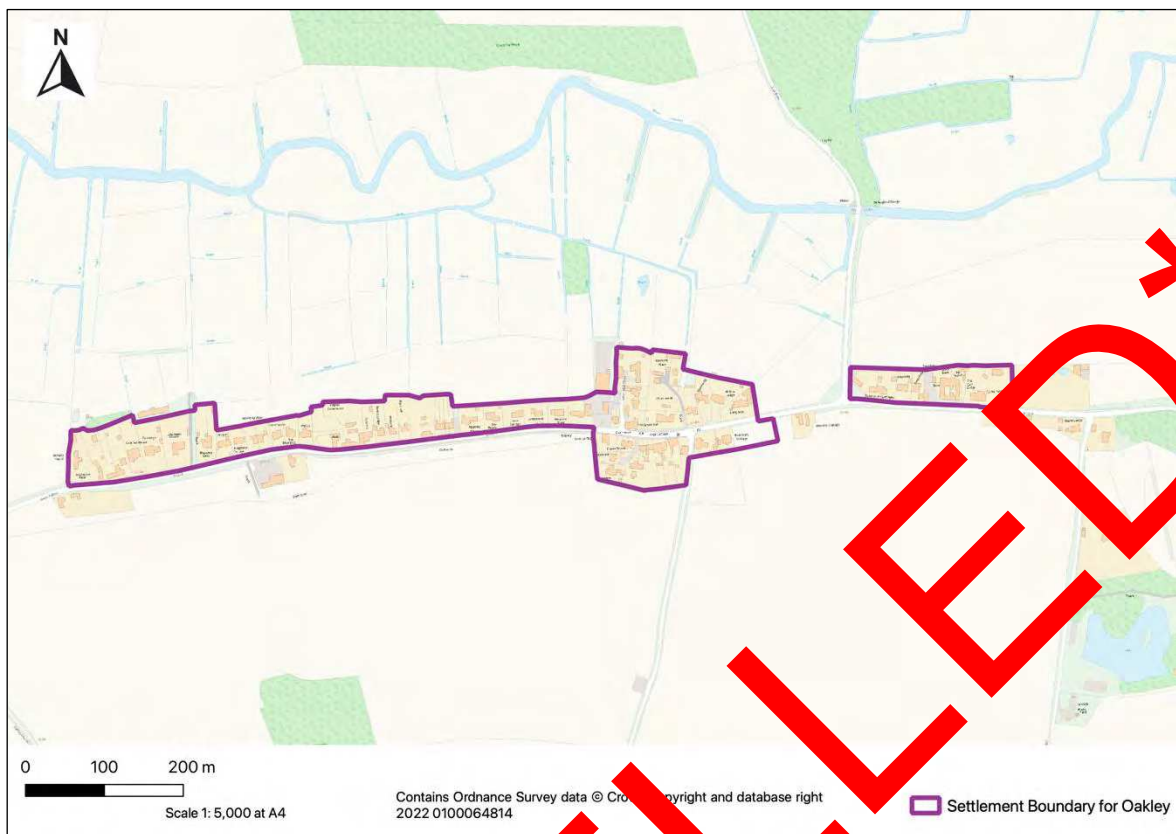
## 6.7 ALLOCATIONS IN BROME & OAKLEY

- 147 The DDNP makes two allocations in Brome & Oakley. The Plan also reintroduces settlement boundaries, which were removed in 2008 when the Mid Suffolk's Core Strategy (MSCS) was adopted. The boundaries broadly align with those presented in the Regulation 19 version of the JLP, which has since been split into two parts. Part 1 will contain all strategic policies and development management policies, with current settlement boundaries saved from the adopted MSCS. In the case of Brome and Oakley, this effectively leaves them without settlement boundaries and the DDNP may therefore recreate them.
- 148 The new DDNP allocations are included within the defined settlement boundaries on Maps 8 and 9 and in the *Parish Allocation and Asset Maps*. Anything outside of the defined boundaries is considered countryside.



**Map 8** The settlement boundary in Brome





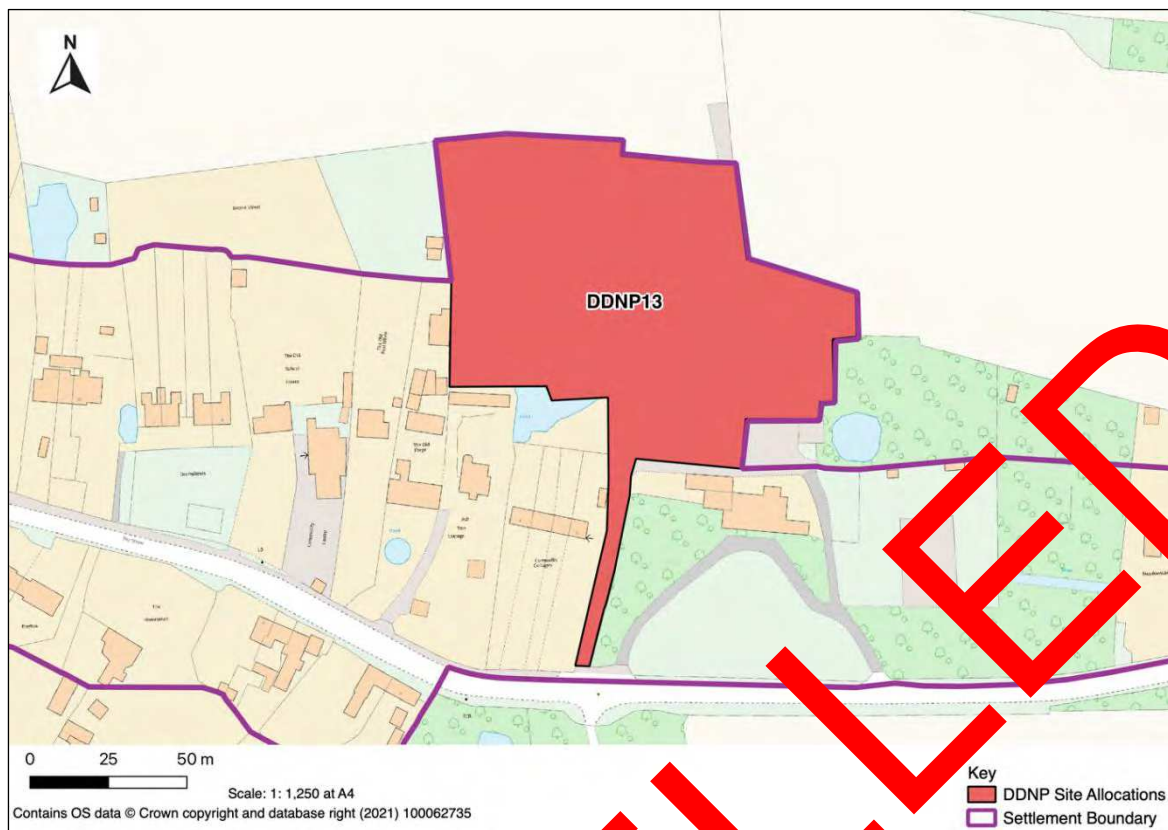
**Map 9** The settlement boundary in Oakley

## DDNP13

### Land north-west of Ivy House, Brome

- 149 This site currently consists of a redundant farmyard and farm buildings. There is an existing planning application on the site for conversion of one of the barns into a dwelling. This is included within the allocation with a view to the site being developed/developed as a whole rather than individual units.
- 150 The SOA rates this site as amber, which means the site may be appropriate for allocation if certain issues can be resolved or constraints mitigated. The site is at medium risk of surface water flooding and therefore mitigation would be required if developed. Although the site is adjacent to the settlement, it is not close to local services. Any development would need to be sympathetic to nearby heritage assets.
- 151 Of the four potential sites in Brome & Oakley put to public consultation in November, this received the greatest support, with just under 40% of respondents supporting its inclusion in the Plan. Of the concerns raised, the most common was related to the potential impact on nearby historic buildings.
- 152 The sites allocated in Brome & Oakley are not likely to have a significant impact on capacity at the catchment schools, as they are each under 10 dwellings. Suffolk County Council indicates that the emerging JLP growth has already been accounted for and both primary and secondary schools are forecast to exceed 95% capacity. Two schools will need to expand to accommodate this, which is in existing infrastructure plans.





**MAP 10** Allocation in Brome

## POLICY DDNP13

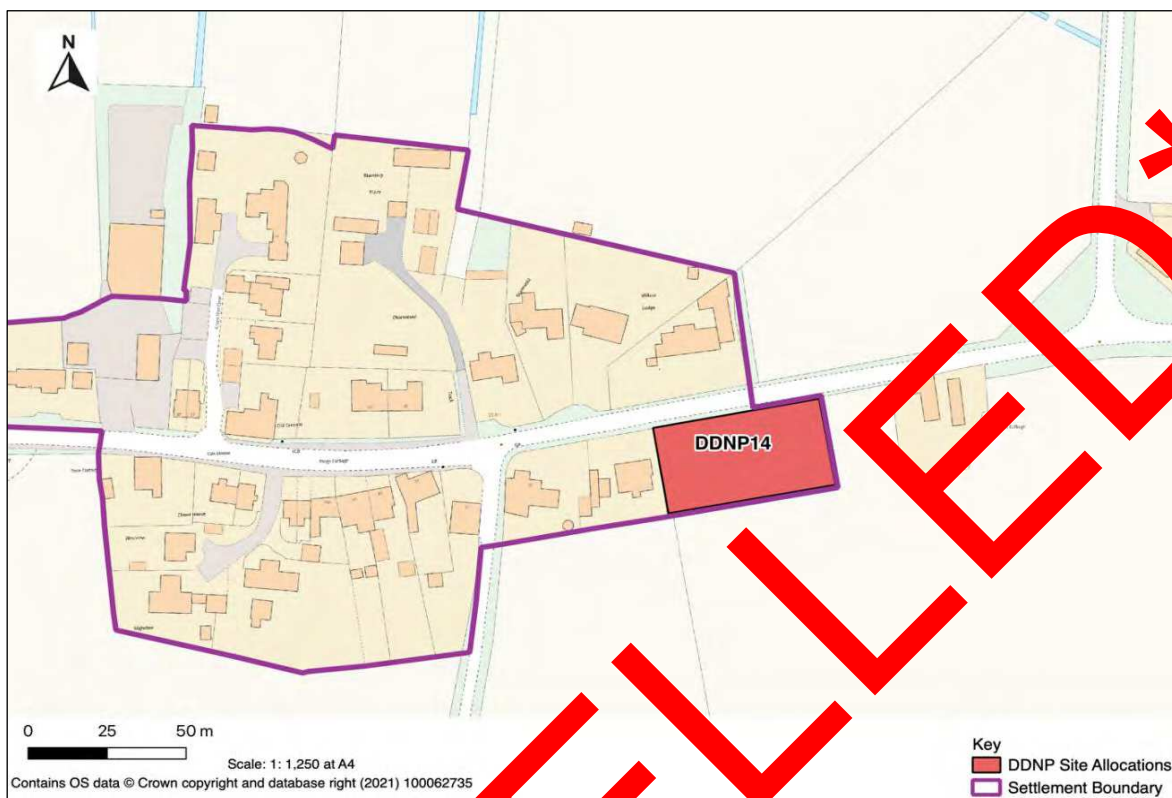
This 0.61ha site is allocated for residential development, accommodating approximately 9 homes. Development will be expected to address the following specific matters:

- Adequate highway access can be established onto The Street or Upper Gable;
- Design is sensitive and in keeping with nearby heritage assets;
- The size of the site may make it difficult to deliver biodiversity net gain onsite. Where this is the case, creation or improvement to habitat in the green corridors identified in Policy 5 can be delivered;
- Include a heritage statement which sets out how the development will mitigate any impacts on nearby listed buildings, including but not limited to Ivy House, Cornwallis Cottages, The Old Post Office, the Magnolias and 1 and 2 the Street, which are located within the vicinity of the site; and
- Programme of archaeological investigation will be secured prior to development commencing, given the potential recorded in the Historic Environment Record.



## DDNP14

### Land south of the B1118, Lower Oakley



**Map 11** Allocation in Oakley

- 153 This site is next to the built-up area of Oakley and had been included in the submission version of the JLP, where it was shown as an allocation for 5 homes. During Examination, however, consideration of the settlement hierarchy and site allocations was deferred to a future date, thus leaving the DDNP free to create this allocation and the settlement boundary in the meantime.
- 154 The SOA rates this site as 'C' which means it may be appropriate for allocation if certain issues can be resolved or constraints mitigated. The site is gently sloping and forms part of the rolling valley landscape, it is adjacent to existing development, including the Grade II listed Weaver's Cottage. Development would need to be subject to sympathetic design, minimising the impact on the heritage asset and its setting.

### POLICY DDNP14

**This 0.15ha site is allocated for residential development, accommodating approximately 3 homes. Development will be required to address the following specific matters:**

- a) Set out in a heritage statement how the development will mitigate any impacts on the nearby Grade II listed Weaver's Cottage, with this to include a buffer along the eastern boundary of the site; and



- b) Programme of archaeological investigation will be secured prior to development commencing, given the potential recorded in the Historic Environment Record.

## 6.8 ALLOCATIONS IN PALGRAVE

- 155 The DDNP is not making any allocations in Palgrave but does revise the current settlement boundary defined in the MSLP. The settlement boundary defined in Map 22 reflects recent development and aligns with the boundary presented in the Revision 2 version of the JLP. The JLP has since been proposed to be split into two parts; the settlement boundaries shown in Part 1 will be those used in the 1998 MSLP as amended by the 2008 MSCS. The later proposed JLP Part 2 will review existing settlement boundaries.

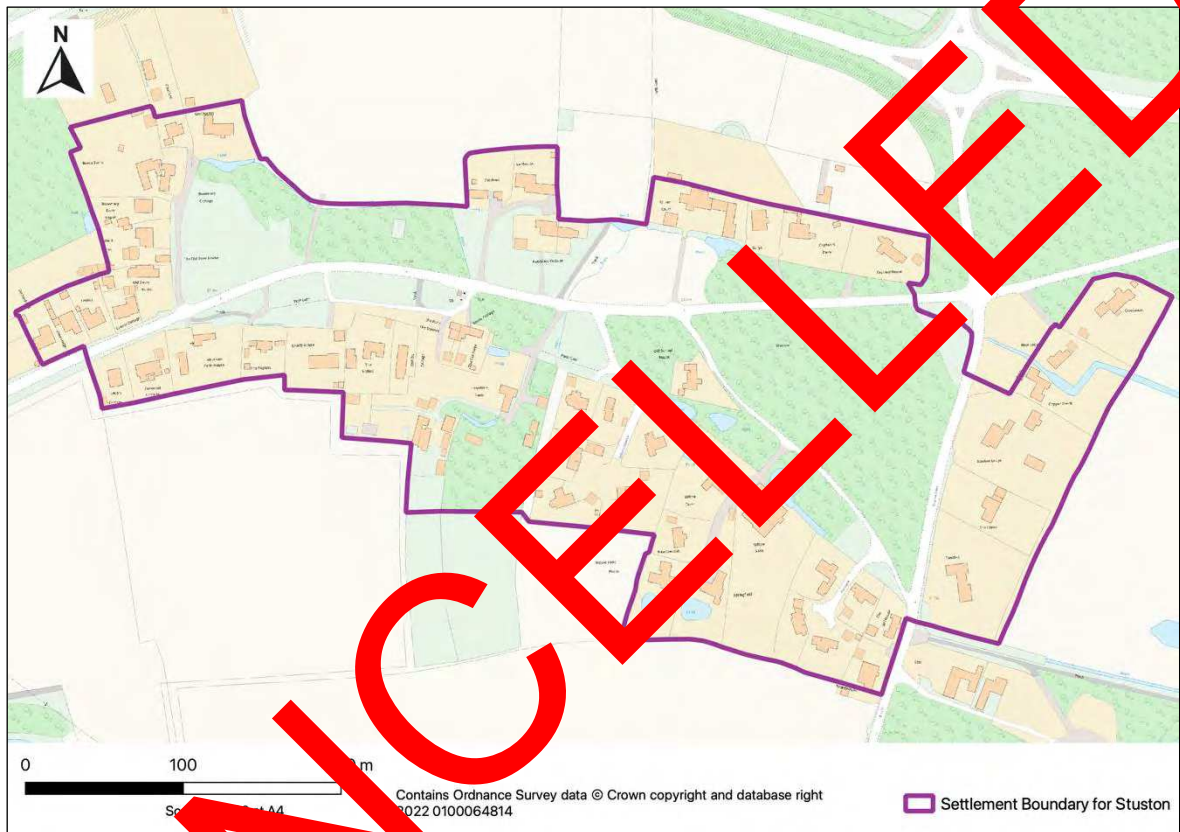


Map 22 The settlement boundary in Palgrave



## 6.9 ALLOCATIONS IN STUSTON

- 156 The DDNP is not making any allocations in Stuston but does reintroduce a settlement boundary, which was removed in 2008 when the MSCS was adopted. The boundaries align with those presented in the Regulation 19 version of the JLP, which has since been proposed to be split into two parts. Part 1 is proposed to contain the majority of strategic policies and development management policies, with current settlement boundaries saved from the 1998 MSLP, as amended by the 2008 MSCS. This effectively leaves Stuston without a settlement boundary.



**Map 13** The settlement boundary in Stuston





## 6.10 REGENERATION OF THE WAVENEY QUARTER, DISS

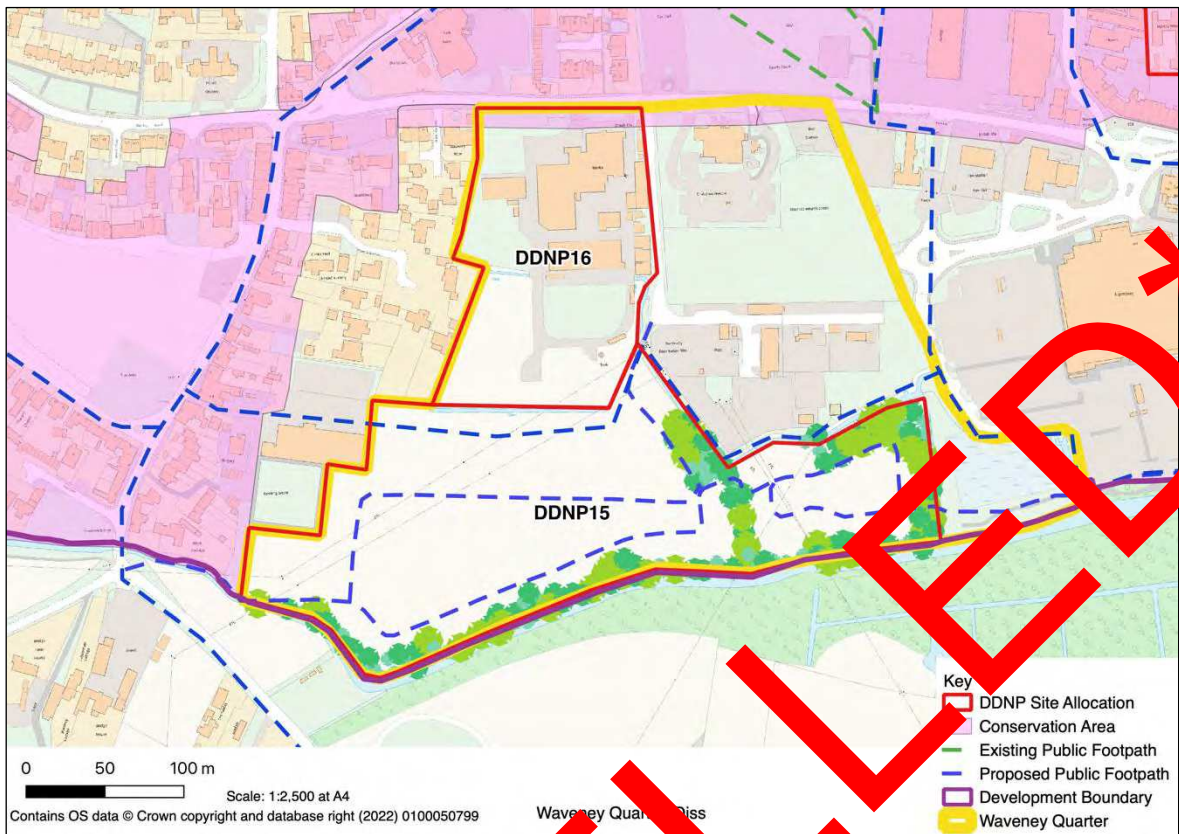
- 157 An essential element of the Plan is to promote regeneration of the south side of Park Road, establishing a new 'Waveney Quarter' along the River Waveney. The vision is to enhance the attractiveness of both this area and the town centre, creating a multifunctional green space that connects the town with the river valley.
- 158 Development in this area will include improved green infrastructure, leisure facilities and some enabling housing development.
- 159 There will be a new riverside walk and enhanced connectivity from the Diss Park and Mere. It is also the preferred location for the new and improved Diss Leisure Centre.
- 160 Regeneration of this area of Diss is a longstanding ambition that is yet to be realised despite previous allocations. A strong case for leisure and retail, in this central location, rather than housing, remains. There are relatively few alternative sites to accommodate these uses in a way that enables a thriving market town – a key element of the vision for this Neighbourhood Plan. The principle of development in this location is already established as the allocations have been brought forward from the SNLP

### POLICY 2 – Regeneration of the Waveney Quarter

Proposals for development within the Waveney Quarter of Diss should contribute towards it becoming a focal point for leisure and recreation. The growth of leisure and community facilities in this area is promoted.

- a) Given its proximity to the River Waveney corridor opportunities should be taken to enhance biodiversity and strengthen ecological networks. Creative and innovative design that is sensitive to its location near to the riverside and Conservation Area will be expected.
- b) Proposals that strengthen connectivity between this area and the town centre will be considered favourably. Opportunities to enhance the permeability of pedestrian and cycle links within the Waveney Quarter are encouraged. All development will be expected to integrate well with the surrounding network of pedestrian and cycle links.
- c) Sensitive residential development that is proportionate to the area will be permitted.
- d) This area is underlain by safeguarded mineral resources therefore Policy CS16 (or any successor policy) of the Norfolk Minerals and Waste Core Strategy (NMWCS) applies to planning proposals.





**Map 14** Waveney Quarter – allocations south of Park Road

161 Two sites are allocated to support regeneration of the Waveney Quarter:

SITE REF	SITE	ALLOCATED FOR	APPROXIMATE SIZE (HA)	NO. OF HOMES
DDNP15	Land off Park Road, Diss	Open space and residential	4.6	10
DDNP16	Feather Mills, Park Road	Leisure Centre and residential	2.21	12

## DDNP15 Land off Park Road, Diss

162 The allocation comprises a site allocated in the SNLP. The principle of development is already accounted, and it is expected that development will take place within the DDNP timeframe, which mirrors that of the emerging GNLP.

163 This allocation is central to the vision for this part of Diss, with the key focus on improving amenity, green space and links with the river valley. Its development is a key component of enhancing the leisure offer in Diss and creating a more attractive link between the town and the river valley.

164 A certain amount of enabling housing growth is considered acceptable, though more may be accommodated subject to sensitive design and layout being achieved that takes account of the proximity to the River Waveney and Conservation Area.



- 165 The site is located on the A1066 Park Road, the main east-west road through Diss. Pedestrian access across Park Road to/from the town centre on the existing crossing needs improvement, as crossing safely can be difficult due to the volume of traffic.

## POLICY DDNP15

This 4.6ha site is allocated for leisure, open space and residential development, accommodating approximately 10 homes. The development will be expected to address the following specific matters:

- a) Scheme design must be sensitive to the adjacent Conservation Area and River Waveney with any built development element delivered as far away as possible from the river corridor;
  - b) It must deliver an area of open space and habitat improvement for local wildlife. This should enhance the function of the adjacent green corridor and buffer the river corridor;
  - c) Facilitate the provision of a riverside walk to join the existing riverside walk which currently runs past both Morrisons and Tesco and connects to 'The Lows' leading to Palgrave;
  - d) Expand provision of the footway/cycleway across the site frontage;
  - e) Include connectivity between DDNP15 and DDNP16;
  - f) The homes must be located in Flood Zone 1 (taking into account reprofiling of the site) must be well related to existing development and closely related to other (isolated properties will not be permitted). These homes must be designed and sited sensitively to reflect their position in the river valley and proximity to the Conservation Area;
  - g) Development will incorporate opportunities to improve surface water runoff rate, particularly in the creation of new site access and egress points where there is known high surface water flood risk on adjacent roads; and
  - h) Wastewater infrastructure capacity must be confirmed prior to development taking place;
  - i) Measures are in place to mitigate against noise emitted from the adjacent electricity substation; and
- Policy CS16 (or any successor policy) of the *Norfolk Minerals and Waste Core Strategy* (NMWCS) applies, as this site is underlain by safeguarded mineral resources.

The adjacent allocation, DDNP16, is the preferred site for the new Diss Leisure Centre. If the Diss Leisure Centre is relocated elsewhere, other commercial, business and service uses as defined within Class E of the *Use Classes Order 1987 (as amended)* would be acceptable on this site.



## DDNP16

### The Feather Mills Site, Park Road, Diss

- 166 This is the preferred site for the new Diss Leisure Centre. It is highly sustainable as it is within close proximity to the town centre, good walking and cycling links (including the new riverside) and the bus station.
- 167 The allocation is adjacent to DDNP15 above and is an important part of delivering the vision for the Waveney Quarter. It is adjacent to the Conservation Area and Diss Park and the Mere lies just a short distance away. The site also lies nearby Morrisons supermarket, an electricity sub-station and the town centre.
- 168 It is on the A1066 Park Road, the main east-west road through Diss. Pedestrian access across Park Road to/from the town centre on the existing crossing needs improvement as crossing the road safely can be difficult due to the volume of traffic.
- 169 Given its sensitive location adjacent to the Conservation Area, development proposals will need to pay particular attention to design. This site was allocated in the SUDP and is carried forward in the DDNP.

## POLICY DDNP16

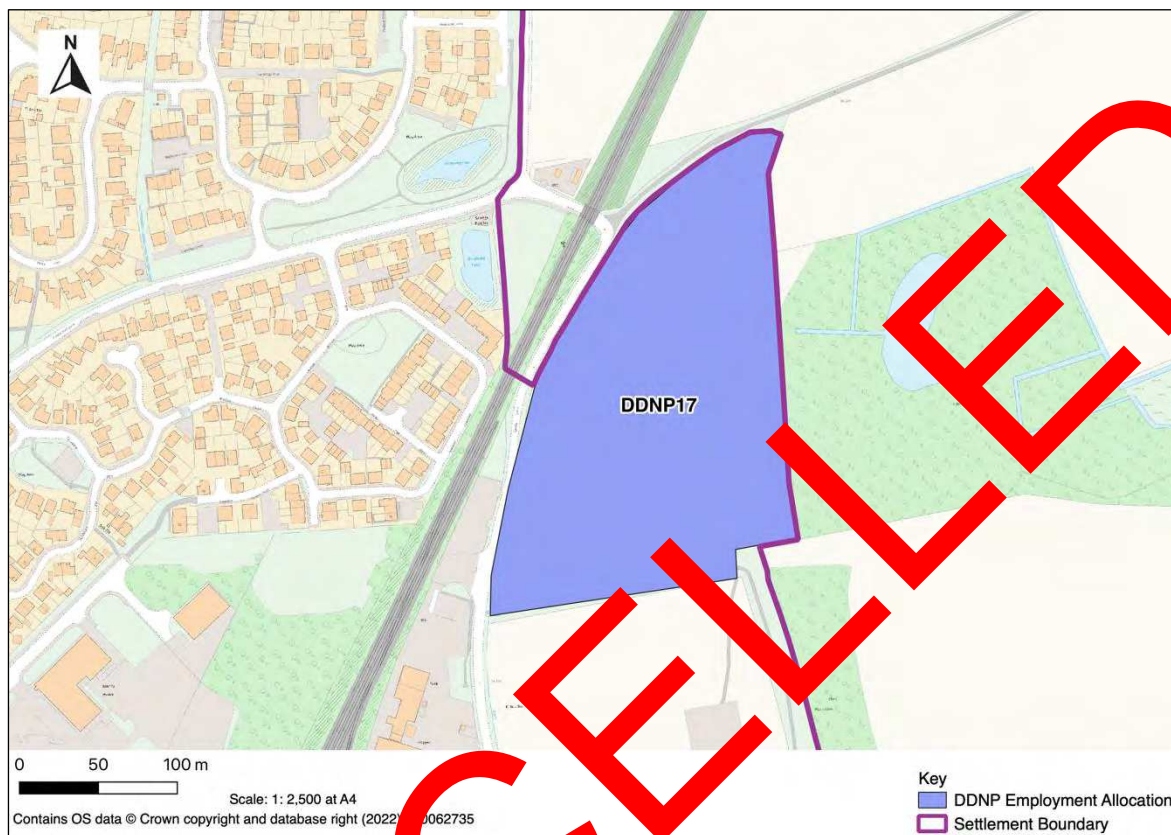
This land amounting to some 2.2 ha is allocated for leisure and housing, with any housing only constituting a small (no more than 25% of the area) proportion of the site. The development of the site will be required to address the following specific matters:

- a) This is the preferred site for the new Diss Leisure Centre
- b) Any residential uses must be concentrated along the western boundary (adjacent to existing housing);
- c) Scheme design must be sensitive to the adjacent Conservation Area and River Waveney;
- d) Public access is allowed through the site to DDNP15;
- e) Improvements must be made to the existing pedestrian crossing on the A1066 Park Road;
- f) Continuation made towards green infrastructure provision at DDNP15 (including habitat creation along the River Waveney);
- g) Potential for contamination on the site must be assessed (and managed appropriately if any contamination found);
- h) Impacts on TPO trees on Park Road are avoided;
- i) Measures to be in place to mitigate against noise emitted from the adjacent electricity substation; and
- j) Policy CS16 (or any successor policy) of the *Norfolk Minerals and Waste Core Strategy* (NMWCS) applies, as this site is underlain by safeguarded mineral resources.



## 6.11 EMPLOYMENT GROWTH

- 170 There is a concentration of commercial and industrial businesses to the east of the Diss town centre, located either side of the railway line. There is a wide range of employers.



**Map 15** Employment allocation north of Diss Business Park

- 171 This employment allocation is brought forward from the SNLP. The land is yet to be developed but the principle has been accepted and it is expected that development will take place within the DDNP time frame.

### DDNP17 Land at Sandy Lane (north of Diss Business Park), Diss

#### POLICY DDNP17

This 4.22ha site is allocated for employment uses in Classes B2 and B8. The development will be expected to address the following specific matters:

- Development is restricted to use Classes B2 B8;
- Provide walking and cycling links along the western boundary of the site in accordance with the DDNP cycle network (Map



- 18), to enhance footway and cycle links to the town centre and railway centre;
- c) Take account of the constraints caused by a gas pipeline within the northern part of the site;
  - d) Provide appropriate landscaping to the eastern boundary and retain trees along the northern and southern boundaries of the site;
  - e) Protect the adjacent County Wildlife Site to the east from unacceptable impacts by implementing an effective ecological buffer;
  - f) Contribute towards protection and enhancement of green infrastructure, in particular that along Frenze Beck, including enhancement of the County Wildlife Site and adjacent land currently used for informal access. All green infrastructure should be integrated with that of surrounding sites;
  - g) Confirm wastewater infrastructure capacity before any development takes place;
  - h) Policy CS16 (or any successor policy) of the *Norfolk Minerals and Waste Core Strategy (NMWCS)*, as this site is underlain by safeguarded mineral resources.
- 

#### **Diss Business Park, Hopper Way, Diss**

172 Diss Business Park is located a short distance from the town centre, near to the railway station. It was allocated in the SNLP and has mostly been developed. It includes the Diss Business Hub, which provides meeting and conference facilities as well as office space for small businesses.





**MAP 16** Diss Business Park

## POLICY 3 - Diss Business Park

Development or redevelopment at Diss Business Park will need to meet the following:

- a) Development is restricted to uses B2 (General Industry), B8 (Storage and Distribution), E(g) (Offices, Research and Development and Industrial Processes) and other appropriate employment related development;
- b) Any development proposals will need to take a coordinated approach to the delivery of footway/cycle infrastructure with the adjacent DDNP17 employment allocation;
- c) Protect and enhance the function of the nearby Green Corridor (see Map 17) and Frenze Beck County Wildlife Site, demonstrating how any significant harm to wildlife using this will be mitigated to accord with Policy 8: Green Corridors and Biodiversity Enhancement.
- d) Policy CS16 (or any successor policy) of the Norfolk Minerals and Waste Core Strategy (NMWCS), as this site is underlain by safeguarded mineral resources.



## 6.12 HOUSING MIX

- 173 Paragraph 61 of the NPPF requires plans to have policies that meet the housing needs of different demographic groups, such as older people, people with disabilities, self-builders, people wishing to rent and families.
- 174 Policy 4 in the *Joint Core Strategy* for Broadland, Norwich and South Norfolk (JCS) requires developments to comprise a mix of housing to meet the needs of the area. Policy 3.1 of the SNLP sets out that, "All housing proposals should help contribute to a range of dwelling type and bed spaces to meet the requirements of different households, as identified through the current Strategic Housing Market Assessment."
- 175 Policy CS9 in the MSCS requires proposals to provide a mix of housing to meet different needs.
- 176 Looking at the evidence shown in the HNA, it suggests that the housing profile of the Plan area is different from that in much of South Norfolk and Mid Suffolk, with proportionately more terrace properties and flats, many of these situated in Diss.
- 177 The age profile is broadly similar to that of South Norfolk, though there is a slightly higher proportion of older people, and this is increasing over time. By 2036, people aged over 65 will be the single largest group in South Norfolk and Mid Suffolk. The existing housing stock of smaller dwellings would appear to cater well for this, enabling older people to downsize their homes if they so wish. On the other hand, there is a large and increasing proportion of families with non-dependent children, which could indicate difficulties experienced by younger people in buying locally or remaining in the area, which perhaps indicates a need for additional smaller dwellings to help younger adults get on the housing ladder.
- 178 Analysis completed as part of the HNA indicates that the housing stock could usefully include proportionately fewer properties with two bedrooms and four or more bedrooms, and more properties with one bedroom or three bedrooms.
- 179 There is also a significant need for many new homes to be available to rent to cater for new households. National policy and legislation also aim to support people wishing to build their own homes.
- 180 Further analysis is provided in the *Evidence Base* that accompanies this Plan. Earlier consultations found strong support across the area for a housing mix policy to meet local needs as reflected in the HNA, including homes for rent and support for self-builders.

### POLICY 4 - Housing Mix

**All new residential development proposals should provide a mix of housing types and sizes or show that they are meeting specific housing needs. In particular, proposals should demonstrate that they are:**

- a) Supporting the need for one and three bedroomed homes;**
- b) Helping to meet the needs of an ageing population by including housing that is suitable for older people; and**



- c) Providing housing that is suitable for younger people, enabling them to have a home of their own.
- d) This applies to all housing on an application site taken as a whole, including both open-market and affordable housing combined. This will need to be met unless a different mix is fully justified on the grounds of viability or evidence of local housing need.
- e) Support will be given for smaller 2 and 3 bedroomed homes that are adaptable (built to optional M4(2) standards), to meet the needs of the ageing population, without excluding the needs of the younger buyers and families.
- f) Proposals for homes to be built for private rent will be supported.
- g) Proposals that would make a proportion of serviced dwelling plots available for sale to self-builders or custom builders will be supported where in compliance with other policies in DDNP. Major residential developments will be expected to provide 5% self or custom build properties on site through the provision of serviced plots unless this can be satisfactorily demonstrated to be unfeasible. Once completed and available for development, the serviced plots should be marketed for a period of not less than 12 months. If following this period at least the 64 serviced plots remain unsold then they may be built out by the developer.

181 Although a mix of housing as set out in Policy 4 will be expected, it is recognised that with building conversions it might not be possible to meet the size requirements as it could be constrained by the existing building footprint. Furthermore, some proposals will primarily aim to provide for a particular housing need rather than a mix. All proposals should have due regard to the latest HNA.





## 6.13 AFFORDABLE HOUSING

- 182 The NPPF and the PPG set out a national policy approach to affordable housing, including the need to increase the availability of affordable homes to buy, such as discounted open-market houses. Policy 4 in the JCS sets out the affordable housing requirements for housing proposals, whereby the percentage varies according to the size of the development. It also sets out a tenure split of approximately 85% social rented and 15% intermediate/shared ownership tenures. The emerging GNLP requires 33% of major residential developments to be for affordable homes, and has no set tenure split.
- 183 The JLP and the MSLP 2006 Alteration set out that a contribution of 35% affordable housing will be required on sites of ten or more dwellings or 0.5ha or more. Proposals for new affordable housing will be expected to have regard to the mix and type of housing needs identified in the most relevant district needs assessment evidence.
- 184 Rural Exception Sites, which are small sites used for affordable housing in perpetuity where sites would not normally be used for housing, such as outside of the settlement boundary, are also covered in the NPPF. Policy DM3.2 in the SNLP sets out criteria for supporting affordable housing on Rural Exception Sites to meet local need. The MSLP 2006 Alteration also covers Rural Exception Sites.
- 185 There is currently a new government strategy for 'First Homes', which are only available for people buying their first home, with a minimum discount of 30% below full market value. After the discount is applied the initial sale price must not exceed £250,000. First Homes will be subject to legal restrictions ensuring discount is retained for future occupants and to stop the allowance of renting or sub-letting. There is a national requirement that First Homes make up 25% of affordable housing provision on development sites.
- 186 The HNA indicates that the affordable housing, which comes forward as a percentage of the larger allocated sites, should focus on Social Rent tenure, but there is also a need for more Shared Ownership provision.
- 187 The overall affordable housing requirement is a strategic policy as the affordable housing need extends beyond Diss and District, and so needs to be covered by the local plans.
- 188 Given the wider policy framework, the DDNP does not need a separate policy on Rural Exception Sites as this is adequately covered in the local plans and NPPF. The local plans will also cover the percentage requirement of affordable housing as part of larger residential developments. It would be useful to have a policy that reflects local need as shown in the HNA where this is different to the need across the districts. This can then be used by South Norfolk and Mid Suffolk Council when negotiating with developers. There is a high level of support for this approach across the DDNP area.
- 189 The comparison of tenures within the district council areas as a whole and those in the DDNP area strongly suggests that homes in Diss and surrounding villages are less affordable than those throughout the wider area, with local affordability expected to worsen. This is a particular issue for those on lower incomes who are priced out of any form of home of their own, even Affordable Rent properties. Future rental provision should therefore focus on Social Rent where possible. For those on average incomes,



gaining access to affordable home ownership through discounted homes will likely need a greater discount compared to the wider area.

- 190 The evidence also suggests that the affordable housing need is generally for smaller dwellings of three bedrooms or less as with the districts as a whole, but there is a much higher need for affordable one-bedroom properties compared to the district average.
- 191 Realistically, most of the new affordable homes will be delivered in Diss. South Norfolk Council will use a 'cascade' such that people who live locally or with a local connection get first refusal. This only applies to housing for rent, not affordable routes to ownership such as those discounted off the market value. Any homes left will then be offered more widely across the district.
- 192 However, the convention is that until the homes have been offered to people elsewhere in South Norfolk, they will not be offered to people in the neighbouring Mid Suffolk parishes as they are in a different district, despite being close and being part of the same Neighbourhood Plan. There is local support for having a policy that encourages South Norfolk Council to include the Mid Suffolk parishes in its cascade. This, however, is not strictly a planning issue and so this is reflected in COMMUNITY ACTION 1.

## POLICY 5 - Affordable Housing

The relatively high need for Social Rent homes in the Neighbourhood Plan area will need to be a significant consideration when negotiating and agreeing the tenure mix for new affordable housing. Future provision should focus on Social Rent rather than other Affordable Rented housing where possible.

Provision will also need to ensure a sufficient supply of smaller dwellings, notably one bedroomed dwellings.

Shared Ownership should be preferred over discounted homes for sale. Where the latter is provided, the discount required will need to take into account the lower affordability in the DDNP area.

- 193 The LPAs should have regard to the latest HNA when negotiating and agreeing the tenure mix of new affordable housing provision.
- 194 The housing number or site area threshold that triggers the need for affordable housing to be provided is set out in national planning policy and guidance, and the proportion of homes that need to be provided as affordable homes, once this is triggered, is currently contained in the local plan, and so there is no need to have anything on those aspects in a DDNP policy.
- 195 However, the HNA is useful evidence reflecting local need and this can be used when deciding on the type of affordable housing needed on any site.



## COMMUNITY ACTION 1 - Affordable Housing Cascade

*The DDNP supports the inclusion of the Mid Suffolk parishes of Brome & Oakley, Palgrave and Stuston in South Norfolk Council's affordable housing cascade when this is next reviewed by South Norfolk Council.*

- 196 It is recommended that cascade criteria used by South Norfolk Council when providing affordable housing for rent to people is reviewed as follows:

*People who apply for affordable housing to rent in Diss are prioritised (by South Norfolk Council) according to a cascade system. If this includes the Mid Suffolk parishes it could look like this:*

- Residents of Diss who have lived in Diss for a total of at least 3 years of the last 10 years;
- Former residents of Diss who lived in Diss for at least 3 years of the last 10 years;
- Residents of Diss who have lived in Diss or the adjacent parishes for the last 3 years or more;
- People working in Diss and who have done so for the last year or more for at least 10 hours each week;
- Residents of the adjacent parishes who have lived in one or more of those parishes (or Diss) for the last 3 years or more;
- Residents of Diss who have lived in Diss for less than 3 years;
- Residents of the adjacent parishes who have lived in those parishes (or Diss) for less than 3 years;
- Residents of the Mid Suffolk parishes of Palgrave, Stuston and Brome & Oakley;
- Other residents of South Norfolk;
- Any other person.

- 197 Where affordable housing provision is made under the DDNP in a parish other than Diss, then the same conditions of preference shall apply as above with regard to that parish, ie the word 'Diss' is replaced, for example, by 'Roydon'.

- 198 This, however, will be a decision in due course for South Norfolk Council, which will need to come to a view bearing in mind many other considerations



## 6.14 DESIGN



**FIGURE 3** AECOM's Design Code document (DDDC) prepared for the DDNP. It is one of the many submission documents that are available for review on [www.ddnp.info](http://www.ddnp.info)

- 199 Chapter 12 of the NPPF requires plans to have design policies that have community support and pick up the defining characteristics and historic character of the area. Design covers not just appearance but how places function. National policy encourages innovative design with high levels of sustainability. Housing density is a key part of design. Paragraphs 122-124 of the NPPF encourage low densities as a poor use of land, but densities also need to be in keeping with the local character, and so this is often a balance.
- 200 Policy 2 of the JCS promotes high quality design, including having due regard to the use of traditional materials, the setting, historic character, and landscape. Policy CS3 of the MSCS also covers this. Policy DM3.8 of the SNLP includes a number of design considerations, including sustainable access, internal space standards, complementing and integrating with the local area, high quality, locally distinctive, master planning for large developments, respecting local landscape, reducing crime and anti-social behaviour, landscaping and retaining important existing natural features, and providing parking spaces which do not dominate the street scene.
- 201 Important as these are, they are quite general considerations. Good design will vary between places because of the different local characters, and so it is important to consider the local context. SNC has its own detailed Design Codes in its 2012 *Place*



*Making Guide*,<sup>8</sup> which is a Supplementary Planning Document (SPD). This has a whole section on the key characteristics of Diss, as well as traditional designs and materials used in South Norfolk.

202 The DDNP area has a considerable history. This area around the Waveney Valley was one of the first to be settled and by Roman times it had been extensively settled, a general trend which continued onward from the early mediaeval period. The area, therefore, has a large number of listed buildings, as well as wider key areas such as the conservation areas in Diss, Palgrave and Scole and Burston. Listed buildings and the Conservation Areas already have protection, whilst identifying Non-Designated Heritage Assets (NDHA) is covered in Section 12: Protection Policy – Historic Environment. Design will need to be especially sympathetic in the vicinity of heritage assets.

203 Good design is, however, about far more than preserving our history. The *Diss and District Design Code* (DDDC) has been developed by AECOM for the DDNP. It describes the character and design of the area, both historic and more modern, and its variety across the area. It also sets out how good design can preserve and enhance the local character and how it functions. So, whilst Diss is characterised as a compact market town, especially towards the town centre, the rural part of the Plan area is peaceful in its character, with a pattern of small villages set within the agricultural landscape. Future development in the villages could erode this character if not planned and designed sensitively.

204 The DDDC will be a valuable tool in securing context-driven, high-quality developments. The immediate context is important. Understanding the features of a site and its setting is essential. For example, the village green in Burston has a very distinctive character, as do the Conservation Areas mentioned earlier. Development in and around such places will need to avoid harming the character.

205 The philosophy behind the guidelines is that new development, as well as modifications to the existing built environment, should not be viewed in isolation.

206 It is not only about buildings, but how streets, spaces and buildings work together to create a place that people want to live in, visit and care for. When dealing with small infill and building alterations, design must be informed by the wider context, considering not only the immediate neighbouring buildings but also the townscape and landscape of the wider locality.

207 The local pattern of streets and spaces, building traditions, materials and ecology should all help to determine the character and identity of a development, recognising that new building technologies are capable of delivering acceptable built forms and may sometimes be more efficient.

208 The consultations revealed a degree of concern with the loss of dark skies with more street lighting as housing developments have been delivered. The NPPF states that planning policies and conditions should “limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation”. This is supported by National Planning Policy Guidance on Light Pollution which explains how light pollution considerations should be applied in planning decision-taking.

<sup>8</sup> [South Norfolk Place Making Guide](#)



- 209 Diss town centre, with its streetlighting and night-time economy falls into one of the brightest categories, with light effects spilling out beyond the settlement. Some parts of Brome & Oakley, Burston & Shimpling, Palgrave and Stuston, which are much more rural in their character, have some of the darkest skies.
- 210 Darkness at night is one of the key characteristics that distinguish rural and urban areas. Security lights, floodlights and street lights all break into darkness and create a veil of light across the night sky. There is increasing awareness of the impact that light pollution can have on wildlife.
- 211 At consultation, over 90% of people supported protecting intrinsically dark landscapes with only 4% saying they did not support such a policy. A design policy was also strongly supported, as was the need for the housing density to be sympathetic to the immediate context.
- 212 During the consultations there was support for housing densities on new development in the villages reflecting the more rural open nature, so not being too dense and urban.

## POLICY 6 – Design

**New development within Diss and District that demonstrates high-quality design will be supported. High quality design is defined by:**

- a) Being sensitive to defining local characteristics and materials, reinforcing local distinctiveness. Planning applications will be expected to demonstrate an understanding of local design character and density, drawing on the latest design codes. For major developments expected to have a significant impact on the townscape or landscape, this should be in the form of site-specific design codes and masterplans;
- b) Delivering demonstrable net biodiversity gain to meet statutory requirements and, where appropriate, linkages to Green Corridors (Policy 8);
- c) Ensuring good quality and safe access for people walking and cycling, including creating safe linkages to existing walking and cycling networks and provision of safe and secure cycle storage, in accordance with adopted cycle parking standards;
- d) Avoiding external lighting (including street lighting) in or adjacent to areas of intrinsically dark landscapes. Where any proposed external lighting cannot be avoided it must be justified as having over-riding benefits and designed and operated so as to minimize any adverse impact on dark skies, landscape and wildlife. Likely light spill from within buildings will be minimized through good design;
- e) Residential developments having a housing density that



makes an efficient use of land whilst responding sensitively and sympathetically to the local character in the immediate area, with this being especially important on the edges of the villages and the transition to open countryside; and

- f) Housing density outside of Diss should aim to achieve 25 dwellings per hectare, which is in keeping with the prevailing rural character of the area, unless it can be demonstrated that this significantly harms viability or is at odds with the local character of the immediate area.
- g) Securing high density residential development in and around Diss town centre.
- h) All new development will be expected to demonstrate that it is minimizing energy consumption by means of layout, orientation, massing and landscaping.
- i) In all cases, an exceptional standard of design will be required, with a significantly higher standard in favour of proposals, especially in terms of high standards of energy efficiency. Design of poor quality will not be supported.
- j) Reference should be made to the Diss & District Design Code at all stages of the decision making process.

213 Proposals should have full regard to the DDDC, specifically, and SNC's *Place Making Guide* generally, as well as any national design guides and other guidance such as the national *Manual for Streets*<sup>9</sup> and 'Secured by Design' police initiative<sup>10</sup>.

214 Site specific design codes for major development will be proportionate to the size of the site and should be drawn up through community engagement. They should not be too specific, so they should not specify suppliers for example, and the code should be used to set broad parameters for the site with a focus on place-making rather than architectural features.

215 Intrinsically dark landscapes are those entirely, or largely, uninterrupted by artificial light. For the purpose of the DDNP, an intrinsically dark landscape is considered to be those areas where prevailing light is below 0.5 Nw/cm<sup>2</sup>/sr, as shown in the *Evidence Base*

216 It is of prime importance that new development relates well to the landscape setting and character of the existing settlement, and in particular the immediate area around the development. Analysis of current housing density in the area shows how widely it varies. The Census built-up-area reports data<sup>11</sup> suggest that Stuston has a very low density of around 4 dwellings per hectare, Scole and Burston are around 11, whilst Diss is higher. The densities in the rural villages are indeed very low, and development with such low densities would likely not meet the national requirement to make the best use of land. A

<sup>9</sup> [Manual for Streets](#)

<sup>10</sup> [Secured by Design](#)

<sup>11</sup> These are all likely to be slight under-estimates because of the way the boundaries around the built-up-areas are drawn



compromise that delivers a higher density is needed, but not so high as to be out-of-keeping with the location. Design is critical and should allow dwellings to be comfortably accommodated, appropriate to their scale and setting.

- 217 Section 7.4 shows the walking and cycling network for the area, much of which still needs to be implemented through targeted improvements. Developments will, where reasonable, be expected to ensure safe access to this network and implement parts of it (see also Policy 10: Walking and Cycling Network). Consideration of the Green Infrastructure Network and its delivery is covered by Policy 8.

Design is a wide-ranging concept, and includes many other considerations, such as avoiding settlements joining up (often called coalescence) and retaining key important views. These have been covered separately in other policies within this Plan.



## 7 GROWTH AND INFRASTRUCTURE POLICIES

- 218 The housing growth set out in Section 6 will need to be delivered in a way that is sustainable. Up to a point this needs to be considered for each site, such as the creation of habitat on site, and providing access for pedestrians and cyclists (see Policy 6: Design). Policy 1: Scale and Location of Housing Growth also sets out some site-specific improvements, such as the link road for site 1a north of the cemetery in Diss. However, there is also a need to consider the sites in combination and in a wider context. For example, the benefits of providing localised improvements for cycling will be limited if cycling in the wider area is seen as too dangerous because of the poor quality of the infrastructure.
- 219 Infrastructure in this sense can be green or habitat infrastructure to support the natural environment, community or cultural infrastructure, and physical infrastructure such as roads, cycle routes and foul water facilities. Some of these will need to be improved to ensure they have the capacity to cope with the planned growth (such as foul water facilities), whilst others will need to be improved to make the growth more sustainable, such as improvements to green infrastructure and cycle routes.
- 220 The community is also concerned about the provision of green space. Local Green Spaces (LGS) are designated in Policy 15 and the *Local Plans* have green space requirements for new developments.
- 221 To deliver and support the growth plans outlined within this section the following new and improved infrastructure will be required:

<b>Transport</b>	<ul style="list-style-type: none"> <li>Measures to help reduce vehicle speeds through the villages</li> <li>Improved walking and cycling infrastructure, especially as part of the identified network</li> <li>Improved road infrastructure and capacity, especially on the A1066 through Diss such as the Morrisons junction</li> <li>Improvements where necessary to adjacent Public Rights of Way</li> </ul>
<b>Community facilities</b>	<ul style="list-style-type: none"> <li>A new Leisure Centre in Diss, with the preferred location identified at the Feather Mills site, south of Park Road (Allocation DIS 7)</li> </ul>
<b>Green infrastructure</b>	<ul style="list-style-type: none"> <li>Improvements to designated Local Green Spaces; and</li> <li>New habitat to achieve a net gain in biodiversity and develop Green Corridors</li> </ul>
<b>Digital</b>	<ul style="list-style-type: none"> <li>Better broadband</li> </ul>

- 222 Policy DM1.2 in the *South Norfolk Local Plan* (SNLP) covers the need for development to provide the necessary infrastructure. Policy CS 6 of the *Mid Suffolk Core Strategy* (MSCS) covers services and infrastructure, including schools and libraries.
- 223 Some specific infrastructure requirements, such as for new open space and affordable housing as integral parts of new developments, are adequately covered in the local plans.



- 224 Other infrastructure providers, especially those needing to plan for the required capacity, such as the Local Education Authority, the Local Highway Authority and Anglian Water, will respond through the plan-making process and during planning applications, setting out whether proposed development sites, individually and as a whole, have adequate highway access and capacity, school places, or foul water capacity. Such considerations are often strategic matters rather than just local and so take account of growth and change over a wider area than the DDNP.
- 225 Infrastructure considerations will be built into the DDNP where this can add value. To make the Plan more sustainable, environmentally and socially, the infrastructure needs set out in on the previous page have been identified. The development of Green Corridors had the strongest level of support out of all the policy proposals in earlier consultations.
- 226 When this Plan is made (adopted), the parish councils will see their proportion of monies from the Community Infrastructure Levy (CIL) increase from 15% to 25%. In addition to infrastructure being important for planning decisions, the town and parish council will be guided by the following policies when deciding how to invest their own Infrastructure Levy monies.





## 7.1 FLOOD AND WATER MANAGEMENT

- 227 Flooding can cause serious damage and have significant impacts for homeowners and businesses. By thinking about flood risk early, it may be possible to avoid it, manage it more efficiently or in a way that adds value to the natural environment and biodiversity.
- 228 The River Waveney, which runs through the Plan area, is a key feature of both the landscape and water management. Flood Zones<sup>12</sup> show the fluvial flood risk in Diss is associated with the River Waveney that flows to the south of the town. Flood risk is greatest to the south, following the river, and to the east. A number of properties between Rose Lane and Stuston Road are shown to be within Flood Zone 3<sup>13</sup>. Further properties to the north of Ling Road, south of Victoria Road, in the vicinity of Rose Lane, London Road/Whitehorse Street junction are within Flood Zone 2.
- 229 Mapping shows that the town is at risk from surface water. However, it is mostly confined to gardens and the road network as well as the floodplain of the existing watercourse. There is significant flooding risk to property from overland flow routes originating from the vicinity of Mount Street and extending in a south-east direction towards Victoria Street and then the River Waveney. The Norfolk Local Flood Risk Management Strategy identifies 90 properties at risk of surface water flooding in Diss and 2 in Scale.
- 230 The Lead Local Flooding Authorities (LLFA) in the area are the county councils and they are required to keep records of flooding incidents. According to LLFA datasets of flooding reports to private property (gardens, driveways and homes) extending from 2011 to present day, there are 41 records of internal flooding and 44 records of external flooding in the Plan area, as follows:
- Brome & Oakley: 1 record of internal flooding, 5 records of external flooding
  - Burston & Shimpling: 5 records of internal flooding, 9 records of external flooding
  - Diss: 12 records of internal flooding, 12 records of external flooding
  - Palgrave: 1 record of internal flooding, 5 records of external flooding
  - Roydon: 2 records of internal flooding, 5 records of external flooding
  - Scale: 10 records of internal flooding, 7 records of external flooding
  - Stuston: 1 record of external flooding
- 231 In December 2020 there was an exceptionally high amount of rainfall, leading to widespread flooding and devastating impacts on people, homes and communities in the DDNP area. Residents report that these floods were the second worst in memory, after the floods of 1968.
- 232 There is real concern from residents that with climate change predictions estimating 30% more rainfall, and for this to fall in extreme events, these flooding incidents will become more common and damaging.

<sup>12</sup> There are three flood zones as defined by the Environment Agency (EA): Flood Zones 1, 2 and 3. These areas have been defined following a national modelling project for the EA and are regularly updated using recorded flood extents and local detailed modelling. The zones are based on the likelihood of an area flooding, with Flood Zone 1 areas least likely to flood and Flood Zone 3 areas most likely to flood.

<sup>13</sup> Areas within Flood Zone 3 have been shown to be at a 1% or greater probability of flooding from rivers or 0.5% or greater probability of flooding from the sea.



233 Strategic policy in the NPPF and local plans seeks to minimise development in areas at risk from flooding, and reduce the risk of flooding associated with development, both on the development site and elsewhere. The DDNP aims to strengthen the recognition of local flood issues and ensure these are adequately considered in future planning proposals. The DDNP seeks to ensure Sustainable Drainage Systems (SuDS) are incorporated as both an effective way of reducing runoff rates and delivering wider biodiversity, water and public amenity benefits.

234 Drainage systems can contribute towards sustainable development and improve places where people live and work. Approaches to manage surface water that take account of water quantity, quality, biodiversity and amenity are collectively known as SuDS. Traditionally piped drainage networks convey water much more quickly than natural processes. Flooding can occur when housing and other development such as paving increases the volume and speed of run-off. SuDS seek to manage rainfall in a similar way to natural processes, by using the landscape to control the flow and volume of surface water, prevent or reduce pollution downstream of development and promote recharging of groundwater. Natural vegetation, including trees, in SuDS helps attenuate flows, traps silts and pollutants and promotes infiltration.

235 Policy 7 focuses on maximising the use of natural SuDS features which manage flood risk but also provide benefits such as enhancing public open space, contributing to the character of an area, and providing wildlife habitat. SuDS schemes that consist of underground plastic/concrete boxes to store rainwater, although recognised to reduce flood risk by releasing rainwater more slowly will not deliver the additional benefits.

236 The DDNP requires that any future development (or redevelopment) proposals show there is no increased flood risk from an existing flood source and mitigation measures are implemented to address surface water arising within the development site. It is recommended that applicants submitting planning proposals refer to guidance provided by the LLFA.

237 With regard to surface water flooding the expectation is that development will:

- Not increase flood risk on site or wider area from fluvial, surface water, groundwater, sewers or artificial sources;
- Have a neutral or positive impact on surface water drainage;
- Demonstrate engagement with relevant agencies and seek to incorporate appropriate mitigation measures to manage flood risk and reduce surface water run-off to the development and wider area such as:
  - Inclusion of appropriate measures to address any identified risk of flooding (in the following order of priority – assess, avoid, manage and mitigate flood risk). Where appropriate undertake sequential and/or exception tests.
  - Locate only compatible development in areas at risk of flooding, considering the proposed vulnerability of land use.
  - Inclusion of appropriate allowances for climate change.
  - Inclusion of SuDS with an appropriate discharge location.
  - Priority use of source control SuDS such as permeable surfaces, rainwater



harvesting and storage or green roofs and walls.

- To mitigate against the creation of additional impermeable surfaces, attenuation of greenfield (or for redevelopment sites as close to greenfield as possible) surface water runoff rates and runoff volumes within the development site boundary.
- Provide clear maintenance and management proposals of structures within the development, including SuDS elements, riparian ownership of ordinary watercourses or culverts, and their associated funding mechanisms.

238 A number of DDNP site allocations fall within or adjacent to the Internal Drainage District of the Waveney, Lower Yare and Lothingland Internal Drainage Board. This means that the Board's Byelaws apply. Where surface water discharge is proposed to a watercourse within the Internal Drainage District then the proposed development will require land drainage consent.

## POLICY 7 – Surface Water Management

Development proposals must be designed to manage flood risk effectively and not increase, and wherever possible reduce, the overall level of flood risk both to the site and elsewhere, with solutions appropriate to the low-lying nature of the area. Proposals specifically to improve surface water drainage, such as work to reinstate an effective drainage scheme, are encouraged.

Any new development or significant alteration of an existing building must be accompanied by a proportionate assessment that gives and appropriate consideration to all sources of flooding and proposed surface water drainage.

Proposals should incorporate Sustainable Drainage Systems (SuDS) that are appropriate to the scale and nature of the development and designed to be an integral part of the green infrastructure. These may include:

- a) Attenuation ponds;
- b) Planting;
- c) Introduction of permeable driveways or parking areas;
- d) Rainwater harvesting and storage features;
- e) Green roofs.

To mitigate against the creation of additional impermeable surfaces, there should be attenuation of greenfield (or for redevelopment sites as close to greenfield as possible) surface water runoff rates and runoff volumes within the development site boundary. These measures will be required unless the developer can provide justification to demonstrate that it is not practicable or feasible within the constraints or configuration of the site.



- 239 Watercourses, including drainage channels both piped/culverted and open ditches play a key role in water and flood management. Good maintenance and care are important to sustain or improve their functionality. Both Norfolk and Suffolk County Council have guidance<sup>14</sup> for riparian owners, with whom the town and parish councils will aim to work proactively.

## COMMUNITY ACTION 2 - Maintenance of Drainage Ditches

*The town and parish councils will work proactively with riparian owners, landowners and statutory agencies, such as the Local Flood Authority, to ensure that watercourses are properly maintained with a view to ensuring that they continue to play their role in the management of water and flood risk.*

<sup>14</sup> [Norfolk](#) and [Suffolk](#) Guidance links for riparian owners



## 7.2 GREEN INFRASTRUCTURE

- 240 Green infrastructure encompasses multi-functioning green spaces that can meet a wide range of social, economic and environmental needs. For example, greenspace can function as wildlife habitat, a public open space or flood storage facility. It is usually defined as a network of green corridors that include natural greenspaces such as woodland and ponds, man-made managed greenspaces like parks and gardens, as well as their connections which could include footways, waterways and hedgerows.
- 241 Individually, these core sites or greenspaces are insufficient for protecting species and ecosystems but linking them together can establish a functioning Green Infrastructure Network.
- 242 Green infrastructure also has a key role in improving quality of life for communities and investment in such can provide important benefits, including improving the health and wellbeing of local people. The importance of this to residents was highlighted during the issues and options consultation, when many comments were received about the personal and community benefit of having access to wildlife and green spaces. Furthermore, 817 people (95% of respondents) indicated that they felt the Plan should have a policy requiring development to improve areas for wildlife, including creation of new areas.
- 243 The *Greater Norwich Green Infrastructure Strategy*<sup>15</sup>, produced to support the *Joint Core Strategy* for Broadland, Norwich and South Norfolk (JCS) identifies two strategic green infrastructure corridors which centre on Diss, the East Diss Corridor and Mulbarton – Diss Corridor. The DDNP identifies local green corridors that link with the strategic network.
- 244 The Environment Act 2021 and Chapter 15 of the *National Planning Policy Framework* (NPPF) afford considerable support for protection and enhancing key landscapes and areas of value in terms of biodiversity. Paragraph 174 sets out that planning policies should minimise impacts on and provide net gains for biodiversity, including by the establishing of coherent ecological networks. Furthermore, paragraphs 98 -103 cover protecting existing green open spaces and creation of new ones.
- 245 Policy 1 of the JCS supports conservation and creation, as well as open green spaces. Policy DM 14 in the SNLP reflects the NPPF in terms of conservation and enhancement of the natural environment, including biodiversity net gain. Policy CS5 in the MSCS is similar.
- 246 Policy DM 14 in the SNLP protects nature conservation designated sites as well as having a requirement for positive ecological gain from development and support for the creation of Green Infrastructure Networks. Policy CS5 in the MSCS has a similar approach.
- 247 Although there are no national or European designated wildlife sites within the DDNP area, there are 21 County Wildlife Sites, distributed throughout it. They include a range of different habitat types, one of which, Roydon Fen, is also designated a Local Nature Reserve. Roydon Fen is situated on the edge of the Waveney Valley, part of a chain of

<sup>15</sup> Greater Norwich Development Partnership, *Green Infrastructure Strategy – A proposed vision for connecting people places and nature* (2007)  
<https://www.greaternorwichgrowth.org.uk/dmsdocument/109>



fens that are strung like jewels along the Norfolk and Suffolk border. The reserve is tucked away down a small lane within a mile or so of Diss, offering a sense of the wildness and extensive wetland. Like all valley fens Roydon Fen is incredibly wet most of the year, with spring-fed, deep peat soils permanently water-logged. Walking trails, including a boardwalk, run through the fen.

- 248 There are also designated ancient woodlands in Scole parish, some of which are locally identified as County Wildlife Sites and are some of the most important in the county. Ancient woods are areas of woodland that have persisted since 1600 in England and Wales. They are relatively undisturbed by human development. As a result, they are unique and complex communities of plants, fungi, insects and other microorganisms.
- 249 Added to this there are patches of priority habitat, with deciduous woodland and floodplain grazing marsh featuring strongly within the area of the Plan. Equally important for wildlife are the hedgerows, ponds, meadows and veteran trees that are so characteristic, and an integral part of the landscape in the Diss and District area. These are really important for and support a wide range of wildlife, including deciduous meadow wildflowers, butterflies and bats.
- 250 In terms of managed greenspaces, the Mere and surrounding park is a key focal point, but each community has its own important play spaces, churchyards and allotments that are socially important.
- 251 Public rights of way and The Angles Way long distance path effectively provide green links between some of these natural attractions, including Roydon Fen.
- 252 The most special of the green spaces across the plan area are identified in Section 9 where they are protected by their designation as Local Green Space (LGS). This includes a good number of natural and managed green spaces that are particularly important to the local community but is certainly not all of them.
- 253 Identifying green corridors for the DDNP has included a desktop survey of local information, including the mapping of natural and managed greenspaces, priority habitat, hedgerow, rivers, streams and footpaths. This 'basemap' is shown in Appendix A. The mapping has been supplemented by local knowledge and verification. There has also been input from ecologists at Norfolk Wildlife Trust, with the plan area forming part of the proposed Claydon Living Landscape project. This aims to enhance the management of existing wildlife habitats, increase the extent of habitat including grasslands, woodlands and hedgerows; and encourage the more sensitive management of farmland, thereby creating a more joined up Green Infrastructure Network, as well as encouraging more sensitive management of farmland. To achieve this the Norfolk Wildlife Trust is working closely with community groups and landowners to raise awareness of wildlife and encourage active participation.
- 254 The Green Corridors, see Map 17, link the key blocks of habitat in the Diss and District area, identifying where there is likely to be best opportunity for improving ecological connectivity. Further work to determine the condition of existing habitat and engagement with the local community and landowners to identify the exact location and nature of improvements will take place over the course of the Neighbourhood Plan and beyond. In this respect the mapped corridors are indicative, as it may be that the best opportunities



to improve or create habitat arise adjacent to or just outside of the corridors.

- 255 In terms of how they should be considered in the planning process, however, the corridors identified in Map 1 should be considered a focus for protection and enhancement as set out in Policy 8 unless formal updates are provided as part of monitoring or reviewing this Neighbourhood Plan. Note that the corridors shown in Map 17 do not all stop at the DDNP boundary because ecological connectivity does not accord with administrative boundaries. Policy 8, however, relates specifically to the DDNP area.

## **POLICY 8 – Green Corridors and Biodiversity Enhancement**

The management, enhancement, and creation of wildlife habitats within the green corridors identified in Map 13 is a key priority. These will be a focal point for local conservation to create a more joined up Green Infrastructure Network and where possible increase public access, helping people to experience wildlife first-hand. There will be a key focus on working with local landowners.

New development proposals must recognise the identified green corridors (shown in Map 17). Proposals for new development within or adjacent to a green corridor must deliver measurable net gains in biodiversity which exceed national or local policy requirements or deliver qualitative improvement to the corridor. This should relate to quality of habitat or its ability to facilitate movement of fauna or flora.

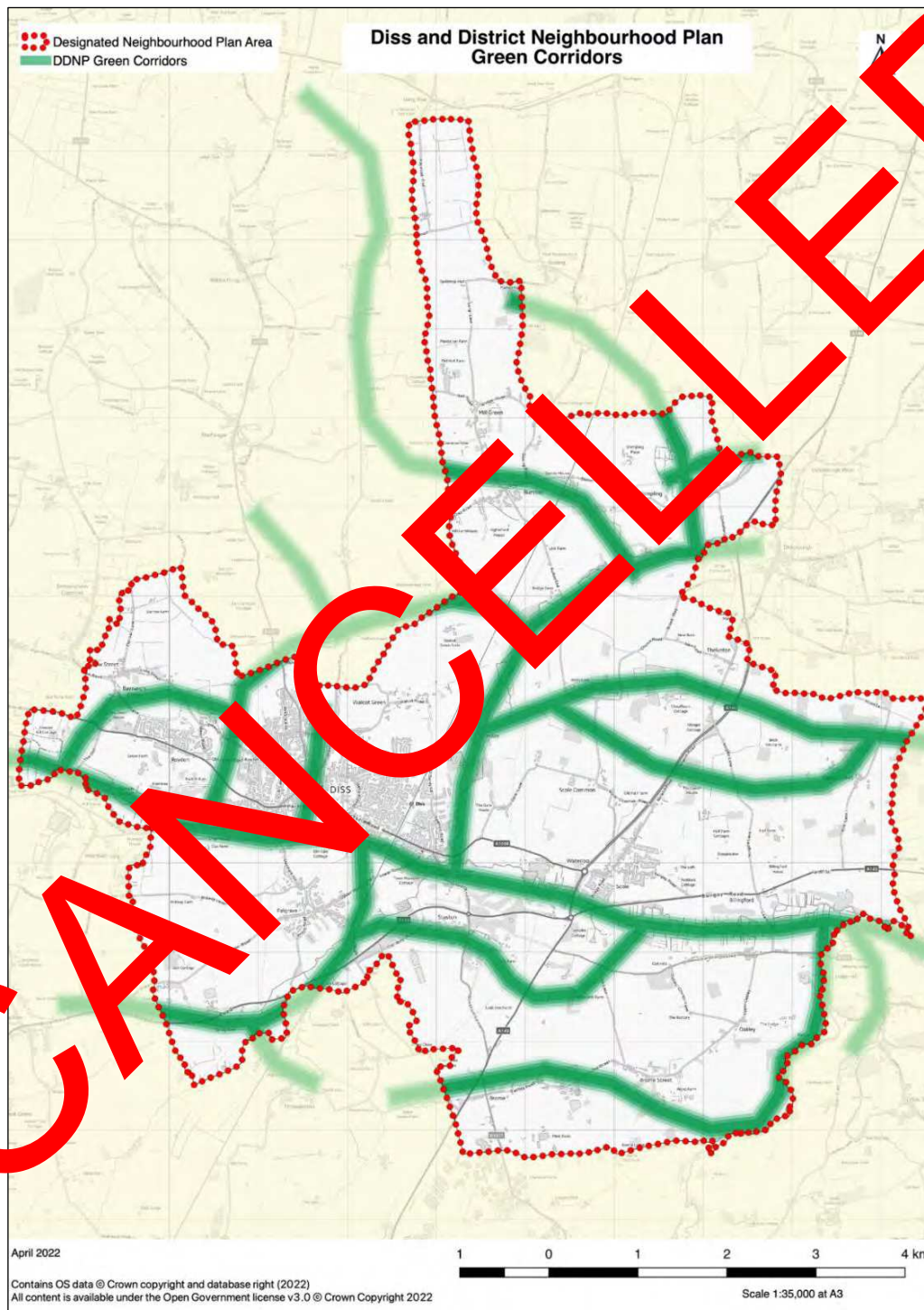
Proposals in the vicinity of green corridors must maintain and where possible enhance the function of the corridor and demonstrate how they will mitigate any significant harm to wildlife using it. Harm is likely to be caused by the introduction of barriers, such as housing, roads, hard landscaping and artificial lighting, or the re-direction of water sources or water courses.

All development in the DDNP area must maximise habitat opportunities, making provision for local wildlife (for example, incorporating of bird boxes, swift bricks and bat boxes into structures and natural features) and promoting the freedom of movement of wildlife through development sites (for example, incorporating hedgehog highway gaps in barriers between gardens). Existing natural features of a site should be retained. These include existing hedgerows, trees, water courses and water bodies. Applications will be required to be accompanied by an ecology report that demonstrates how habitat opportunities will be maximised and retained.

- 256 Policy 8 aligns with national requirements set out in the Environment Act (2021) which requires biodiversity net gain to be achieved through the planning process. Until national requirements and guidance on measuring biodiversity net gain is released, the latest



Defra Biodiversity Metric should be used to assess changes in biodiversity value brought on by development or changes in land management. This is a habitat-based approach to determining a proxy biodiversity value and determining if the policy target of 10% gain has been delivered. Focus should be on creating greater ecological connectivity, linking habitat created as part of development with existing wildlife corridors or nature-rich sites and preventing fragmented habitats. Corridors of native habitat joined together provide opportunity for wildlife to move and are more resilient to a changing climate.



**MAP 17** The 13 corridors link the key blocks of habitat in the Plan area



## 7.3 TRAFFIC

- 257 The impact of traffic is a cause for concern across the neighbourhood plan area. In the rural villages and along some country lanes speeding is a common issue that affects quality of life and people's perception of safety. Rat-running is also an issue on certain streets in the villages, with people aiming to avoid busier roads through Diss. These issues will impact upon people's travel choices and may put some people off walking or cycling, which is the opposite of what we want to encourage, see Section 7.4 for further information on this. Some of the villages have community speedwatch or vehicle activated signs to help slow traffic, which have been met with varying success.
- 258 In Diss, road traffic congestion is an issue within the town centre and along the A1066. Traffic modelling for Norfolk County Council's *Diss Network Improvement Strategy* (DNIS)<sup>16</sup> shows that this will increase as a result of housing growth. This is a significant cause of concern, particularly where the historic character of Diss might be compromised, as it already has been in some areas including Victoria Road. This has been a key factor in determining the growth strategy for the Neighbourhood Plan as a whole. Consideration has been given not only to where housing will be delivered but the scale of growth on each site. The modelling showed that an additional 300 new homes in Diss town centre will result in a 1% increase in traffic at peak times. Whereas, large scale growth (2,000 homes modelled) to either the north or south of the town, even if it were to provide a link road, would significantly worsen traffic conditions within the town. Our approach has been to distribute growth more evenly across the town as a whole, making use of brownfield sites in the town centre where possible. See Section 6 for further details on the housing site allocations.
- 259 A series of measures to improve traffic flow through Diss are identified in the DNIS. This includes improvements to the A1066 Morrisons Roundabout Junction which is currently the most constrained junction. These improvements are very much needed to support the planned growth in the DNP and surrounding area, and Policy 9: Road Traffic Improvement states that they are delivered in advance of significant growth. It is anticipated that improvements will be delivered through County Council infrastructure funding or Parish Partnership Funding, with remaining schemes delivered through associated growth. There is an expectation that given the historic nature of Diss, road traffic measures and engineering solutions will be designed sensitively to fit with their surroundings.
- 260 The majority of traffic on the roads in Diss is related to the town. The DNIS includes the results of a recent study using automatic traffic counters placed at key radial routes, which indicated that 17% of traffic is travelling through Diss to get elsewhere. This shows that through traffic is not a particular issue and therefore investment in a link road to either the north or south of the town would not represent good value for money.
- 261 In terms of other constraints, a study undertaken in the last five years by Diss Town Council does not indicate that public car parking is a particular issue. Similarly, analysis of

<sup>16</sup> [Diss Network Improvement Strategy](#) (2020)



road traffic collisions has not identified road safety to be a particular concern, though there are areas of the town where interventions could be considered.

- 262 Paragraphs 108 and 109 of the NPPF are concerned with highway safety and network operational efficiency. Policy DM 3.11 of the SNLP generally reflects national policy and there is no need for the DDNP to repeat this.

## POLICY 9 – Road Traffic Improvements

Engineering solutions to improve capacity at key junctions, in line with the Diss Network Improvement Strategy, will be delivered prior to the cumulative impacts of growth becoming severe. This includes improvement to the Morrisons Roundabout on the A1066.

Road traffic measures, especially those delivered within or adjacent to the historic core of Diss, will be sensitively designed so that they are sympathetic to the historic nature of the town and its Conservation Area status.

- 263 Policy 1: Scale and Location of Housing Growth sets out that a new link road will be required as part of the large development north of the Cemetery. More modest highway infrastructure improvements are likely to be required for other sites to improve or deliver access.

## COMMUNITY ACTION – Village Traffic Speeds

*The rural parishes will increasingly support actions by others, and carry out their own actions, to reduce speeding through the villages, for example by implementing vehicle activated signs or village gateway schemes. Funding to support this activity may derive from Community Infrastructure Levy or through the Parish Partnerships initiative.*





## 7.4 WALKING AND CYCLING NETWORK

- 264 Diss is a fairly compact market town, which means the town centre is easily accessible by walking or cycling for most residents, including those living in nearby villages such as Roydon. Most of the urban area of Diss is accessible within a 25-minute walk for those living within the town. The existing circulation of footpaths and cycleways added to the location of public open spaces within Diss, also creates interest for residents and visitors.
- 265 The walking infrastructure overall is of a good standard and at the time of the 2011 census 17% of people indicated that they walked to work. Cycle infrastructure within Diss is also of a good standard and 6% of people cycle to work. The urban area of Diss is accessible within a 10-minute cycle, and Roydon, Brome and Scole are accessible within a 15-minute cycle. The Sustrans National Cycle Route 30 passes the outskirts of Diss, including an on-road link to the Railway Station. The route connects cyclists with Thetford, Diss and Harleston. There is also a shared pedestrian/cycle path along the A1066 in parts, which allows for off road cycling.
- 266 There is significant opportunity to increase walking and cycling across the neighbourhood plan area, and indeed a third of Diss residents indicate that they travel less than 2km to work. There are, however, barriers to walking and cycling, such as busy roads, lack of signage and a conflict with traffic at some junctions. The car remains the dominant mode of travel within the Plan area, which in turn increases traffic and congestion.
- 267 There is an ongoing trend for people to work from home due to the Coronavirus pandemic, and therefore many residents are now making use of their local shops and services on a more regular basis. This includes those services in neighbouring communities. The popularity of cycling has also risen sharply and nationally the government is promoting improvements to cycle infrastructure to support this.
- 268 Chapter 9 of the NPPF promotes sustainable transport, including making walking and cycling access integral to design of new development. Policy 2 in the JCS refers to design that incorporates and prioritises walking and cycling access and Policy 6 also supports improved walking and cycling access to public transport. The SNLP Policy DM3.10 supports sustainable transport, including integrating with local sustainable transport networks. There are various local strategies that support the aims of the DDNP, including Suffolk County Council's Green Access Strategy, which sets out the Council's commitment to enhancing public rights of way, including new linkages and upgrading routes.
- 269 In 2017 the Government published its first *Cycling and Walking Investment Strategy*<sup>17</sup>, setting out the ambition for walking and cycling to be natural choices for shorter journeys or as part of a longer journey. It encouraged local authorities to develop their own *Local Cycling and Walking Infrastructure Plan* (LCWIP) and provided technical guidance on how to do so.<sup>18</sup> Realising this will take sustained investment in cycling and walking infrastructure, and partnership working to build local commitment. In response to this, local authorities including Norfolk and Suffolk County Councils (in partnership with the

<sup>17</sup> [Cycling and Walking Investment Strategy](#) (2017)

<sup>18</sup> [Government guidance](#) for preparing Local Cycling and Walking Infrastructure Plans (LCWIP)



district councils) are developing LCWIPs, with the purpose of creating a cycling and walking network. The DDNP will contribute towards these plans.

- 270 Residents are ambitious about improving walking and cycling links within the DDNP area to support accessibility and promote healthier lifestyles. A new walking and cycling network (see Maps 18 and 19) that is safe and efficient will be developed over the plan period. As well as delivering key improvements within Diss town centre, the network will enhance connectivity between communities, link key services and employment locations and encourage more people to walk and cycle for essential trips. The network has been developed based on feedback received from almost 1,000 residents across the plan area. This includes responses received to questions about links from Diss into the surrounding villages. Significant investment is required to deliver improvements to the network. This will be a key focus for investment derived from housing growth that is delivered within the plan area.
- 271 A new Riverside Link, is envisaged south of Park Road in Diss. This will become an integral part of the walking and cycling network connecting nearby villages and enhancing recreational links with the town. The link is an important part of regenerating the south side of the town; it will be delivered as part of the regeneration of the Waveney Quarter and allocations DDNP15 and DDNP16.
- 272 The improvements listed in Map 18 to be delivered in Diss town centre were largely taken from the DNIS. They were prioritised as part of a consultation activity in summer 2020, with all respondents to a survey asked to identify their top priorities. 622 individuals from across the Plan area fed into this prioritisation exercise, providing good evidence of public opinion. 52% of respondents also agreed that Diss town centre needed to be more pedestrian friendly, making it easier and more pleasant to walk around.
- 273 In alignment with Policy 8 on Green Corridors, there will be a focus on creating a greener walking and cycling network. Depending on the route and feasibility of different options, this may involve adjacent habitat creation, tree planting, hedgerows and planting of wildflowers. This will not only have wellbeing benefits for people walking and cycling but enable these routes to become corridors for wildlife such as small mammals and birds.
- 274 During the consultation exercises a key theme to emerge was around maintenance of existing footways, footpaths and cycleways. Common issues include overgrown hedges, impassable and blocked paths during winter months and poor signage making it difficult to navigate.



## POLICY 10 – Walking and Cycling Network

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Improvements to walking and cycling infrastructure will focus on developing the network identified in Maps 18 and 19. Sources of funding will include direct contributions from developers as part of on/off-site highway works and Community Infrastructure Levy. Opportunities to secure funding from elsewhere will be sought to complement this. The delivery of safe off-road walking/cycle routes as part of development proposals will be considered a benefit.

New cycle infrastructure will be required to be high-quality and safe, designed in accordance with latest government guidance, including Cycle Infrastructure Design (LTN 1/20) or updated versions of this.

Every effort will be made to create a green walking and cycling network that is beneficial to both people and wildlife.

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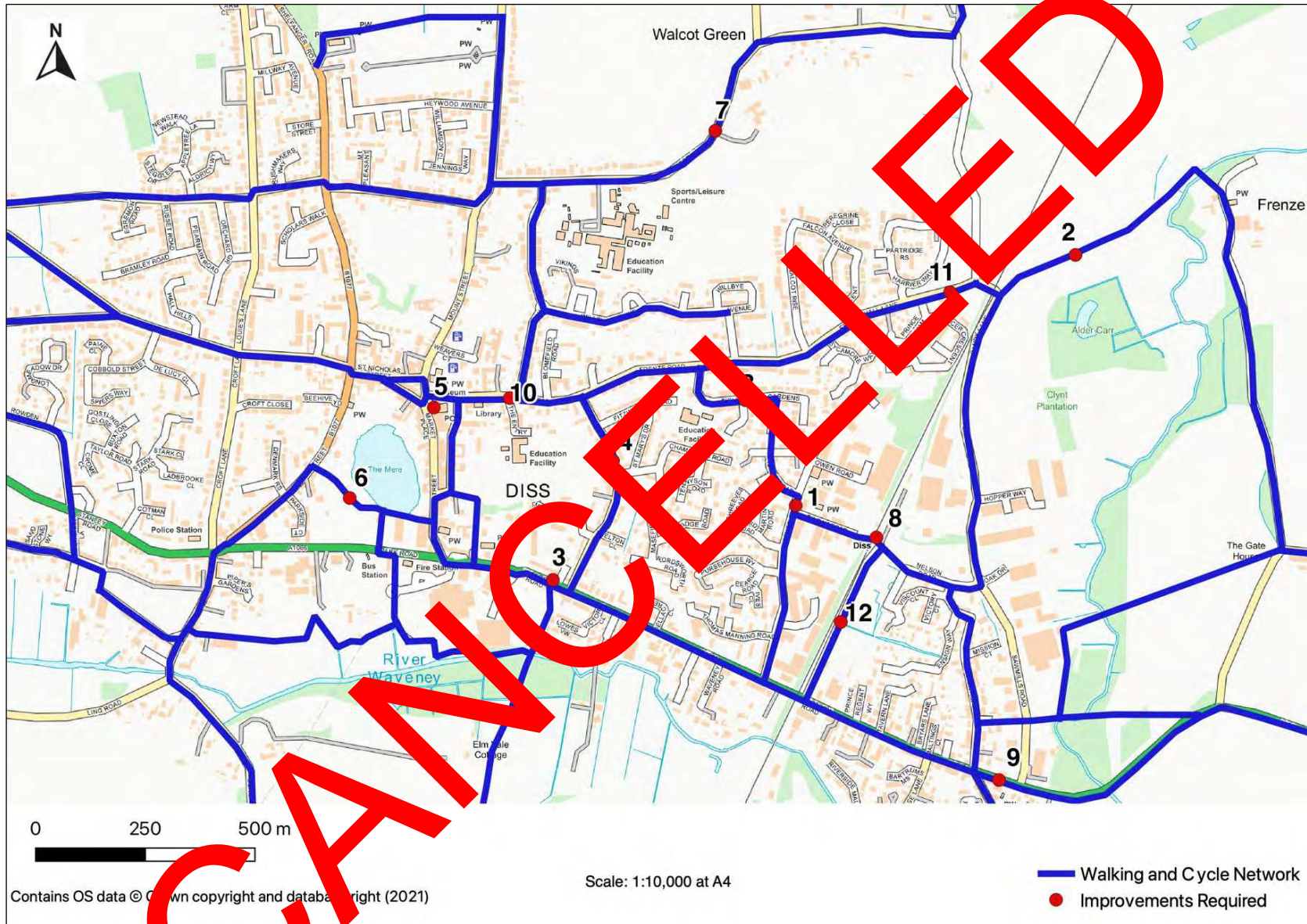
### COMMUNITY ACTION 4 – Care of Walking and Cycle Routes

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*The Parish Councils will work with other agencies to ensure effective management of the walking and cycling network, in particular coordinating regularly cutting back vegetation where it infringes on the width of paths.*

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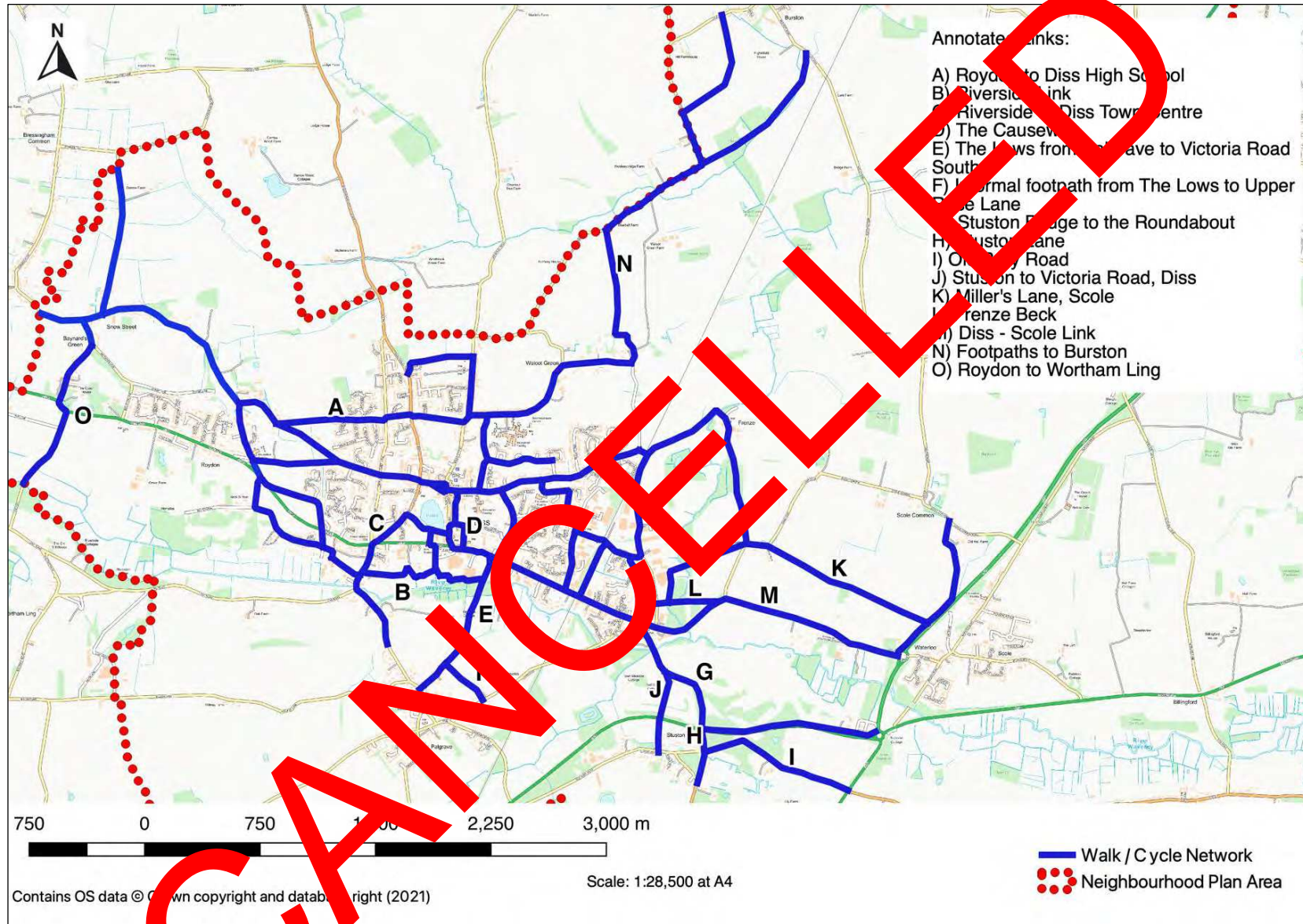
**MAP 18** Walking and cycling network routes, and improvements, Diss



## KEY TO MAP 9 ON PREVIOUS PAGE

- 1 A new crossing point (Toucan/Tiger Crossing) to improve access to the Railway Station at Vintria Road;
- 2 Improve the track from the railway bridge that runs past Frenze Hall and comes out at Diss Business Centre, to make it suitable for cyclists;
- 3 Continuation of the existing shared-use cycleway from Diss Leisure Centre to connect with the pedestrian crossing opposite Diss Methodist Church;
- 4 Improved cycle route from the junction of Skelton Road and Frenze Road, connecting with the A1066;
- 5 Improvements to wayfinding, general signage and cycle parking in Diss Town Centre;
- 6 Explore options for opening up the route to cyclists from Meres Mouth, along Madgetts Walk and through the Park, to Denmark Street;
- 7 Create a new walking/cycling network linking to paths at Walcot Green;
- 8 New cycle parking and signage at the Railway Station;
- 9 Extend the shared-use cycleway from Sawmill Road to the junction of Mission Road with the A1066;
- 10 New on or off route cycle lane at the beginning of the junction with The Entry to Walcot Rise;
- 11 Extend the shared-use cycleway past Prince William Way until the junction of Frenze Hall Lane and Walcot Green;
- 12 New signage and advisory cycle route at Station Road to improve access to the Railway Station;
- 13 Widening the existing footpath and wayfinding signs at Field House Gardens.





**MAP 19** Rural walking/cycling networks



Code	Link	Notes including required improvements
A	Roydon to Diss High School	A direct route from the main housing area of Roydon to Diss High School.
B	Riverside Link	New route with huge amenity potential to be delivered as part of allocations DDNP15 and DDNP16.
C	Riverside to Diss Town Centre	Most of this is already in place – existing piece of riverside path (needs improvement for dual use) – Morrisons access road – the bottlebank link to Victoria Road – then wider short piece of pavement to existing A1066 crossing – then widen existing paths through the park to Mere's Mouth.
D	The Causeway	An existing dual use path that links Victoria Road (north and south side extension) to the town centre. Needs upgrading and removal of barrier on cycleway.
E	The Lows from Palgrave to Victoria Road South	An existing dual use path that links Victoria Road (north and south side extension) to the town centre. Needs upgrading and removal of barrier on cycleway.
F	Informal Footpath from The Lows to Upper Rose Lane	To be registered as a footpath.
G	Stuston Bridge to the Roundabout	Considerable public support for a new footpath/cycleway.
H	Stuston Lane	Resident support for a footway, especially from School Lane to Rectory Lane to support community use of church.
I	Old Bury Road	A popular walking and cycling route. Improvements needed at the crossing point of the A140 to enable safe cycle crossing.
J	Stuston to Victoria Road, Diss	From Stuston village, crosses A140 to cottages by Golf Club. Unsatisfactory verge needs surfaced pavement from Golf Club to Stuston Bridge to enable safe approach to the town.
K	Miller's Lane, Scole	Existing footpath (and rough cycleway) from Scole to Diss Business Centre.
L	Frenze Beck	Possible options for a new footpath via Frenze Beck to connect with either Millers Lane or alternative route to proposed FS.
M	Proposed Diss – Scole footway /cycleway along the A1066	A new route to be created in the field alongside the A1066, very well supported to replace existing roadside path.
N	Footpaths to Burston	Possible options for a new footpath via Frenze Beck to connect with either Millers Lane or alternative route to proposed FS.
O	Roydon to Wortham Hill	The route between Hall Lane and Doit Lane is currently unsafe to use. There needs to be a footway/cycleway created on the south side of the A1066 (possibly across the corner of the field) to connect the two roads. A reduction in the speed limit on the A1066 from 50 mph to 30 mph is needed here.

**TABLE 4** Notes, including required improvements to parts of the rural walking/cycling networks indicated in Map 19



## 7.5 LEISURE CENTRE

- 275 The current Diss Leisure Centre on the A1066 Victoria Road dates back to the old open-air swimming lido. It was taken over by SNC in 1974 and a roof added to the pool in the 1980s. It remains predominantly a wet-facilities centre today. The size of the site has constrained the expansion of other facilities, and although located near to Diss town centre, limited parking has affected its usage.
- 276 The *Greater Norwich Indoor Sports Facilities Strategy* (2014)<sup>19</sup> identifies that to meet the demand and requirements of the sports users, improvements are needed to current leisure provision in the Diss area. This includes provision of a four-court sports hall and artificial grass pitch. The last major investment in the leisure centre was around five years ago, with modest investment made more recently to improve the changing rooms.
- 277 SNC, which runs the leisure centre, plans to deliver a new state-of-the-art centre. It could be four or five years before work starts as alternative land is needed as the current site on Victoria Road is too small. Policy DDNP3 is therefore allocating it for high density housing.
- 278 The NPPF requires that *Local Plans* define a list of the main uses suitable for town centre location – the ‘main town centre uses’. These are defined as including leisure and entertainment facilities, and the more intensive sport and recreation uses such as health and fitness centres.
- 279 The JCS provides for the major expansion of town centre uses in or adjacent to the town centre and the strengthening of the town centre’s smaller scale non-food and leisure provisions. Policy DM 2.4 (Location of the ‘main town centre uses’) in the SNLP supports the delivery of new leisure facilities in, or with good sustainable access to, town centres. Diss town centre is defined on the policies map in the SNLP.
- 280 A key objective of the DDNP is to maintain and improve the vitality of the town centre. The attractiveness and vitality of town centres depends on the mix of uses within them, and leisure is a key one. The DDNP therefore strongly supports the delivery of a new leisure centre in or with good access to the town centre.
- 281 Earlier consultation suggested that the main considerations for local people were avoiding land protected for nature conservation, preferably using brownfield land, ample parking and with good access for people wanting to walk or cycle. The first two of these are perhaps already covered by national and local policy.
- 282 A preferred location for the new leisure centre is identified in Section 6 Delivering Growth, as part of Allocation DDNP16, the Feather Mills site, south of Park Road. This is considered a highly sustainable site, adjacent to the town centre, close to the bus station and well located on the walking/cycling network. There is also ample space on this site to meet car parking needs. Delivering the leisure centre in this location is seen as an integral part of creating the Waveney Quarter and regenerating the south side of Park Road.

<sup>19</sup> [Greater Norwich Indoor Sports Facilities Strategy](#) (2014)



283 As with all allocations, there may be challenges in delivery. In light of this, the Plan includes Policy 11 which sets criteria for the location of a new leisure centre, should it not be possible to deliver this as part of DDNP16.

### **POLICY 11 – Diss Leisure Centre**

**The Neighbourhood Plan supports the relocation of the leisure centre by South Norfolk Council. The choice of location will need to enable:**

- a) Good access for people choosing to walk or cycle, such as being on or adjacent to the cycling and walking network; and**
- b) The site to accommodate the estimated vehicle parking need.**

284 Should it not be possible to deliver the leisure centre on the Feather Mill site, South Norfolk Council will work proactively with South Norfolk Council to identify an alternative suitable site.



## 7.6 DIGITAL

- 285 The NPPF sets out that advanced, high quality and reliable communications infrastructure is essential for economic growth and social wellbeing, and that planning policies and decisions should support the expansion of electronic communications networks, including full fibre broadband connections. Plans should also prioritise full fibre connections to existing and new developments.
- 286 The *Evidence Base* shows that a relatively high proportion of people work from home and could be more likely to use local services or those in neighbouring communities, and rely on good technological infrastructure. The number of people working from home at least some of the time, is likely to increase, with this perhaps accelerating following the Coronavirus pandemic. Improved Broadband will support people working from home as well as reduce the need to travel.
- 287 Consultations found considerable support for more investment in technology such as Broadband, and 85% of people in the earlier consultations supported improved Broadband speeds as part of new developments.
- 288 Independent of planning matters, there are other projects aiming to improve broadband. Better Broadband for Norfolk and Suffolk are multi-million pound partnerships, transforming broadband speeds across the county by installing high-speed fibre optic networks. It is funded through Norfolk County Council, British Telecom and the Department of Culture, Media and Sport via Broadband Delivery UK. There is also additional support from the New Anglia Local Enterprise Partnership and five of Norfolk's district councils. Locally, Parish Councils are also involved in Broadband for the Rural North (B4RN), with this recently installed in Burnham Thorpe.

### POLICY 12 - Broadband

Developments must ensure broadband infrastructure is provided for new developments. To do this they should register new sites with broadband infrastructure providers. Major residential developments and employment developments which provide fibre to the premises for high speed connection speeds will be supported. For smaller schemes, the expectation is that fibre to the premises will be provided where practical. Where this is not possible, then non-next generation access technologies that can provide speeds of more than 24Mbps should be delivered.



## 7.7 FUNDING OF INFRASTRUCTURE

- 289 The growth in housing that the DDNP will help to deliver over the coming years will trigger the need for infrastructure because of capacity issues, such as highway junction improvements to tackle congestion. It will also trigger the need for infrastructure to make the Plan more sustainable, such as green spaces and habitat improvements.
- 290 Some infrastructure improvements will be directly linked to particular site allocations, and it is likely that the development will need to provide that infrastructure. Such improvements are included in the site allocation policies.
- 291 Other infrastructure improvements will be more strategic and linked to the growth considered overall, so not site specific. Mostly, this will be the responsibility of the Local Planning Authorities (LPA) rather than the DDNP, and the funding will come from a whole range of sources, including CIL. Local authorities, the health service and utilities bodies all have access to other funding sources for strategic infrastructure, and often a competitive process as to how the funding is allocated.

### POLICY 13 – Funding and Delivery of Infrastructure

New major development must demonstrate that it will not overburden existing infrastructure and that capacity is available or can be made available to serve the development. This includes, but is not limited to, sewage and highways. Applications for major development must submit an infrastructure impact statement which assesses the impact of the proposed development on local infrastructure.

Funding from the Community Infrastructure Levy provided to the parish council will, where reasonable, be spent on projects that either support and make more sustainable and acceptable the overall level of planned growth in the area of the DDNP, or that are otherwise identified as parish priorities. This will include, but is not limited to, the following:

- a) Further developing the Green Corridors including habitat enhancement;
- b) Delivery of a new leisure centre for Diss;
- c) Regeneration of the Waveney Quarter, south of Park Road in Diss;
- d) Priority projects on the walking and cycling network; and
- e) Traffic calming in the villages where speed of traffic is an issue.

- 292 The 25% of CIL that will come to the parishes (including Diss Town) involved in the DDNP (once the plan is adopted or 'made') can be used to fund local infrastructure projects. This does not exclude contributing to the delivery of strategic infrastructure, if that is a



priority of the community. Neighbourhood plans have a key role in setting out project action plans for use of local CIL funding. Furthermore, project funding bids (whether for local or strategic infrastructure) are greatly enhanced by evidence of community support.

- 293 With regard to Policy 13, major development, such as that of ten dwellings or more, will be expected to submit a narrative with the planning application which sets out the impact on infrastructure, including any capacity constraints, and how any unacceptable impacts will be mitigated. This can be included within the Planning Statement or as a separate report or a series of separate reports. Evidence should be used, proportionate to the scale of the proposal.
- 294 In some cases, the growth proposed, either overall or on a particular site, will not be possible without improvements in infrastructure, particularly utility provision, and development may therefore need to be delayed until improvements are made.



## 7.8 RENEWAL OF DISS TOWN CENTRE



**FIGURE 4** Diss town centre is very popular, especially for shopping. However, retail has been undergoing change for some time and the progression of internet shopping, accelerated by the Covid-19 restrictions, risks more empty shops.

- 295 Diss has a wide selection of shops ranging from small local businesses to large superstores, meaning it not only serves its residents but the surrounding rural catchment. The town centre has a mixture of attractions including Georgian and Edwardian buildings, a public park, the Mere, a public house, the Diss Corn Hall arts venue, and a marketplace with a regular Friday market.
- 296 The 2019 *Norfolk Market Town Centre Report*<sup>20</sup> found that Diss has 160 town centre retail and business units. Most town centre units are comparison retailers, which include clothing and charity shops. Vacant units have reduced in the town centre by 7 units since 2018; in 2019, 10 vacant units were recorded. This of course does not take into account the impact of the Coronavirus pandemic, the full impact of which is yet to be determined.
- 297 There is an attractive historic town centre within an extensive Conservation Area, that extends to Sunnyside at the north and Park Road to the south. The historic core of Diss is formed by the Market Place, Market Hill, and St Nicholas Street and the town includes an exceptional concentration of listed buildings. A number of open spaces are located within the heart of the town, including the Mere and adjacent park, as well as private open land that contributes significantly to the character of the town.

<sup>20</sup> [Norfolk Market Town Centre Report](#) (2019)



- 298 The area to the south of Park Road, along the River Waveney, is currently underused and there is significant potential to regenerate this area, making it a focal point for leisure and recreation, improving links between the town centre and the attractive Waveney Valley. (See Policy 2: Regeneration of the Waveney Quarter).
- 299 Diss town centre is very popular, especially for shopping. However, retail has been undergoing change for some time and the progression of internet shopping, accelerated by the Covid-19 restrictions, risks more empty shops. Policies DM2.4 and 2.5 in the 2016 SNLP cover support for town centres and controlling and managing any change of use. There are also policies in the NPPF on enhancing town centres. Furthermore, many changes of use are either not considered to be development or are allowed by permitted development rights.
- 300 A recent study<sup>21</sup> for the emerging *Greater Norwich Local Plan* (GNLP) indicated that there was a need for more convenience retail within Diss town centre. There are currently three supermarkets within Diss: Aldi in the town centre and Morrisons and Tesco on the edge of the town.
- 301 Whilst town centre uses are covered by overarching local and national planning policies, the DDNP needs to support the vitality of the town centre in other ways. This includes managing road congestion caused by the planned growth. Road traffic congestion is an issue within Diss town centre and on the A1066; this could be exacerbated through housing development. Not all of this can be mitigated through highway improvements and so care is needed when deciding where growth goes and the scale of growth. The evidence seems to suggest that the Morrisons junction is over-capacity at the moment and will get worse with the planned growth and would require layout modification to improve its reliability and reduce the queuing (see Policy 9: Road traffic improvements).
- 302 Diss is a fairly compact market town meaning that its town centre is easily accessible by walking or cycling. The DDNP includes a walking and cycling network to help people get around and to the town centre without using a car (see Policy 10: Walking and Cycling Network).
- 303 Protecting town centre Local Green Space (see Policy 15) and Non-Designated Heritage Assets (see Policy 17) will also be important, as will supporting the Heritage Triangle.

### COMMUNITY ACTION 5 - Town Centre Action Plan

*The town council will lead on the development of an area action plan for the town centre with the aim of making it more pedestrian friendly and promoting its vitality. The Town Council's Strategy Plan includes a variety of objectives in line with this, for example improving cleanliness of the streets, improving the water quality of the Mere, attracting more footfall to the town centre by increasing market activity.*

<sup>21</sup> [Greater Norwich Town Centres and Retail Study Update](#) (December 2020)





**FIGURE 5** The DDNP includes a policy designed to make the town centre more pedestrian friendly

304 The DDNP *Evidence Base* indicates that collisions involving pedestrians are concentrated mostly in the centre of the town. This concentration of collisions is consistent with there being a larger concentration of pedestrians in the area. If the DDNP is successful in encouraging more people to use and visit the town centre, and in particular to walk or cycle, it will be necessary to improve the walking and cycling environment, including making it safer and with less traffic conflict. It has therefore been decided that the DDNP will have a policy on making the town centre more pedestrian friendly.

305 This policy was put to local people in the earlier consultations. A majority of respondents (53%) were in favour of this (61.70% of those expressing a preference<sup>22</sup>), whilst 40% were against. This is perhaps not a clear-cut matter and will require close working with the community and businesses as well as key stakeholders such as the Local Highway Authority.



<sup>22</sup> Excluding those with no opinion



## 8 PROTECTION POLICY - PREVENTING COALESCENCE

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### STRATEGIC GAP BETWEEN DISS AND ROYDON

- 306 Retaining the local identity of the different communities in the DDNP area is important.
- 307 Over the last few years, the gap between the village of Roydon and the built-up area of Diss (which includes part of Roydon parish) has narrowed, mainly due to the expansion of Diss. If this continues in the long term the boundaries will become increasingly blurred and there may be continuous development from Diss into the main village centre of Roydon.
- 308 This is something that local residents would like to avoid. During consultation (1) on issues and options for the Plan, 80% of people who responded to the survey indicated that they strongly agreed that it was important to protect the gap so as to:
- 309 Protect the setting and separate identity of each;
- 310 Retain the openness and character of the land between the two places.
- 311 Many comments were received about the importance of retaining the gap:
- 312 *"I agree that it is essential to have protected open areas for the recreational, physical and emotional benefits to the residents of both areas. The suggested protected areas are well chosen and are a valued source of nature and wildlife that is so important to physical and mental wellbeing."*
- 313 *"Open countryside is needed as a buffer to provide green lungs for local residents, to enhance the landscape, as safeguard space between different communities and protect the settings of village and town."*
- 314 There is also very strong feeling from residents of Roydon that the parish should be kept whole, despite some properties abutting the built-up area of Diss. Many residents living adjacent to Diss continue to have a strong 'Roydon' identity.
- 315 The designation of a strategic gap between Diss and Roydon will not prevent future development needs from being met. The *Site Options and Assessment* (SOA) report that companies in the DDNP highlight the level of interest in future development from local landowners. Of those sites assessed, whilst some fall within the designated gap, many do not.

### POLICY 14 – Strategic Gap Between Diss and Roydon

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**The area of separation identified in Map 20 between the built-up areas of Diss and Roydon village will be retained. Development that detracts from the open character or reduces the visual separation will not be permitted.**

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MAP 20 The Roydon Gap



## 9 PROTECTION POLICY - LOCAL GREEN SPACE



**FIGURE 6** Roydon's Snow Street allotments, a highly valued asset in the community

- 316 The *National Planning Policy Framework* (NPPF) sets out that areas of land that are demonstrably special to the local community may be protected against development through designation as Local Green Space (LGS). These are often found within the built-up area and contribute to the character of a settlement. They can vary in size, shape, location, ownership and use.
- 317 The designation should only be used where:
- The green space is reasonably close to the community it serves;
  - The green space is demonstrably special to the community and holds a particular local significance, for example because of its beauty, historic significance, recreational value, scientific or richness of its wildlife;
  - The green space concerned is local in character and is not an extensive tract of land.
- 318 A robust process has been followed to determine which green spaces across the DDNP area should be designated. A working group of residents from each parish was used to identify potential sites for designation. These were then mapped, visited and evidence gathered as to their current use, history, importance locally and special qualities.
- 319 Potential sites were reviewed to determine if, at a glance, they met the national criteria, with all those which did or may do put to consultation. Residents were asked to what extent they agreed that the green spaces put forward in their community were special to them, and if they had any specific comments as to why they are special. A benchmark of 80% of residents agreeing or strongly agreeing that the spaces were special to them was used as a guide to determine which of those consulted upon should be designated.
- 320 Any landowners affected by LGS designation were specifically contacted to make them aware of the potential implications and given the opportunity to provide their views. Though LGS can be designated without the express consent of the landowner, their views,



were considered through this process, and are captured in the *Consultation Statement*. Additionally, it is not necessary for LGS to be publicly accessible or in public ownership.

321 The DDNP designates 52 LGSs across the Plan area, these are identified in Maps 21-27. They are important not only for the wildlife they support, but provide significant quality of life benefits to residents, for example through encouraging recreation.

322 Many of these contribute to the distinctiveness of their local community, making it an attractive place to live. Support for the designation each of the LGSs can be found in the *Local Green Space Assessment Report* on the DDNP website. Justification for the scope and content of Policy 15 is given in Appendix B.

## POLICY 15 – Local Green Space

The areas shown in Maps 12 to 18 are designated as Local Green Space for special protection. These will be protected from inappropriate development in accordance with Green Belt Policy, except for the following deviations:

New buildings are inappropriate development, with the only exceptions to this:

- a) Buildings for forestry or agriculture where the Local Green Space is used for commercial woodland or farmland;
- b) The provision of appropriate facilities in connection with the existing use of land where the facilities preserve the openness of the Local Green Space and do not conflict with the reasons for designation that make it special to the community, such as for recreation or ecology;
- c) The extension or alteration of a building if it does not impact on the openness or the reasons for designation that make Local Green Space special to the community; or
- d) The replacement of a building provided the new building is in the same use and not materially larger than the one it replaces.

Other appropriate development includes:

- e) Engineering operations that are temporary, small-scale and result in full restoration;
- f) The re-use of buildings provided that the buildings are of permanent and substantial construction; or
- g) Material changes in the use of land where it would not undermine the reasons for designation that make it special to the community.

Proposals that are on land adjacent to Local Green Space are required to set out how any impacts on the special qualities of the green space, as identified by its reason for designation, will be mitigated.



## BROME & OAKLEY LGSS



**MAP 21** Designated Local Green Space in Brome & Oakley



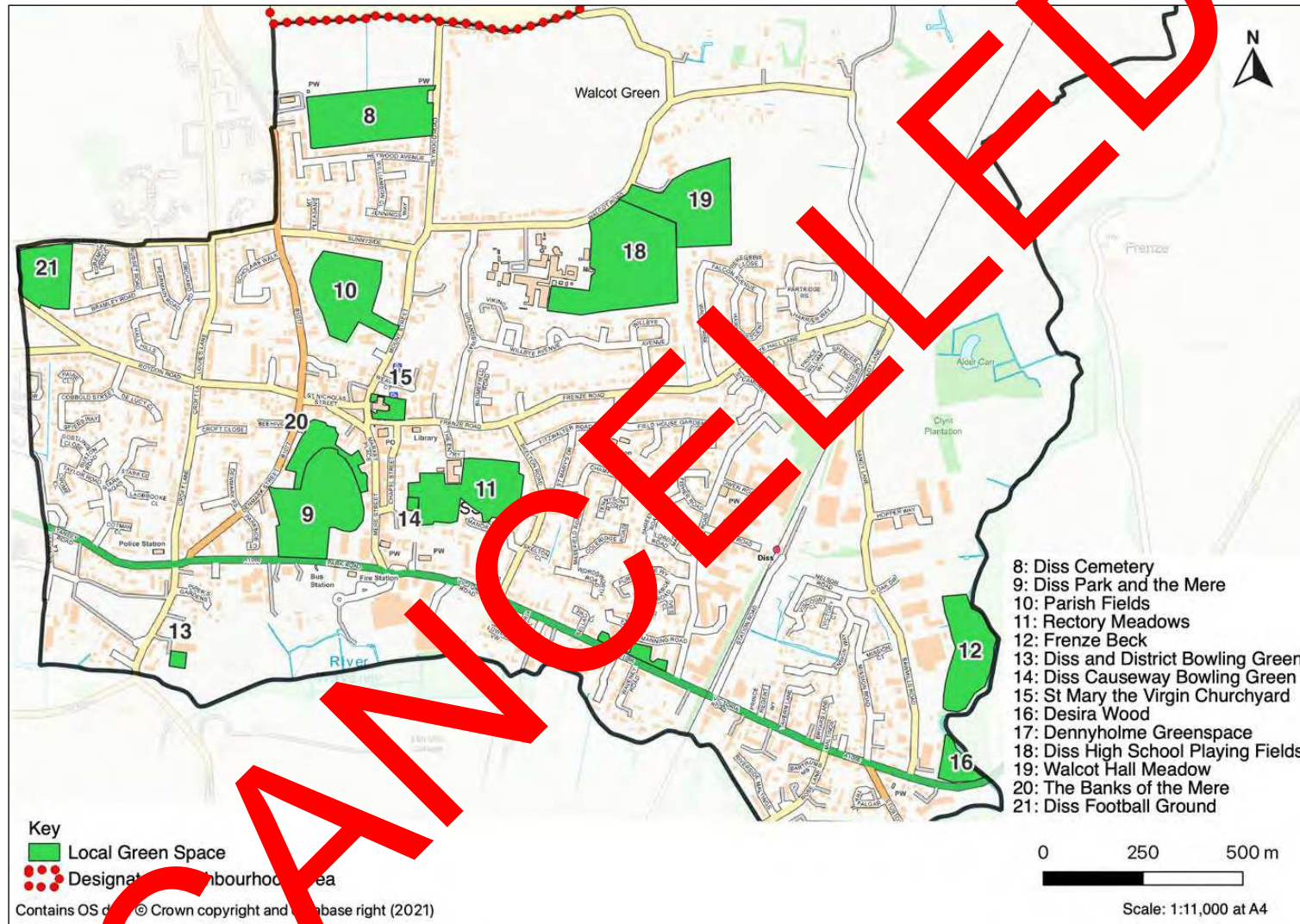
## BURSTON & SHIMPLING LGSS



**MAP 22** Designated Local Green Space in Burston & Shimpling



## Diss LGSS



**MAP 23** Designated Local Green Space in Diss



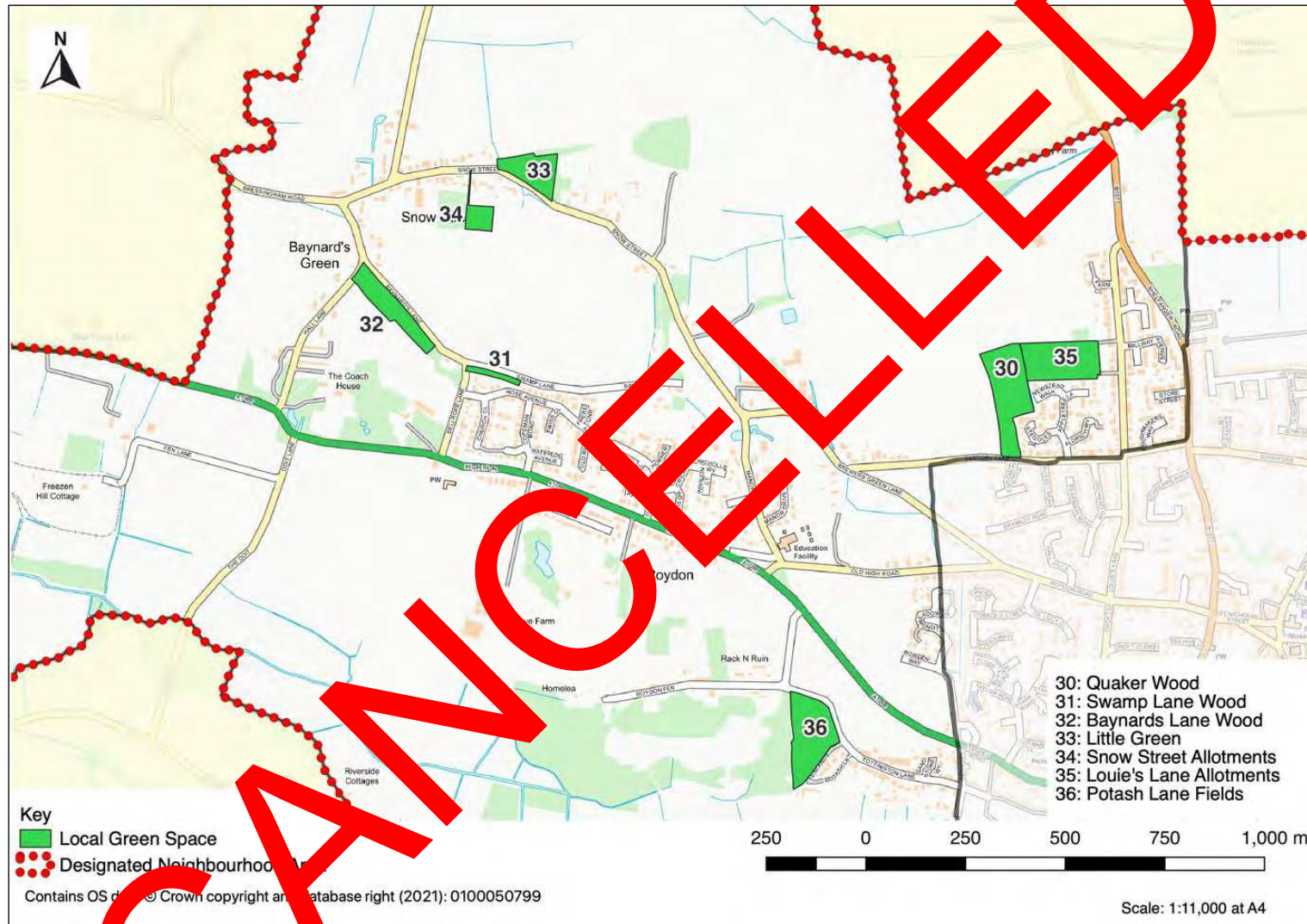
## PALGRAVE LGSS



**MAP 24** Designated Local Green Space in Palgrave



## ROYDON LGSS



**MAP 25** Designated Local Green Space in Roydon



## SCOLE LGSS



**MAP 26** Designated Local Green Space in Scole



## STUSTON LGS



**MAP 27** Designated Local Green Space in Stuston



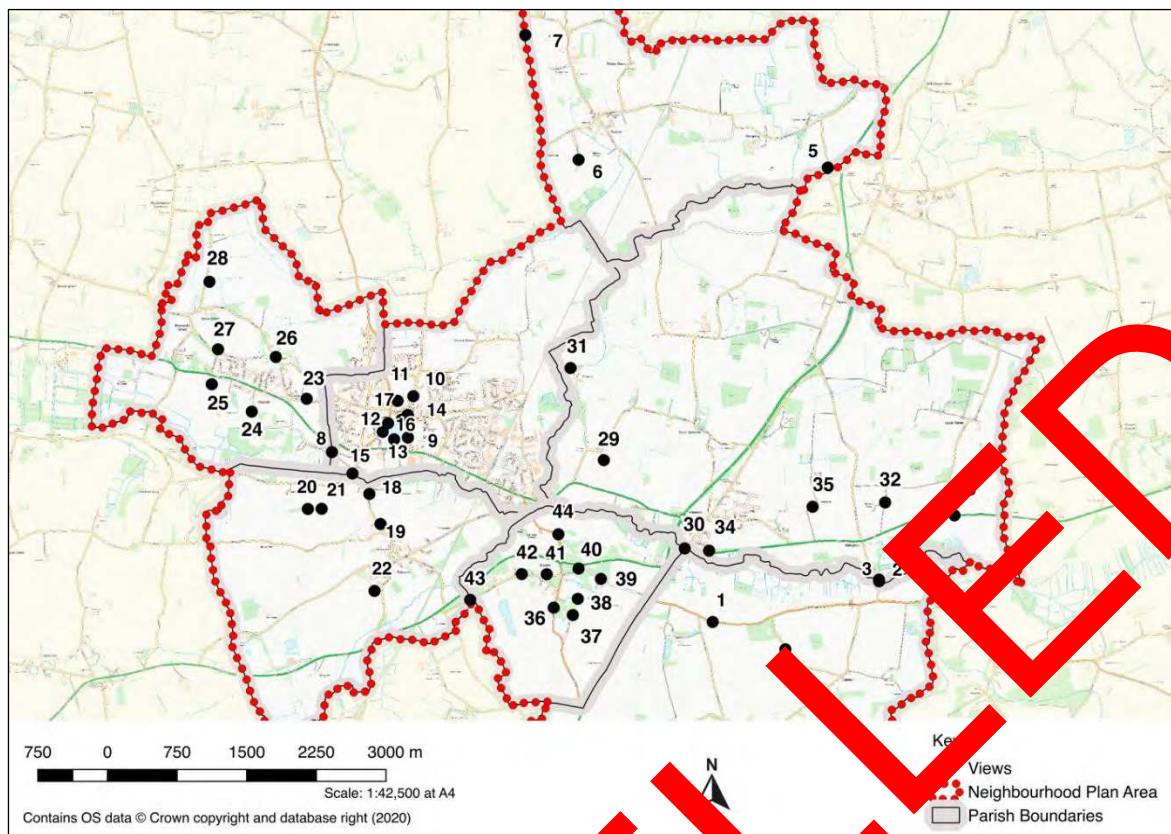
## 10 PROTECTION POLICY - KEY VIEWS



*FIGURE 7 A view from Market Lane in Diss, one of 44 views valued by the local community*

- 323 The NPPF indicates that planning policies and decisions should protect and enhance valued landscapes, recognising the intrinsic character and beauty of the countryside. There are some specific views and vistas within the DDNP area that are of particular importance to the local community.
- 324 A working group formed from each parish identified specific views they felt were important. Wider opinions from the local community were sought as part of the 'Issues and Options' consultation in July/August 2020. Suggestions for other important local views were also sought as part of the consultation. These were reviewed by the working groups and subject to additional community consultation. Some of the key views identified by residents in Diss are within the Conservation Area. It is noted that these will already have some protection.
- 325 Overall, the DDNP seeks to protect 44 public views for future enjoyment. The intention is not to stop development within these views, but to ensure that their distinct character is retained. Within the views afforded protection through Policy 16, development that is overly intrusive or prominent will not be supported locally. Any proposals within these views will need to demonstrate that they are sited, designed and of a scale that does not significantly harm them.
- 326 Supporting evidence, including illustrations, for all the views are given in the *Key Views Assessment Report* on the DDNP website.





**MAP 28** Key Views in the DDNP area

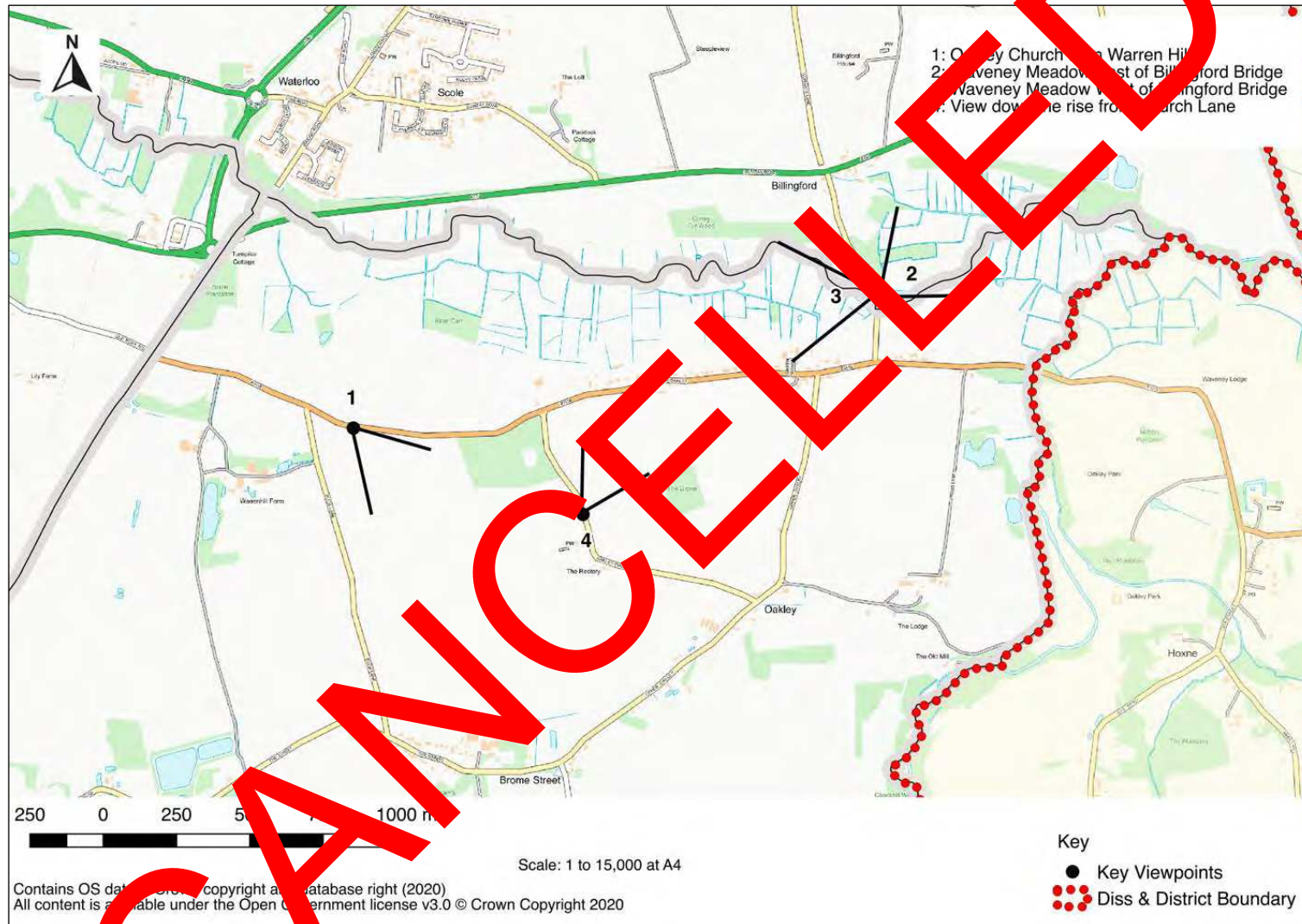
## POLICY 16 - Protection of Key Views

The views identified in Maps 28 to 35 and described in the DDNP *Key Views Assessment Report* are important public local views in the Diss and District area.

Development proposals that would adversely affect these key views will not be supported. Proposals are expected to demonstrate that they are well designed and designed to be of a form and scale that avoids or mitigates any harm to the key views.



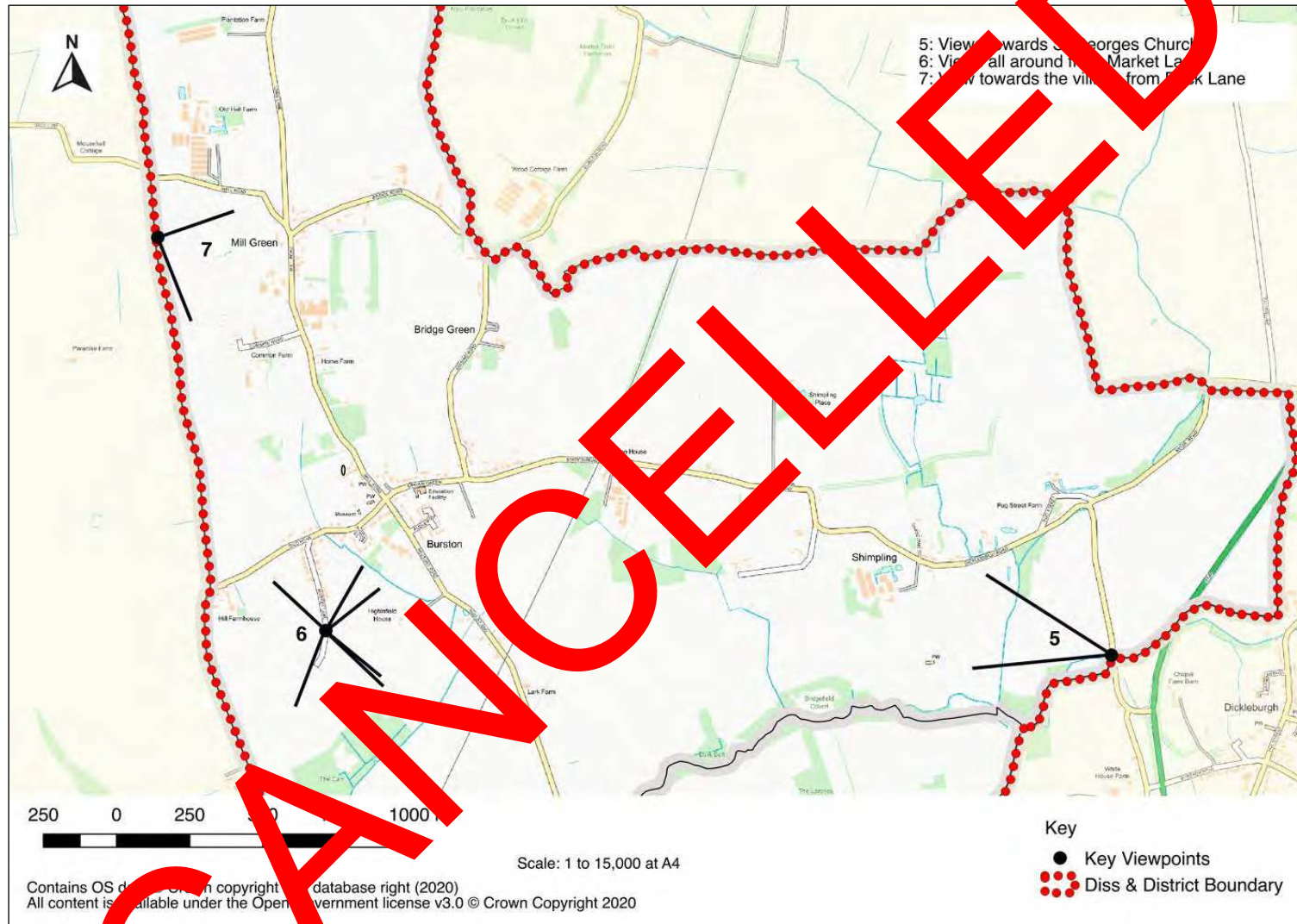
## BROME & OAKLEY KVs



**MAP 29** Key views in Brome & Oakley



## BURSTON & SHIMPLING KVs



MAP 30 Key views in Burston & Shimpling



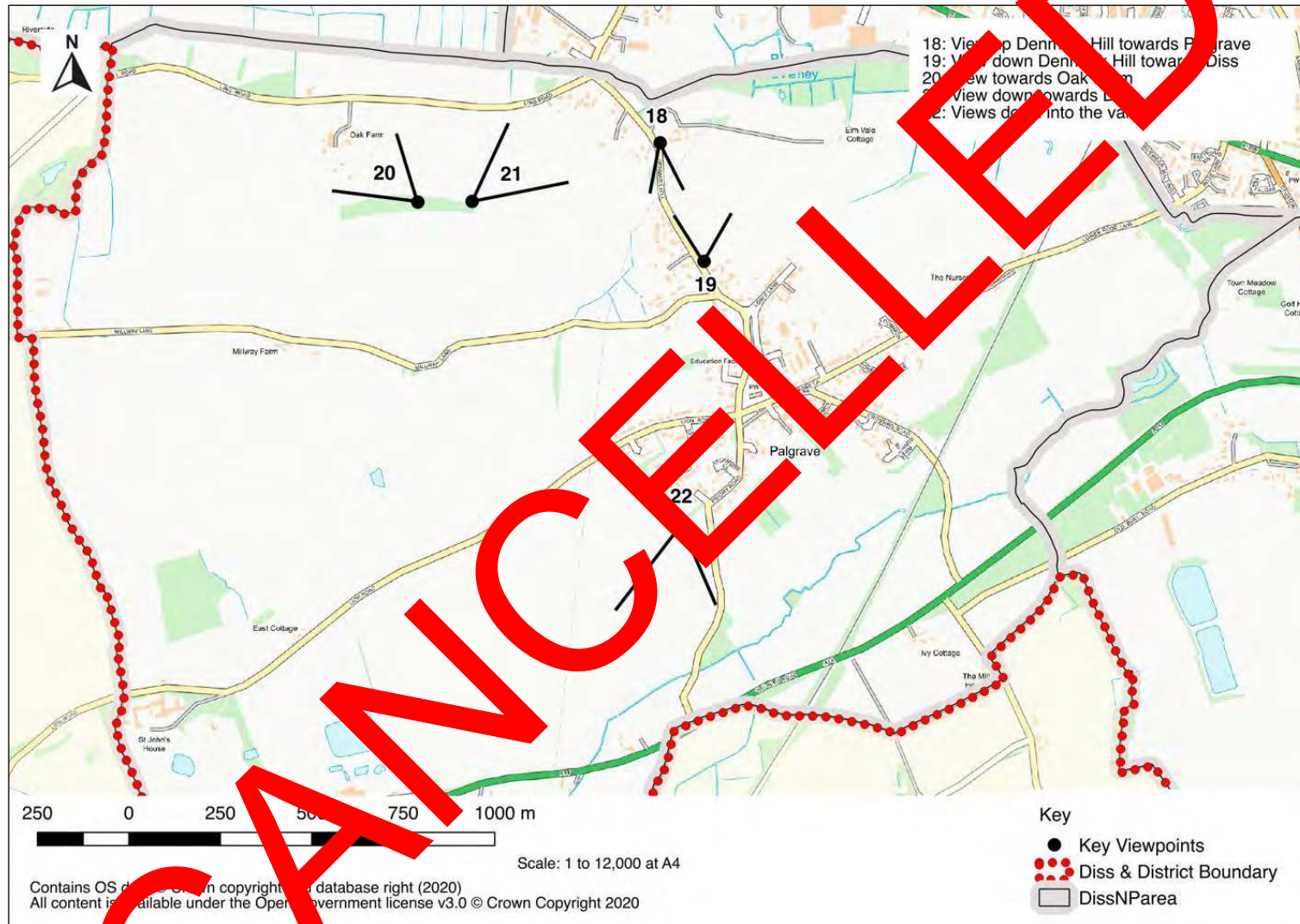
## Diss KVs



**Map 31** Key views in Diss



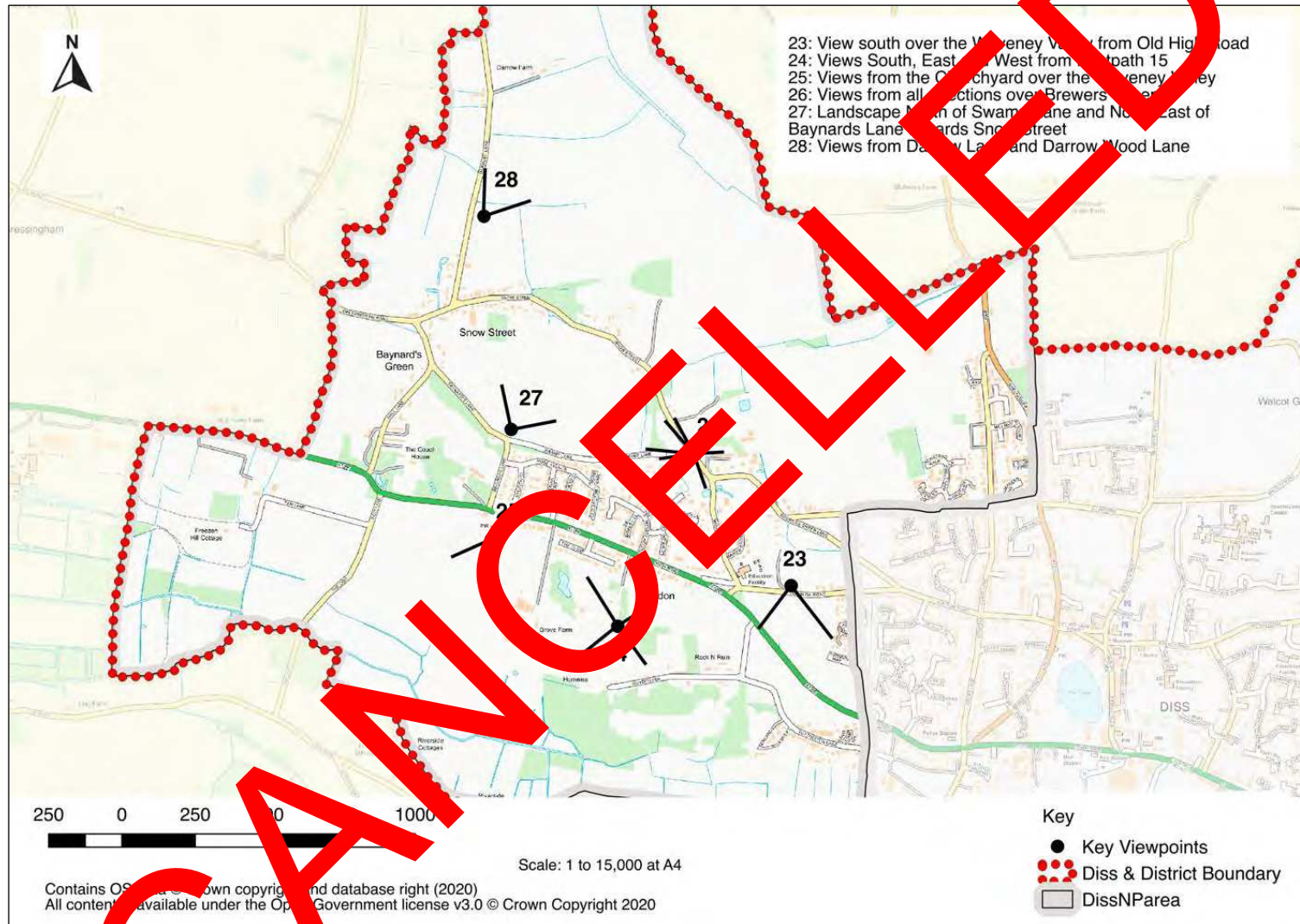
## PALGRAVE KVs



MAP 32 Key views in Palgrave



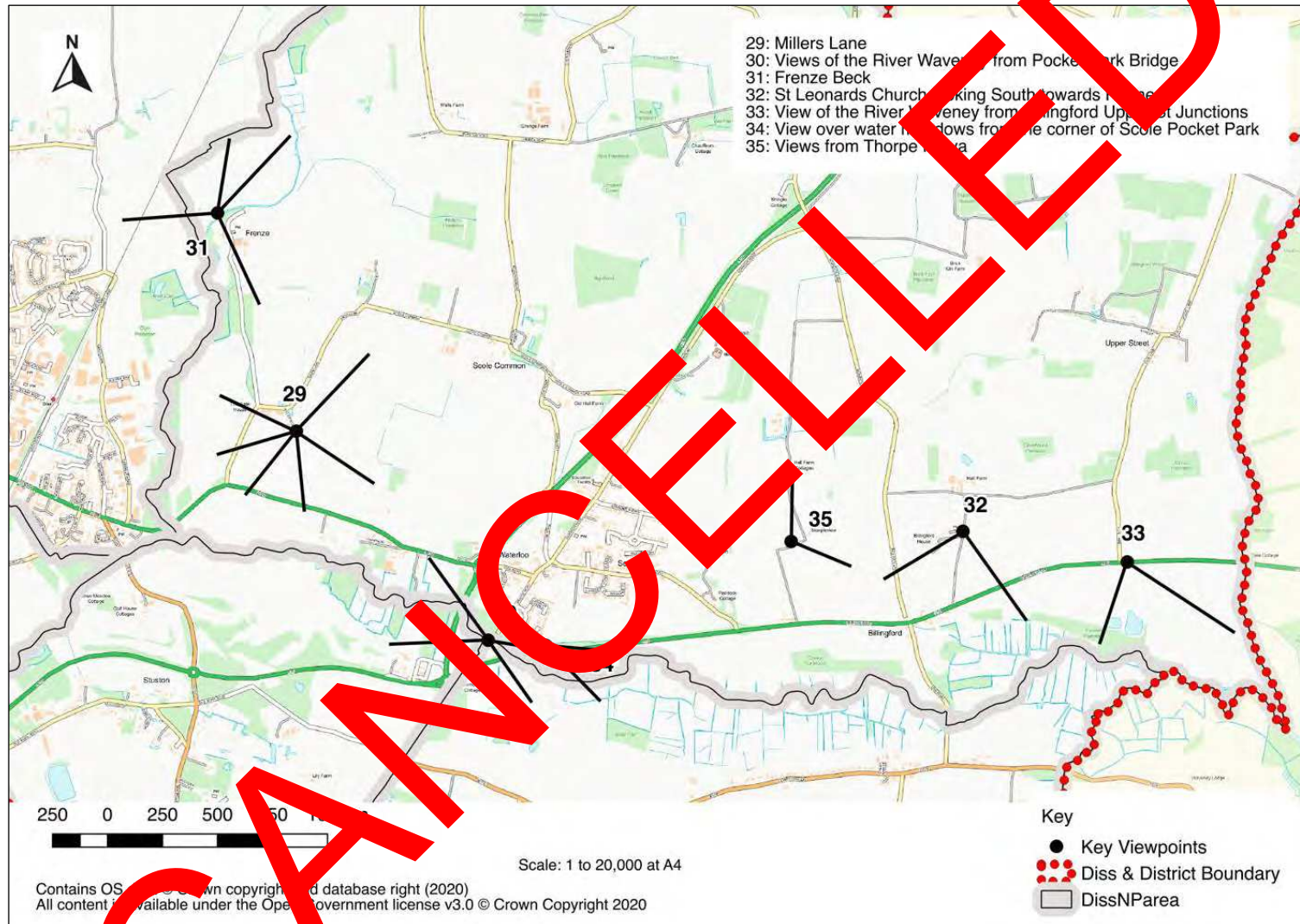
## ROYDON KVs



**MAP 33** Key views in Roydon



## SCALE KVs



**MAP 34** Key views in Scale



## STUSTON KVs



MAP 35 Key views in Stuston



# 11 PROTECTION POLICY - HISTORIC ENVIRONMENT

- 327 This area around the Waveney Valley attracted early settlement and by Roman times this had become more extensive, a general trend which continued into and beyond the early medieval period. As a result, the DDNP area is one of historical significance and many important heritage features remain today. Some of these are protected in Conservation Areas, which have been designated in Diss, Burston, Palgrave and Scole. There are also over 350 listed buildings across the area, including seven Grade I which are of particular note, and one scheduled monument, the Scole Roman Settlement.
- 328 There are also many historical features that are of local note and significance. The Plan identifies 37 Non-Designated Heritage Assets (NDHA) of local importance. Their location is shown in Maps 36 to 41 and they are listed after each map. Further evidence of their heritage significance is given in the *NDHA Assessment Report* on the DDNP website.

## DISS



**FIGURE 8** The area known as the Heritage Triangle is the traditional centre of Diss. Formed by St Nicholas Street, Market Hill and Market Place, it is bounded by the Corn Hall in the west, St Mary's Church in the east with Diss Museum and Market to the south.

- 329 Historically, Diss has been an important focal point for the area. In the Domesday Book the town is noted as a royal manor, and by the end of the 12<sup>th</sup> century, its commercial importance was firmly established. The market dates from 1135 and a charter for the



great annual fair was granted in 1195. Diss enjoyed good communication in all directions, in particular the river crossing at Denmark Bridge, while the rising ground north of the Mere was clear of the flood plain, and had a good supply of water.

- 330 The area known as the Heritage Triangle is the traditional centre of Diss. Formed by St Nicholas Street, Market Hill and Market Place, it is bounded by the Corn Hall in the west, St Mary's Church in the east with Diss Museum and Market to the south.
- 331 Today its period buildings include many diverse and independent shops and businesses. The Conservation Area includes this historic core, but also important spaces at Fair Green, the Mere and Park, Rectory Meadows and the Parish Fields. You can catch glimpses of the Mere through archways and openings in the centre, but it is the unparalleled panoramic view from the park, over the Mere to the church tower and beyond which is renowned.
- 332 Over time, the Mere has been used as a water supply, wash tub, a drain and venue for various sporting or recreational activities. It has not only determined the shape of the town, but helped ensure the survival of Betjeman's perfect market town. Betjeman is a poet with strong connections to Diss.
- 333 The *Diss Conservation Area Appraisal*<sup>23</sup> reports that most buildings appear to be in good condition. One identified of particular concern is the Old Infant School in the Causeway. This site has been allocated for housing, up to 10 dwellings, in the DDNP, with Policy DDNP2, outlining the aspiration for the building to be retained and incorporated into the design and layout of the development.

### COMMUNITY ACTION PLAN - Diss Heritage Triangle

*Diss Town Council will engage with the Corn Hall Trust, local businesses and other interested parties to promote and enhance the special character and commercial attractiveness of the Heritage Triangle within the core of the town centre.*

### SCOLE

- 334 Scole is the largest parish in South Norfolk, and whilst it comprises five historic settlements, the historic core of the village, which is designated a Conservation Area,<sup>24</sup> developed on the original Roman road (the Pye Road) to Venta Icenorum (near Norwich). Diss by Berve, (formerly The Scole Inn), which is Grade I Listed, still dominates the centre with the Church of St Andrew to the north set above the street.
- 335 One of the housing allocations in Scole, on the Engineering Site, is adjacent to the Conservation Area. The layout and design of this development will need to be sensitively designed to consider potential impacts on the Conservation Area.

<sup>23</sup> [Diss Conservation Area Character Appraisal and Management Plan](#) (2012)

<sup>24</sup> [Scole Conservation Area Appraisal and Management Plan](#) (2017)



336 Directly to the south-west of the Conservation Area lies Villa Faustini, Scole Roman Settlement, which is designated a Scheduled Monument. This appears to be a major roadside settlement or small town. Remains cover an area of some 35 acres, and finds indicate occupation throughout the Roman period. Modern buildings and roads now cover half of the settlement, and some of the areas subject to agricultural activity have been badly damaged. Excavation indicates that Roman occupation was not limited to the roadside, but that the settlement stretched back either side of the road, and potentially onto both sides of the River Waveney. Various finds of archaeological importance, mainly from excavations in advance of the A140 bypass construction, evidence the area's significance<sup>25</sup>.

## PALGRAVE

- 337 Palgrave sits on slightly higher ground between the southern bank of the River Waveney that here forms the county boundary and a tributary joining the river. The Suffolk Historic Environment Record lists over 20 sites of archaeological interest from all periods, including some crop marks and ring ditches, reflecting its agricultural importance. There are 41 listed buildings, half of which fall within a Conservation Area in the village centre.
- 338 The older buildings are predominantly domestic in use, a few having former commercial uses, and mostly timber framed and plastered with pantile roofs. The Grade I listed Church of St Peter provides the exception with flint rubble walls and pantile roof. It is mostly 15<sup>th</sup> Century and perpendicular in style. Another building of note is the Grade II\* former Guildhall, opposite the church now called Brackenale. This is timber framed and plastered with some exposed timbers and a jetted first floor.

## BURSTON & SHIMPLIN

- 339 Burston Conservation Area was designated in 1994 and is focused around the historic core of the village around the Church of St Mary, the village green and the Burston Strike School. The Strike School, built in 1917, is the site of the longest recorded strike in England's history. It is Grade II\* listed and of national significance to the trade union and labour movement. The school teachers Kitty Higdon and her husband Tom came to Burston in 1912 to take charge of the school. She was a fully qualified teacher whilst he worked as her assistant. Following conflict with the School Managers, in April 1914 sixty-six of the seventy-two children of Burston School, supported by their parents, went on strike. A nationwide fund enabled a second school building, the Strike School to be completed in 1917 with this situated between the green and the Church. Until 1939 two schools existed in the village, the Strike School and the Council School. The Strike School, is now a museum covering the background and history of the strike and a commemorative rally is held on the green each September.

<sup>25</sup> Norfolk Historic Environment Record, [Number 1007](#)



## ROYDON

- 340 The parish of Roydon has a long history and certainly was well established by the time of the Norman Conquest, its population, land ownership and productive resources being extensively detailed in the Domesday Book of 1086. A significant prehistoric site found to the north of Sandstone Way dates to the Iron Age. Here, the cropmark of a ring ditch was noted on an aerial photograph in 1977. Partial excavation of the feature recovered Neolithic flint tools and fragments of Iron Age pottery, and the site was interpreted as an Iron Age defended settlement<sup>26</sup>.

## STUSTON

- 341 Stuston is a small parish of about 190 properties in the very North of Suffolk which relies on Diss as its community “hub”.
- 342 The village lies just inside the Suffolk County Boundary on the South side of the Waveney valley and is at the intersection of two ancient routes, the A143 from the medieval capital of East Anglia – Bury St Edmunds, and an even older North-South route from Colchester to Norwich – a Roman road now identified as the A140.
- 343 Most of the village lies within a “Common Enclosure” meaning that it would require the signature of the Secretary of State to permit any development within the defined area.
- 344 The natural features are that it is located on glacial deposits from the last ice age, which have left a number of small ponds or “pings” through the centre of the village. This also means that surface water drainage through the village is somewhat problematical.

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<sup>26</sup> Norfolk Historic Environment Record, [Number 12834](#)



## NON-DESIGNATED HERITAGE ASSETS



FIGURE 9 Mediaeval moated site of Bush Hall, Roydon

- 345 The Government's *Planning Practice Guidance* (PPG) recognises that there are buildings, monuments, sites, places, areas or landscapes identified as having a degree of significance meriting consideration in planning decisions, but which are not formally designated heritage assets. In some areas local authorities keep a local list of Non-Designated Heritage Assets (NDHA), incorporating those identified by neighbourhood planning bodies. Paragraph 197 of the *National Planning Policy Framework* (NPPF) determines that the effect of an application on the significance of an NDHA should be taken into account in determining the application.
- 346 NDHAs should be identified against a clear set of consistent criteria. A comprehensive review by the working group of designated heritage assets, Conservation Area Appraisals and the Historic Environment Record was undertaken before considering whether there were other assets of heritage value worth identifying in the Plan. Each community group mapped a list of important buildings and historic features and, making use of local knowledge and the Historic Environment Record, researched these to find out more about their history. These were then put to residents as part of the Issues and Options Consultation; respondents were asked if the assets put forward were important to them. The historic assets that achieved 80% 'strongly agree' or 'agree' to this question were subsequently assessed in accordance with Historic England's guidance on Local Heritage Listing, using the commonly applied selection criteria. Those determined to have historic significance are identified as NDHAs. Their locations are shown in the maps on the following pages and there is a brief description of them beneath each one. They receive protection in accordance with Policy 17, below. As well as individual assets, some historic groupings of assets that constitute a sense of place have been identified.



## POLICY 17 - Non-Designated Heritage Assets

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The character, integrity and appearance of existing historic assets will be protected and where possible enhanced.

The Non-Designated Heritage Assets listed on Maps 36 to 41 have considerable local significance. Development proposals should avoid harm to these heritage assets and have regard to their character, important features, setting and relationship with surrounding buildings or uses. Any development proposal that affect these assets or their setting will need to demonstrate that they do not harm, or have minimised harm, to the significance of the asset and should make clear the public benefits that the proposal would deliver so that any harm to the asset's significance or setting can be weighed against the benefits.

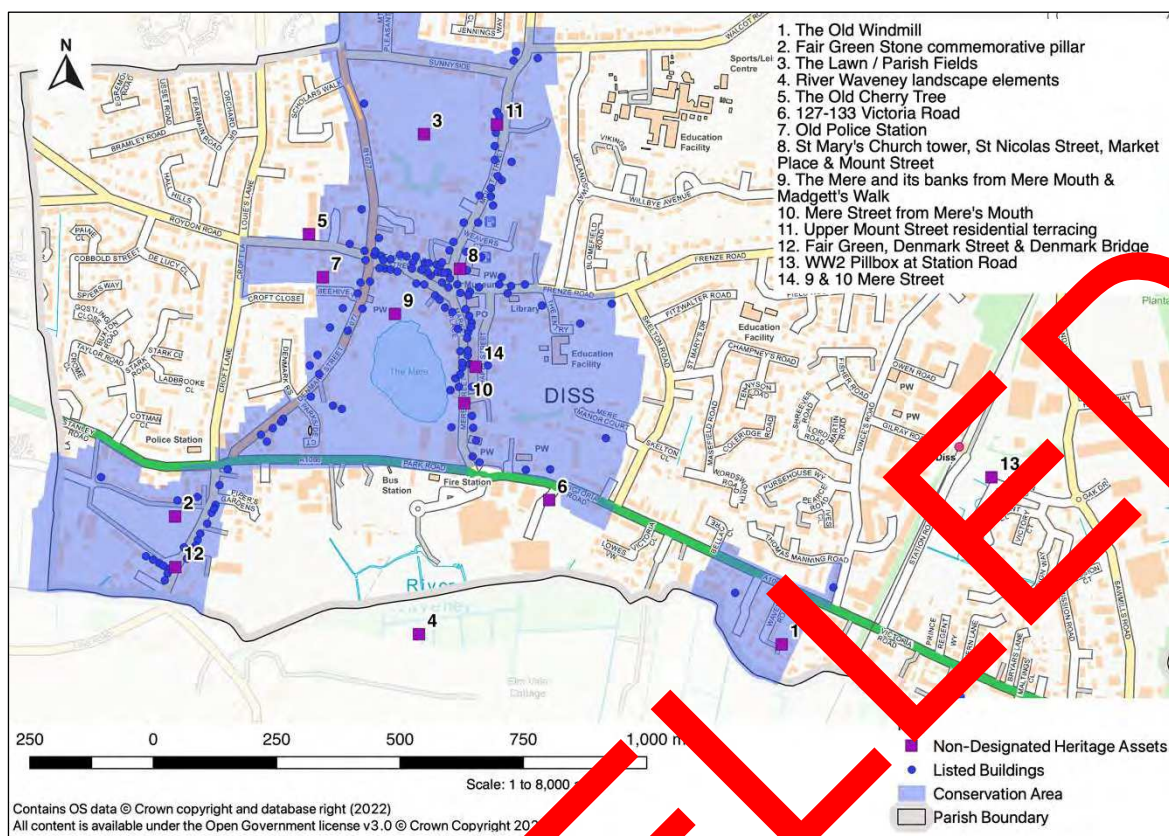
Any planning or listed building consent application for works to a non-designated heritage asset will need to be supported by a Heritage Statement. This will describe the significance of the asset, the works being proposed and why, and how the significance of the asset will be affected by the proposals, along with any mitigation measures.

Proposals for works to or adjacent to Non-Designated Heritage Assets should demonstrate that consideration has been given to preserving:

- a) The heritage asset and its distinctive historic features;
  - b) The positive elements of its setting that contribute to the asset's historic significance;
  - c) The contribution the asset and its setting makes to the character of the local area.
-



## Diss NDHAS



MAP 36 NDHAS in Diss

### NDHA1 The Old Windmill

Early 19<sup>th</sup> century windmill converted to house in 1972. Claimed locally to date from 1771, but no record prior to 1817. Possibly used to power a Yarn Mill at Lincoln, Victoria Road.

### NDHA2 Fair green stone commemorative pillar

Commemorative stone of Fair held on Green for 800 years. Last fair held in 1985, but hosting entertainment/circus fairs since.

### NDHA3 The Lawn and The Cedar

A private park created in the late 18<sup>th</sup> century for The Cedars (Listed building 7.6.6) composite on Mount Street. Originally accessed by entrance flank walls mirroring those surrounding The Cedars. The only example of a detached private park in Norfolk. Designated as Local Green Space but requires more stringent further statutory protection and possible incorporation into publicly owned open space.

### NDHA4 River Waveney landscape elements

Land adjacent to the River Waveney, long identified as available for a new Waveney Quarter but as yet undesignated. Forms, together with lands in Palgrave, an essential and integral central element of the Waveney valley.



**NDHA5 The Old Cherry Tree 8 Roydon Road**

Formerly public house. 19<sup>th</sup> century brick facing conceals remains of 17<sup>th</sup> century three-cell building.

**NDHA6 127-133 Victoria Road**

Grand 19<sup>th</sup> century terrace with central arch constructed like triumphal arch. Ends arranged with main elevation facing sides. Centre is Chesterfield House, with central doorway and window in pilastered surrounds.

**NDHA7 Old Police Station 9.9A-11 Roydon Road**

Former police station with open porch and Tuscan colonette, two gabled sections of irregular length, one with rounded first floor window above a flat bay window, the other with a tripartite window with segmented pediment to central light. Converted to housing 1996, said to retain cell floors and original tiled walls.

**NDHA8 St Mary's church tower at junction of St Nicolas Street, Market Place and Mount Street**

This group of buildings, the approach south down Mount Street, east down the narrows of St Nicholas Street and north from the Market are the iconic defining images of Diss and a core heritage asset.

**NDHA9 The Mere and its banks from Mere Mouth and Madgetts walk**

This significant vista is the setting of the full expanse of the Mere and its landscaped banks that were used for drying clove cloth, primarily linen from the noted Diss weaving sheds, in 17<sup>th</sup>-19<sup>th</sup> century. The banks were sometimes known as 'The Clynt' and with its mid town background forms a significant vista.

**NDHA10 Mere street from Mere's mouth**

From Diss sign north, traditional 17<sup>th</sup> and 18<sup>th</sup> century mix of buildings, some disfigured with modern shop fronts, but forming traditional historic 'High Street' group of activity and structures.

**NDHA11 Upper Mount Street residential terracing**

Traditional 17<sup>th</sup> and 18<sup>th</sup> century cottage buildings and rectory, grouped on the road and embankment.

**NDHA12 Fair Green, Denmark Street and Denmark Bridge**

Grouping of 17<sup>th</sup> & 18<sup>th</sup> century buildings, most listed at junction of Denmark Street, Denmark Bridge and Fair Green East side.

**NDHA13 WW2 Pillbox at Station Road**

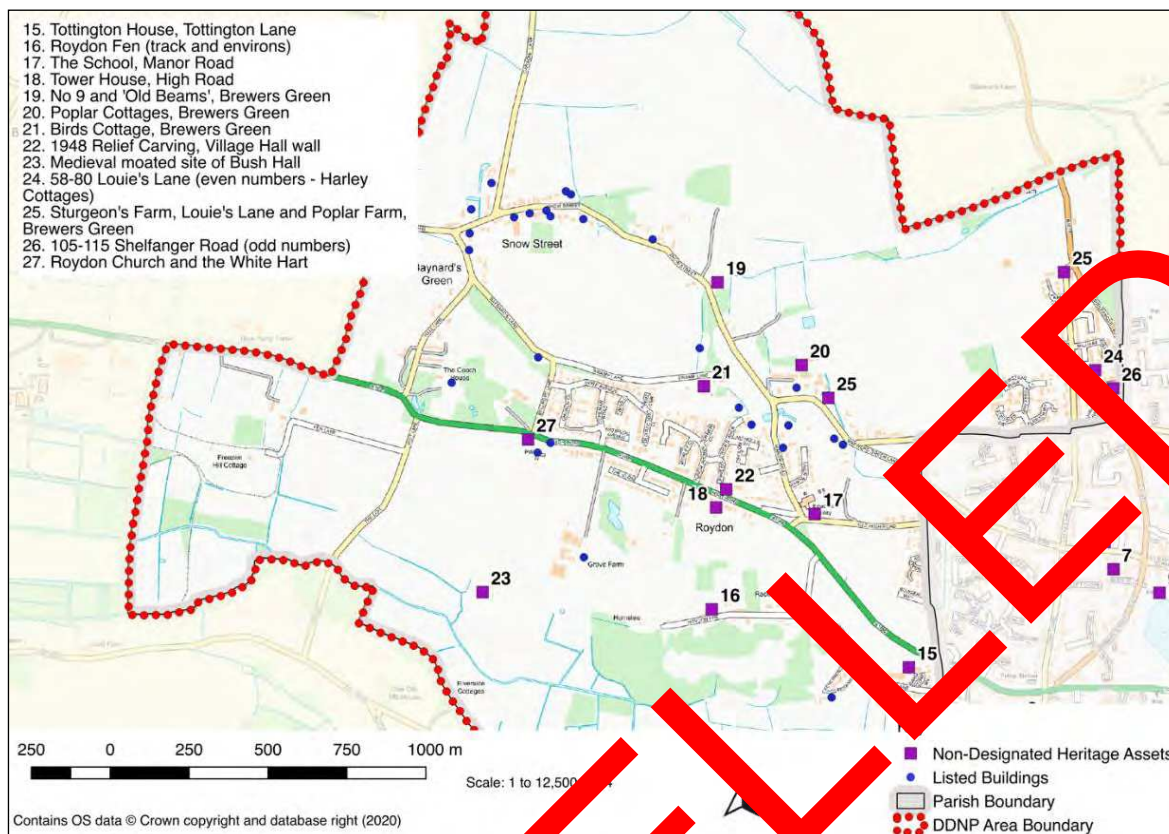
Standard polygonal pillbox south of railway station, now bricked up. Preserved as memorial to Home Guard in 1995. This casement is of type FW3/22. During WW2, these bunkers were used for the defence of the UK against possible enemy invasion. They were built in 1940 and into 1941.

**NDHA14 Numbers 9 and 10 Mere Street**

An integral part of the terrace which contains numbers 11 and 12, both of which are listed.



## ROYDON NDHAS



MAP 37 NDHAS in Roydon

### NDHA15 Tottington House, Tottington Lane

Used to be the mill house. Much older than the houses around it. The postmill itself was built in 1747 and demolished in 1883.

### NDHA16 Roydon Fen (Track and environs)

An aspect of the cultural heritage and importance of Roydon Fen track is the link between the track and the surrounding properties and historical land uses. The first row of houses, from number 1 to 9, were used by workers for the flint and gravel extraction to the north. They were probably built around the turn of the 18<sup>th</sup> and 19<sup>th</sup> centuries, as shown on the Bryant map of 1826.

### NDHA17 The School, Manor Road

This is stylistically unusual, part 1896.

### NDHA18 Tower House, High Road

Built in 1930 as a water tower to supply water to homes in Roydon, the tank coming from Diss railway station. It continued as a water tower until 1960 when it was converted into a residence and offered for rent.

### NDHA19 No 9 and Old Beams, Brewers Green

Former farm workers' cottages, little altered and probably early or pre-19<sup>th</sup> century.



**NDHA20 Poplar Cottages, Brewers Green**

Mid to late 19<sup>th</sup> century clay lump cottages, also known as the Barracks.  
Probably built as farm stables and cart lodges and later converted to domestic use.

**NDHA21 Birds Cottage, Brewers Green**

A small cottage on the edge of the common where, in living memory, the milkmaid for Pheasantry Farm lived.

**NDHA22 1948 Relief Carving on wall of village hall**

Made from oolitic limestone, depicting coconut palm trees and a boat, it represents the materials of brush and mat making. Made in 1948 by David Kindersley, moved in 1997 from the Aldrich's Brush and Mat Factory, Factory Lane, Roydon, after being in storage since the factory's demolition in 1982.

**NDHA23 Medieval Moated Site of Bush Hall**

excavations before 1942 found medieval sherds and half a Roman white ware beaker.

**NDHA24 50-80 Louie's Lane (even numbers, Harley Cottages)**

Patterned brick-faced Victorian terraces, built in 1886

**NDHA25 Sturgeons Farm, Louie's Lane, and Poplar Farm, Brewers Green**

Early 20<sup>th</sup> century Arts and Crafts buildings with tiled upper levels by architect and South Norfolk MP Arthur Sturges. Created after he split up a large farm with Poplar Farm and Sturgeons Farm being two of the farmhouses.

**NDHA26 105-115 Shelfanger Road (odd numbers)**

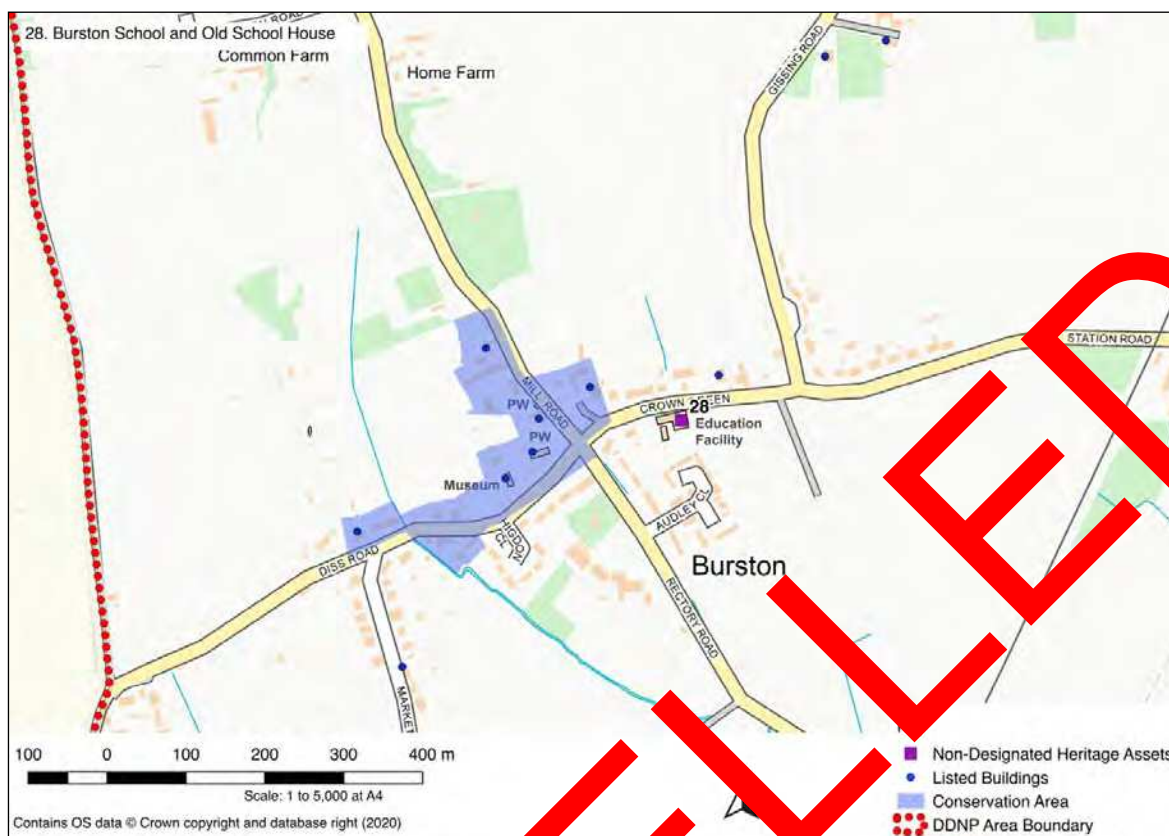
Run of terrace, Roydon Villas, with 105 being distinctive with a recessed corner entrance, a shop converted into a house, and 113 The Old Mill House, behind which is its mill tower, (115), restored as a dwelling.

**NDHA27 Roydon Church and White Hart**

Grouping of church, churchyard and public house (The White Hart) off highway with broad vista across the Waveney Valley to the south.



## BURSTON NDHA



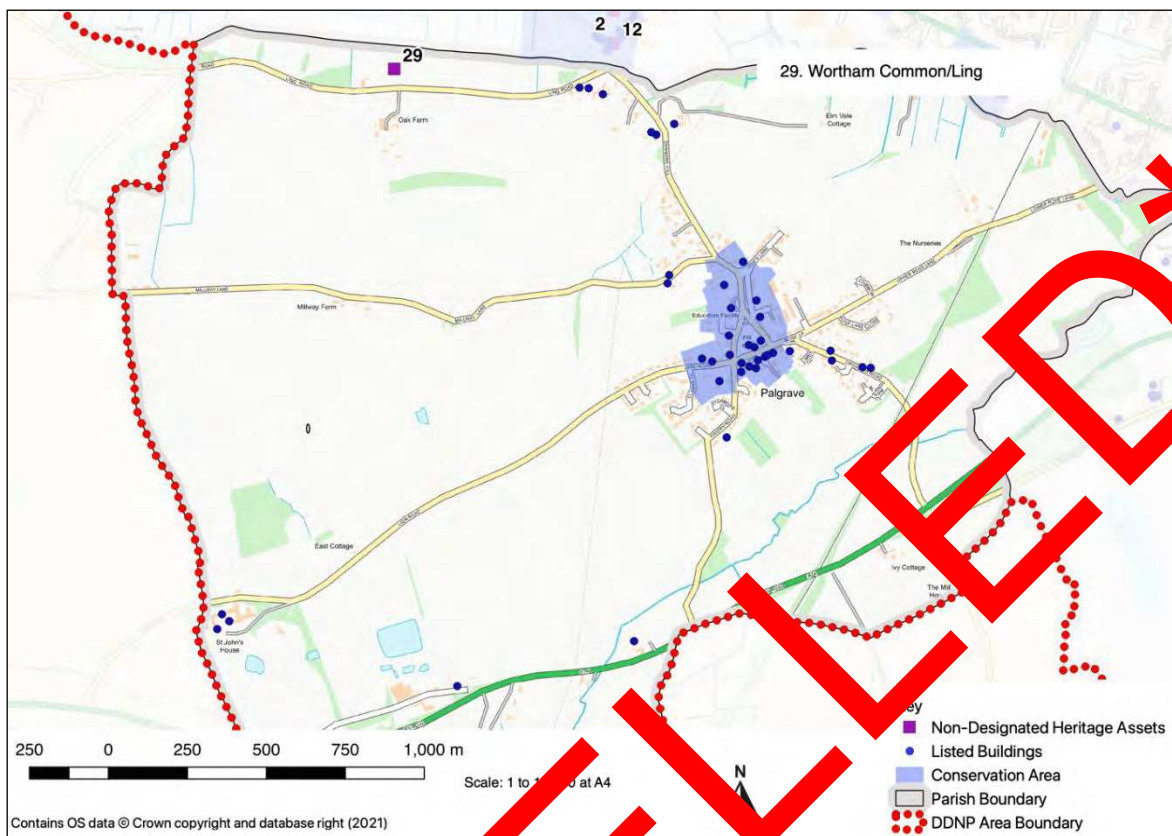
**MAP 38** NDHA in Burston

### NDHA28 School and Old School House

The house is circa 1855 in red and black brick. The headmistress was evicted from the house, provoking the long Burston School strike of 1914. Highly significant, especially in trade union history.



## PALGRAVE NDHA



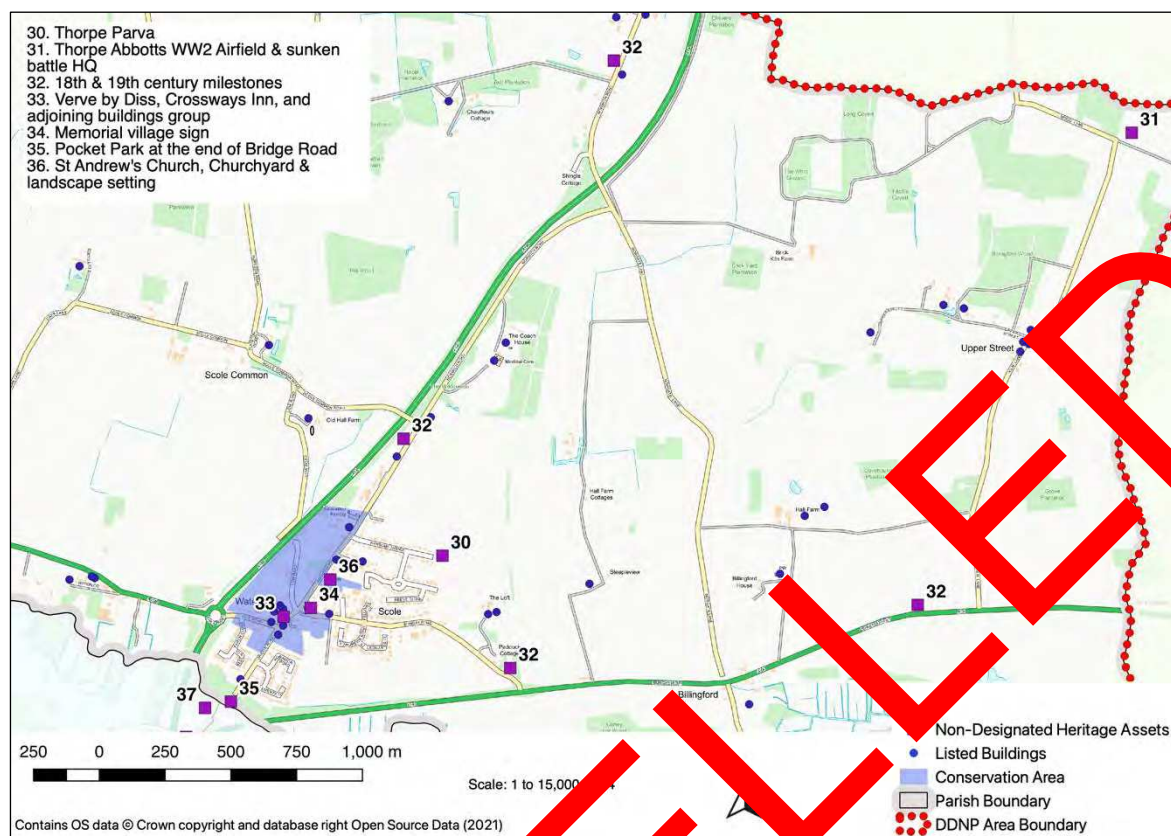
**MAP 39** NDHA in Palgrave

### NDHA29 Wortham Common/Ling

Undeveloped and intended land running south of the River Waveney, part of extensive area of varying density running the full 'Palgrave length' of the River Waveney from Ling Road northwards.



## SCOLE NDHAS



**MAP 40** NDHAS in Scole

### **NDHA30 Thorpe Parva**

Mentioned in Doom day book, remains moated wall and remaining church tower converted to cowcot.

### **NDHA31 Thorpe Abbots WW2 Airfield and sunken battle HQ**

Headquarters of US Army Air Force 100<sup>th</sup> Bombing Group, World War II. Control tower and adjacent buildings remaining with Pickett Hamilton 3 man 'pressure' Fort consisting of two retractable interlocking precast pipes. Museum and Memorial to the 'Bloody 100<sup>th</sup>'.

### **NDHA32 18<sup>th</sup> and 19<sup>th</sup> century milestone markers**

Two of the 14 remaining 18<sup>th</sup> century milestones of the 1768-69 Norwich to Scole Turnpike, 'disturnpiked' in 1874, and two of the remaining milestones on the peccles to Scole Road, possibly an extension of the Yarmouth to Blythburgh turnpike.

### **NDHA33 Verve by Diss, Crossways Inn, and adjoining building group; 1655-1800**

This is the historic centre of Scole with 1655 Norwich Turnpike Hostelry and 16<sup>th</sup> century inn at the junction of Norwich Road and The Street.

### **NDHA34 Memorial and village sign in landscape setting**

Juxtaposition of sign, memorial and setting provides a focus with historic meaning.



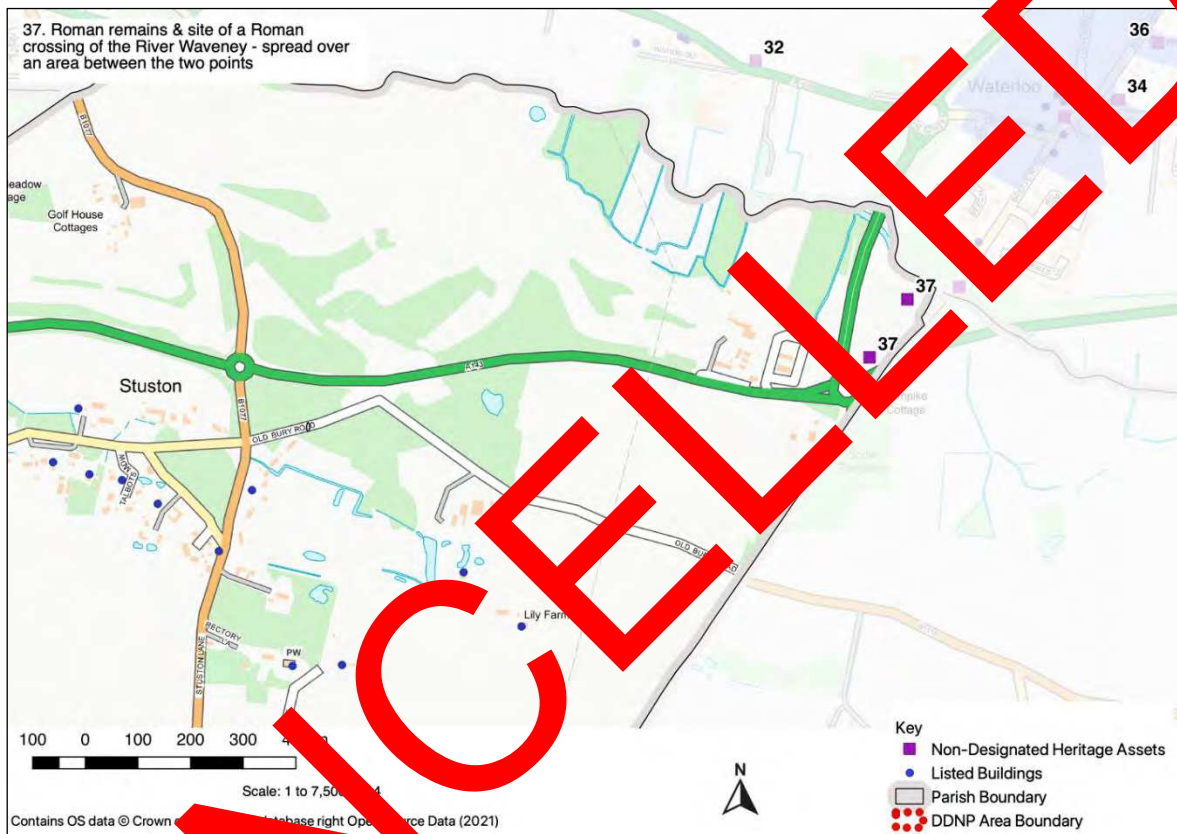
**NDHA35 Pocket Park at end of Bridge Road**

Historically important as location of original ford crossing and likely centre of Roman settlement.

**NDHA36 St Andrews Church, churchyard and landscaping**

Church and trees with surrounding graveyard raised above street level form strong sense of place and setting.

**STUSTON NDHA**



**MAP 41** NDHA in Stuston

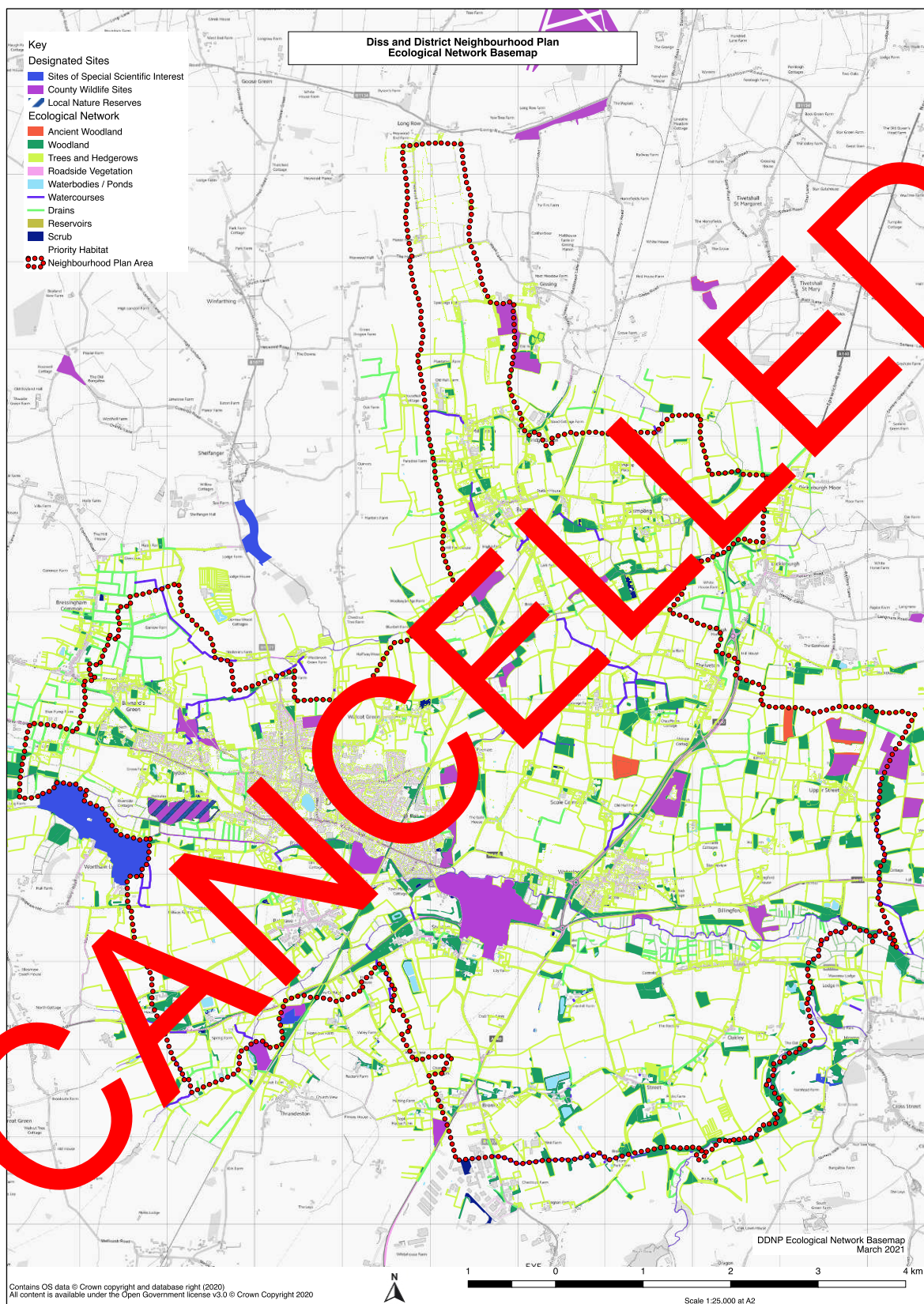
**NDHA37 Roman remains and site of a Roman river crossing**

Evidence of foundations to a Roman camp, bridge or ford. Site of a Roman road crossing the River Waveney and Villa Faustini.





## APPENDIX A – ECOLOGICAL NETWORK BASEMAP



**MAP 42** Ecological Network Basemap; for more information see paragraph 253 on p.80



## APPENDIX B - LOCAL GREEN SPACE POLICY WORDING

347 Since the legal challenge, appeal and High Court Judgement in 2020 against Norton St Philip's Neighbourhood Plan, qualifying bodies, Local Planning Authorities and Examiners have shown caution in relation to Local Green Space (LGS) policy wording. Indeed it is common practice currently for LGS policy to simply list the spaces being designated. We believe this is a misinterpretation of the judgement and this Appendix sets out clear justification for the DDNP LGS policy wording and its deviation from national policy.

348 Paragraph 103 of the *National Planning Policy Framework* (NPPF) sets out that, "Policies for managing development within a Local Green Space should be consistent with those for Green Belts." This at least implies that LGS designations require a policy for managing development, rather than just a list of those designations. This seems likely as:

- First, it refers to LGS 'policy' for managing development. Policy should set out how decisions should be made when determining a planning application. A list of LGSs does not do this as it does not guide the decision maker, simply informing them of which sites are LGSs.
- Second, Para 103 implies that LGS policy is a separate entity to national green belt policy.
- Third, development affecting an LGS cannot be determined using green belt policy; green belt policy applies only to green belt, not to LGSs. An attempt to use green belt policy is likely to be unlawful and challengeable.
- Fourth, the NPPF does not contain policy for LGSs, so without a policy in the NP, there would be no policy and therefore in effect no mechanism for managing development within each LGS.

349 Regarding *Lochailort Investments Limited v Mendip District Council and Norton St Philip Parish Council*, [2020] EWCAD 1259, the court found that LGS policy needs to be consistent with Green Belt policy and that any departure needs to be explained in a reasoned way. According to that judgement, "The ordinary meaning of 'consistent' is 'agreeing or according in substance or congruous, compatible'. What this means, in my judgment, is that national planning policy provides that policies for managing land within an LGS should be substantially the same as policies for managing development within the Green Belt."

350 The neighbourhood plan needs to have 'due regard' to this requirement. 'Due regard' does not mean LGS policy has to conform to the requirement in every respect, but any departure will nevertheless need to be fully justified and explained. The judgements support this, explaining that, "provided the departure from the NPPF is explained, there may be divergence between LGS policies in a neighbourhood plan and national Green Belt policy."

351 It is therefore necessary to assess green belt policy in the NPPF to identify its features and requirements.

352 National Green Belt policy at para 148 explains that openness and permanence are essential characteristics of Green Belt and that is why it is designated - to preserve its openness and permanence. This is the purpose. The designation of LGS aims to protect



smaller parcels of land for a variety of purposes that are in addition to their openness, such as its ecology, recreational value or history as set out as examples in the NPPF.

353 These must (NPPF para. 101) be capable of enduring beyond the plan period; this is a lower bar than needing to be permanent. It can endure beyond the plan period as long as there is not undue pressure for needed housing on those parcels of land, either by virtue of allocations for meeting local housing need being provided in the neighbourhood plan, or there being other land available to meet any unmet need. Another threat to the capability to endure would be a long list of different types of development that could be appropriate or acceptable.

354 The judgement in the case of *R (Samuel Smith Old Brewery (Tadcaster) and others) v North Yorkshire County Council* [2020] UKSC 3, found that openness is not just a spatial or volumetric concept, but a visual one such that visual impact is a key matter. This is likely to be a particular matter of relevance for Local Green Spaces given that they tend to be small and so any development will have a visual impact.

355 The NPPF sets out that local planning authorities should plan positively to enhance their beneficial use.

356 Green Belt policy sets out that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. It goes on to say that 'very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

357 New buildings are considered to be inappropriate in Green Belt. There are some exceptions to this. Green Belt policy sets out a list of development that is not inappropriate, such as in-fill in villages, and affordable housing. Certain other forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. This includes mineral extraction and local transport infrastructure. These examples might still not be permitted if they would result in harm. Para 148 says, *"When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt."*

358 There are many exceptions listed at paras. 149 and 150 of the NPPF. As Green Belt areas are large, it is possible that many such developments could take place within the Green Belt without undermining its overall openness and permanence, or resulting in only minor harm. This is not the case for LGSs, which cannot be extensive tracts of land. This means that even small scale development risks undermining the purpose of designation and having an immediate and harmful visual impact. A LGS policy that would simply refer to the list of Green Belt exceptions in the NPPF could undermine the designation process as the large number of exceptions would suggest that the designation is not capable of enduring beyond the plan period. LGS policy therefore needs to consider each in turn, and with the aim of limiting the number.

359 The table on the following two pages reviews each element of the DDNP LGS policy and provides justification for the diversion from Green Belt policy. In particular, the table justifies diversion from Green Belt policy with respect to what is considered an exception to inappropriate development, for example in-fill or minerals extraction.



LGS Policy	Justification for deviation from Green Belt Policy
<p>New buildings are inappropriate development with the only exceptions to this:</p> <ul style="list-style-type: none"> <li>a) Buildings for forestry or agriculture where the Local Green Space is used for commercial woodland or farmland.</li> <li>b) The provision of appropriate facilities in connection with the existing use of land where the facilities preserve the openness of the Local Green Space and do not conflict with the reasons for designation that make it special to the community, such as for recreation or ecology.</li> <li>c) The extension or alteration of a building if it does not impact on the openness or the reasons for designation that make the Local Green Space special to the community.</li> <li>d) The replacement of a building provided the new building is of the same use and not materially larger than the one it replaces.</li> </ul>	<p>Para 149 (of the NPPF) sets out that the construction of new buildings is inappropriate apart from identified exceptions (listed a-g below). A number of these exceptions could undermine the openness of LGS or impact upon their reasons for designation -</p> <ul style="list-style-type: none"> <li>a) Buildings for agriculture or forestry; <b>this is a reasonable exception</b> for LGS policy where land is commercial woodland or farmland as it may not otherwise hinder someone's business.</li> <li>b) Provision of appropriate facilities; <b>this is a reasonable exception</b> for LGS if such development could support the ongoing use and help to make the LGS capable of enduring.</li> <li>c) Extension or alteration of a building provided it does not result in disproportionate additions over and above the size of the original building; <b>this is a reasonable exception</b> for LGS where it does not impact upon its openness or reasons for designation.</li> <li>d) Replacement of a building, provided it is the same use and not materially larger; <b>this is a reasonable exception</b> for LGS.</li> <li>e) Limited infill in villages; <b>This is not a reasonable exception</b> for LGS. Openness is not just a spatial concept, it is also visual, as determined by the Supreme Court. Any infill on small LGS designations will seriously undermine their openness and their reasons for designation.</li> <li>f) Limited affordable housing for local community needs; <b>This is not a reasonable exception</b> for LGS. Any affordable housing on small LGS designations will seriously undermine their openness and their reasons for designation.</li> <li>g) Limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use; <b>this is not a reasonable exception</b> for LGS. It is unlikely that LGS will be brownfield when identified in accordance with Para 101, and infilling and complete redevelopment is likely to fully undermine the designation of the LGS.</li> </ul>



<p>Other appropriate development includes:</p> <ul style="list-style-type: none"> <li>a) Engineering operations that are temporary, small-scale and result in full restoration; or</li> <li>b) The re-use of buildings provided that the buildings are of permanent and substantial construction; or</li> <li>c) Material changes in the use of land where it would not undermine the reasons for designation that make it special to the community.</li> </ul>	<p>Para 150 sets out that certain other forms of development are also not inappropriate provided they preserve the openness of Green Belt and do not conflict with the purpose (listed a-f). A number of these exceptions could undermine the openness of LGS or impact upon their reasons for designation -</p> <ul style="list-style-type: none"> <li>a) Mineral extraction; <b>This is not a reasonable exception.</b> Though highly unlikely to apply in any LGS, but nevertheless the quarry would be so large and the operations so long term that it would not enable the LGS to endure beyond the plan period.</li> <li>b) Engineering operations; <b>This is a reasonable exception.</b> LGS policy could allow for this if temporary, small-scale and restored fully.</li> <li>c) Local transport infrastructure; <b>This is not applicable</b> as it specifically requires a Green Belt location</li> <li>d) Re-use of buildings; <b>This is a reasonable exception.</b></li> <li>e) Material changes in the use of land (such as change of use to outdoor sport or recreation, or for cemeteries and burial grounds); <b>This is a reasonable exception.</b> LGSs are designated for reasons related to their specific use or quality, such as recreation or ecology. Change of use could be supported in LGS policy as long as the new use would not undermine the reason for designation that makes it special to the community. Development, including buildings, brought forward under Community Right to Buy or Neighborhood Development Order; <b>this would not apply</b> as the community is designating the land as LGS so as to keep it open and protect its special qualities.</li> </ul>
<p>Proposals that are on land adjacent to Local Green Space are required to set out how any impacts on the special qualities of the green space, as identified by its reason for designation, will be mitigated.</p>	<p>There is no requirement in Green Belt policy that relates to adjacent land. However, the setting of LGS or adjacent land use may be part of or impact upon what makes it demonstrably special, particularly where LGS are very small.</p>



## APPENDIX C - GLOSSARY OF ABBREVIATIONS

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- AECOM** A multi-faceted, multinational American company contracted by [Locality](#) to provide technical support to neighbourhood planning groups. The name is an acronym formed from the initial letters of ‘architecture, engineering, construction, operations, management’. The technical assistance commonly includes the creation of supporting documents that must accompany the submission of the Plan itself. These include the SOA, HRA and SEA about which further information can be found against their entries in this glossary.
- CIL** **Community Infrastructure Levy**  
A charge that can be imposed on certain types of development by LPAs, an important source of funding to provide the new or extra infrastructure that the added pressure resulting from development may require. [\[more info\]](#)
- CLLP** **Claylands Living Landscape Project**  
A Norfolk Wildlife Trust initiative. [\[more info\]](#)
- DDDC** **Diss & District Design Code**  
A document prepared by AECOM for the DDNP that forms part of the suite of supporting documents submitted to the LPAs for Examination. All of them can be accessed on [www.ddnp.info/submission-documents](http://www.ddnp.info/submission-documents)
- DDNP** **Diss & District Neighbourhood Plan**
- DNIS** **Diss Network Improvement Strategy**  
Norfolk County Council, April 2022. [\[more info\]](#)
- GNLP** **Greater Norwich Local Plan (emerging)**  
[\[more info\]](#)
- HNA** **Housing Needs Assessment**  
A document prepared by AECOM for the DDNP that forms part of the suite of supporting documents submitted to the LPAs for Examination. All of them can be accessed on [www.ddnp.info/submission-documents](http://www.ddnp.info/submission-documents)
- HRA** **Habitats Regulations Assessment**  
A document prepared by AECOM for the DDNP that forms part of the suite of supporting documents submitted to the LPAs for Examination. All of them can be accessed on [www.ddnp.info/submission-documents](http://www.ddnp.info/submission-documents)
- JCS** **Joint Core Strategy (2011, as amended 2014) for Broadland, Norwich and South Norfolk**  
[\[more info\]](#)
- JLP** **Babergh & Mid Suffolk District Councils Joint Local Plan (emerging)**  
[\[more info\]](#)
- LGS** **Local Green Space**  
Areas of special value to the community that can be protected from development by receiving this designation in a Local Plan or a Neighbourhood



Plan. Paragraph 102 of the NPPF places constraints designation, depending on closeness to the community, size and the extent to which the space is demonstrably special and hold a particular local significance..

**LLFA Lead Local Flood Authority**

[\[more info\]](#)

**LPA Local Planning Authority**

Defined in the NPPF as 'the public authority whose duty it is to carry out specific planning functions for a particular area'. The LPAs covering the DDNP area are South Norfolk Council and Mid Suffolk District Council

**LCWIP Local Cycling and Walking Infrastructure Plan**

Norfolk County Council is working in partnership with all district and borough councils to create a Local Cycling and Walking Infrastructure Plan (LCWIP) for Norfolk. The Norfolk LCWIP builds on plans already completed for Great Yarmouth, King's Lynn and Greater Norwich.

Suffolk County Council produced a [draft LCWIP](#) last year and several of the local authorities now have them in preparation.

[\[See here\]](#) for government guidance on their preparation.

**MSCS Mid Suffolk Core Strategy**

It was first adopted as part of the district's Development Plan [in 2008](#); an amendment [in 2012](#) had no effect on the settlement hierarchy or the settlement boundaries.

**MSDC Mid Suffolk District Council**

**MSLP Mid Suffolk Local Plan (1998)**

Long overdue for review, this plan [see here for the original](#) will soon be superseded by the JLP. An [alteration in 2006](#) affected the affordable housing policies, and other original policies have been superseded by the MSCS.

**NDHA Non-Designated Heritage Asset**

These are buildings, monuments, places or areas identified as having sufficient significance to be worthy of consideration when planning decisions are made but either have not been considered or do not meet the criteria for statutory designation (listing) by Historic England.

**NCA Next Generation Access**

A communications technology expression to describe new or improved networks that will allow much improved quality and speed. It seems to be most often used to refer to some fibre optic networks.

**NMWS Norfolk Minerals and Waste Core Strategy**

in [Norfolk Minerals and Waste Development Framework](#), Norfolk County Council 2011

**NPPF National Planning Policy Framework**

[See here](#) for a concise explanation of what it is and what it does. First introduced in 2012 it has now been revised three times, the latest being in [July 2021](#).



**PPG** ***Planning Practice Guidance***

This is a [web-based resource](#) that supplements the NPPF. It adds a vast amount of detail and is presented under an A to Z list of category headings

**SEA** ***Strategic Environmental Assessment***

A document prepared by AECOM for the DDNP that forms part of the suite of supporting documents submitted to the LPAs for Examination. All of them can be accessed on [www.ddnp.info/submission-documents](http://www.ddnp.info/submission-documents)

**SNC** ***South Norfolk Council***

**SNLP** ***South Norfolk Local Plan***

Strictly, this should include the 2011 JCS but this has been referred to separately using those initials throughout this DDNP document. The use of SNLP, in the present context, is intended to include the [Site Specific Allocations and Policies](#) document and the [Development Management Policies](#) document, both of which were adopted in October 2015 [[more info](#)]

**SOA** ***Site Options and Assessment***

A document prepared by AECOM for the DDNP that forms part of the suite of supporting documents submitted to the LPAs for Examination. All of them can be accessed on [www.ddnp.info/submission-documents](http://www.ddnp.info/submission-documents)

**SPD** ***Supplementary Planning Document***

An SPD expands on matters included in the Local Plan; it does not have the statutory status of a Local Plan policy but it is a material consideration in decision making and can form part of the Local Development Framework. It is used to build on policies in the Local Plan and give guidance on how they can be applied.

**SuDS** ***Sustainable Drainage System***

These are natural approaches to controlling drainage from developments. The aim is to slow runoff from an area and hold it if necessary before allowing its slow release. The longer a volume can be retained, the more chance there is of contained pollutants being broken down by natural processes.

**TPO** ***Tree Preservation Order***

A written order administered by an LPA that can be used to protect trees that are felt to be a particular amenity benefit to the community. It can be applied to a single tree or a number of trees in a defined area. The order protect the trees from any level of damage without the LPA's permission.

**VCHAP** ***Village Clusters Housing Allocation Plan (emerging)***

5.5% of the housing growth in the GNLP area has been assigned to the village clusters in South Norfolk. Allowing for homes already built out and sites with extant planning permission, more sites to accommodate a minimum of 1,200 homes need to be allocated. This is being addressed by South Norfolk Council's VCHAP, which is expected to come into force in 2023. [[more info](#)]







**\*CANCELLED\***

INSIDE BACK COVER



BACK COVER

**\*CANCELLED\***



### Diss & District Neighbourhood Plan

#### South Norfolk Council Reg.16 Consultation Response

No.	Section	Response
1	6. Delivering Growth; paragraphs 79-84 (pp.29-30)	<p>Paragraphs 79 to 84 set out information on the housing requirement for the D&amp;DNP area. Paragraph 80 refers to there being 122 new homes within existing commitments in Diss. There is no explanation of how the Plan arrives at this figure. The Council expects that this figure relates to the projected number of homes to be delivered through allocations DIS1, DIS2, DIS3, DIS6 and DIS7 as of 1 April 2020.</p> <p>If this is correct, then it appears that no adjustment has been made in the Neighbourhood Plan's calculation of commitment, taking account of the recent permission on DIS6 (referred to elsewhere in paragraph 80), or the reduced numbers that would be delivered on allocations DIS1, DIS2, DIS3 and DIS7 if the sites were developed in accordance with the proposed policies of the Neighbourhood Plan. The consequence of this is that the numbers outlined in the table under paragraph 82 would be incorrect and the table therefore misleading.</p> <p>As such, if the Council is correct in its assumption, the Plan should be modified to reflect the correct position in order to comply with paragraph 31 of the NPPF, which states that policies should be underpinned by relevant and up-to-date evidence.</p> <p>There would also be consequential amendments to paragraph 90 as a consequence of the above.</p> <p>In addition, the Council has previously advised that only 49 net additional new homes could be counted from the former Hamlin site (DIS6). On review, the Council has advised that these are permitted as C3 dwellings, not as a C2 institutional use. Therefore this site can be considered to contribute 60 net additional dwellings, not 49 as previously advised.</p> <p>It should be noted that the Council makes further comments in relation to a number of policies that would have a consequential impact on the number of homes delivered within the plan.</p>
2	Policy 1 – Scale and Location of Housing Growth	<p>Whilst the Council is generally satisfied that the proposed allocations are appropriate, for newly promoted allocations within the D&amp;DNP the Council would recommend that Neighbourhood Plan group seek statements of common ground with the respective landowners, site promoters or developers which confirm that the allocations is deliverable/developable in line with the definitions set out within the glossary to the NPPF.</p>



No.	Section	Response
3	Policy DDNP1 - Land east of Shelfanger Road and west of Heywood Road (p.36)	<p>The Council supports the allocations of the site. In respect of criteria (e) the Council would recommend that it is reworded as follows:</p> <p>“Development to be designed to include pedestrian and cycle links that improve connections to the existing network and connectivity to Diss Sports Ground. Pedestrian and Cycle links should not be limited to the east-west link road but should effectively integrate with existing public rights of way to provide the most direct links possible.”</p>
4	Policy DDNP4 - Land west of Nelson Road and east of Station Road, Diss; paragraph 111 (pp.38-39)	<p>Paragraph 111 refers to the employment allocation not being taken forward in the Greater Norwich Local Plan (GNLP). The GNLP does not specifically allocate sites in Diss, relying on the D&amp;DNP to make these decisions. However, policy 7.2 of the GNLP does refer to the availability of 10.8ha of land for employment purposes. This relates to the retention of allocations DIS8, 9 and 10 of the South Norfolk Site Allocations Plan 2015.</p> <p>Whilst the Council has not previously raised an objection to the reallocation of the site, the Council does not consider that it has agreed to the reallocation of the site, per se. Such a resolution could only be formally made through an agreement of the relevant Council committee.</p> <p>Whilst accepting that (with residential development or proposed allocation to the north and east of the site), residential use of the site would not be inappropriate in general terms, the site could, however, also be appropriate for employment uses of a type consistent with the neighbouring residential development.</p> <p>The Council is, on reflection, concerned about the loss of this site for employment purposes. The retention of the allocation DDNP17 (previously DIS1) and the specific employment Policy 3 for Diss Business Park (previously DIS1) goes a substantial way to providing for the long-term strategic employment growth in Diss. However, there are limited additional employment opportunities and, given the importance of Diss as a Main Town, the Council considers that the retention of a variety of sites for employment is important to ensuring that policies create the conditions in which businesses can invest, expand and adapt in accordance with paragraph 81 of the NPPF. The Council therefore considers that this site should be retained as a strategic employment allocation for uses compatible with neighbouring development.</p> <p>The Council recognises that this will reduce the overall number of homes provided for within the plan. However, this will not prevent the Neighbourhood Plan meeting its indicative housing requirement provided that the other amendments to sites DDNP6 and DDNP7 that the Council considers necessary are incorporated as recommended.</p>



No.	Section	Response
5	DDNP5 - Land north of Nelson Road, Diss; Paragraph 115 (p.40)	Paragraph 115 includes a factual error. The first sentence correctly identifies the recent planning permission for 77 apartments on the site. However, applying the ratio of 1:1.8 to derive the equivalent number of standard dwellings results in a figure of 43. The fourth sentence states 'The equivalent number of dwellings we can equate this to is 10...' The figure '10' therefore needs amending to '43'.
6	Policy DDNP6; paragraphs 117-120 (pp.40-41)	<p>Paragraph 118 sets out that the SOA identifies the site as Amber, on the basis that it is suitable for allocation subject to certain constraints being overcome.</p> <p>The Council has reviewed the SOA conclusions report. Paragraph 4.4. of the SOA report sets out that DIS3 is suitable for allocation, without caveat. The reference to DIS3 in table 3 of the SOA (page 73) then rates the site as green, deeming the allocation of 42 dwellings as appropriate to carry forward. The overall rating for the site in the SOA as set out in Appendix A - Site Assessment Proforma of the SOA (page 183 - 184) rates the site as green, stating that the "site is suitable for development and allocation in the neighbourhood (plan) subject to confirmation of availability on the basis of an expected development capacity of 42 dwellings.</p> <p>On the basis of the information that the Council has identified, it is unclear why the policy has deemed it necessary to reduce the allocation from 42 homes to 25. This is low density and the Council is concerned that it does not represent an efficient use of land, which may mean that actual levels of development will significantly exceed this level. The Council considers that the policy should be amended to state approximately 40 homes in line with the current allocation. This is to ensure the efficient use of land in accordance with Section 11 of the NPPF.</p> <p>It is also unclear on what basis the Neighbourhood Plan has resolved that a 20m landscape buffer is needed along the western boundary of the site. Whilst the boundary of the proposed Strategic Gap (Map 20) is currently difficult to identify precisely, the site appears to sit outside of the Strategic Gap, is bounded by existing allotments and setting the development back eastwards by 20m from the site boundary would not reflect the extent of the development to the immediate north. The boundary proposed is also double the buffer proposed in the current DIS3 policy.</p> <p>On this basis the Council would recommend that criteria (b) of Policy DDNP6 is reworded to reflect the principle of what is attempting to be achieved rather than the precise boundary i.e. "Provision of landscaping along the western boundary to provide a clear visual demarcation between the edge of Diss and the defined strategic gap as set out in Policy 14." This approach is considered to protect the valued landscape buffer in a manner commensurate with its identified quality without potentially, unduly restricting the efficient use of land.</p>



No.	Section	Response
7	Policy DDNP7; paragraphs 121-123 (pp.41-42)	<p>The Council supports the reallocation of the Land North of Vince's Road.</p> <p>The Council notes that the Policy allocates the site for approximately 10 homes. The SOA (page 63) estimates the capacity of the site to be 14 dwellings. It is unclear why the Policy refers to the lower figure of 10 homes. This appears inconsistent with the evidence that underpins the Neighbourhood Plan.</p> <p>Moreover, the conclusion of the SOA is that it is important to retain the treed area to the east of the site on the basis of its ecological value and function as a noise buffer.</p> <p>This conclusion is clearly different to that previously reached by the Council. It is unclear on what basis the SOA has concluded that the treed area is of particular ecological importance that requires its retention or that it will be necessary to substantively retain the trees in order for future development to achieve compliance with appropriate standards with respect to noise.</p> <p>Whilst it may be appropriate to retain an element of the treed area for the purposes of noise abatement, it is not clear from the evidence the Council has identified that all of it would be necessary for these purposes. Moreover, it is unclear whether there is proportionate evidence that would justify the conclusion of the importance of the trees for their own value or for the purposes of ecology.</p> <p>To ensure that undue restrictions are not placed on the land, restricting its efficient use in accordance with Section 11 of the NPPF and its potential contribution to government's objective of significantly boosting the supply of land for housing, the Council considers that the following amendments should be made to the policy:</p> <p>The site should be allocated to accommodate at least 14 homes. This reflects the findings of the SOA but also the apparent uncertainty in terms of the evidence supporting the need to retain the treed area.</p> <p>Criteria a) and c) of Policy DDNP7 should be aggregated. This should require an arboricultural and ecological assessment to support any planning application to establish the need to retain the area in part or in whole on the basis of the arboricultural or ecological value of the trees. It can reasonably be expected that any future development will be subject to the need to achieve 10% bio-diversity net gain in accordance with the emerging GNLP and/or implementation of the Environment Bill.</p> <p>Given its position and relationship to Frenze Beck. It is somewhat unclear how development can realistically achieve functional connectivity to green infrastructure along Frenze Beck. The Council notes that the site does not lie along a Green Corridor as defined under Policy 8. At the moment it is therefore unclear why this specific criteria is justified. This is distinct from the current Local Plan policy criteria of contributing toward the protection and enhancement of the CWS and adjacent land.</p>



No.	Section	Response
8	Policy DDNP8, Land south of Roydon Primary School, Roydon (p.43)	The Council welcomes the inclusion of an allocation policy within Roydon. This policy meets the indicative housing requirement for Roydon, is consistent with the Government's objective of significantly boosting the supply of home and is in general conformity with the emerging policies for Greater Norwich.
9	Policy DDNP9, Land west of Gissing Road, Burston. (p.45)	The Council welcomes the inclusion of an allocation policy within Burston. This policy meets the indicative housing requirement for Burston, is consistent with the Government's objective of significantly boosting the supply of home and is in general conformity with the emerging policies for Greater Norwich.
10	Policies DDNP10, Flowerdew Meadow, Scole. Policy DDNP11, Land east of Norwich Road, Scole. Policy DDNP12, Former Scole Engineering Site, Diss Road, Scole. (pp.47-49)	The Council welcomes the inclusion of an allocation policies within Scole. These policies meets the indicative housing requirement for Scole, is consistent with the Government's objective of significantly boosting the supply of home and is in general conformity with the emerging policies for Greater Norwich.
11	Policy 4 – Housing Mix (p.64)	The Council is unclear where the reference to 64 plots has been derived from, although it suspects that this has been calculated on the basis of the expected contribution from allocated sites. Given the potential for actual development numbers to vary, and for further windfall development to occur during the time frame of the D&DNP the Council consider that the number "64" is removed from the policy. This avoids ambiguity that would otherwise be contrary to paragraph 16 (d) of the NPPF.
12	Section 6.13 – Affordable Housing; paragraph 189 (p.65)	The Council recognises the explanation for the focus on social rent properties and could simply note that the tenure is unlikely to be financially viable in many situations (although developments by Housing Associations may be in a better position to achieve this).
13	Policy 5 – Affordable Housing; paragraph 193 (p.66)	The Council re-iterates its recommendation that paragraph 193 should be incorporated into Policy 5. This will ensure that the policy can continue to be applied in an appropriate and proportionate manner rather than risk becoming out-of-date on the publication of more recent evidence.
14	Policy 8 - Green Corridors and Biodiversity Enhancement (p.81)	The Council does not object to this policy but notes that the Neighbourhood Plan is seeking net gains in excess of local or national standards. Unless there is specific local justification, this policy may be difficult to apply through the development management process. In addition, the Council would also note that only a nominal increase above national and local policies would result in compliance. Therefore, the Council is uncertain how, in practical terms, this policy is likely to effect meaningful change beyond existing policies.



No.	Section	Response
15	Policy 9 – Road Traffic Improvements (p.84)	The Council will assess the impact on the highway network in connection with the determination of planning applications. Where interventions are secured through development these will need to be fair and reasonably related to the development and what is necessary to make a development acceptable may not be consistent with the current Network Improvement Strategy, although this will be considered in decision making.
16	Policy 15 – Local Green Space (p.103); Map 23 – Designated Local Green Space in Diss (p.106)	<p>The Council has previously expressed its in principle support for the identification of Local Green Spaces within the Neighbourhood Plan. However, the Council would repeat it's objection (raised during the Regulation 14 stage) to the identification of the Diss High School Playing Fields as Local Green Space.</p> <p>As set out previously, the NPPF states that local planning authorities 'should give great weight to the need to create, expand or alter schools through the preparation of plans'. The Council remains significantly concerned that the designation of the playing fields as a Local Green Space would place inappropriate limitations on the possible future expansion of the school. Whilst criteria (b) of the policy goes some way to addressing this concern, the Council believes that criteria such as only allowing further expansion where it preserves the openness of the land is an example of an inappropriate restriction, about which the Council is concerned.</p> <p>As noted in earlier comments, the Council is aware of several examples of Neighbourhood Plans, developed locally (including Taverham Neighbourhood Plan and Redenhall and Wymondley Neighbourhood Plan), that have had school playing fields removed from their lists of potential Local Green Spaces due to concerns about their potential impact on school provision.</p> <p>Whilst the Council cannot foresee that it would support the development of the school site for uses such as housing, South Norfolk Council has also previously set out that it would not support any designation that would restrict the leisure centre and other complementary uses being able to potentially relocate to this site. Whilst South Norfolk Council will continue to engage with the Town Council about alternative locations for leisure facilities consistent with the Town Council's aspiration for the Waveney Quarter, it is not yet certain that such locations are deliverable.</p> <p>Should locations within or nearby the Waveney Quarter be undeliverable, the restriction on further development on the Diss High School site may undermine the ability to deliver such facilities within Diss as a whole. As such, the Council also objects to the designation of Diss High School of Local Green Space on the basis that it is inconsistent with paragraph 101 of the NPPF which sets out that designating Local Green Space should be consistent with the local planning of sustainable development and complement investment in sufficient homes, jobs and other essential infrastructure.</p>



## Equalities and Communities Impact Assessment

Name of Officer/s completing assessment: Vicky West

Date of Assessment: 18/07/2022

### 1. What is the proposed Policy (please provide sufficient detail)?

For the purposes of the assessment the term 'Policy' relates to any new or revised policies, practices or procedures under consideration.

The **Diss & District Neighbourhood Plan** is a community-led document for guiding the future development of Diss and the surrounding parishes of Burston & Shimpling, Roydon, South Brome & Oakley, Palgrave and Stuston (the last three of which falling in Mid Norfolk's authority area). It concerns the use and development of land between 2021 and 2038. It is the first Neighbourhood Plan that has been developed by and for the communities involved. Once the Plan is made (adopted), it will become part of the statutory Development Plan for South Norfolk, and South Norfolk Council will use it (alongside documents making up the Local Plan) to determine planning applications covered by the neighbourhood area. The Town and Parish Councils will also use the Plan to respond to planning applications.

The Neighbourhood Plan has been developed under the Localism Act (2012) and the Neighbourhood Planning (General) Regulations 2012 (as amended), giving communities the right to shape future development at a local level. The Diss & District Neighbourhood Plan will complement existing local and national planning policy, providing a valuable level of local detail attained through consultation with residents and businesses, as well as through desk-based research.

The Neighbourhood Plan incorporates an overall vision for the area, a series of objectives on different themes, and a range of policies that seek to achieve these objectives. The Plan was developed over a period of five years before being submitted to South Norfolk Council in July 2022, and the process involved an exhaustive programme of evidence gathering and community and stakeholder involvement. South Norfolk Council will shortly be considering the submitted documents to ensure they meet certain criteria, before progressing the Plan to a Regulation 16 consultation. Following this, the Plan will undergo an independent examination, a referendum and (if successful) its final adoption.

The Neighbourhood Plan vision is 'to maintain a vibrant community around a thriving market town'.

The aims of the Plan that seek to achieve this are:

- Sustainable Growth
- Design and Character
- Growth and Infrastructure
- Ecology and Habitat
- Transport and Traffic
- Sports and Leisure
- Digital Connectivity
- Diss Town Centre
- Community Character
- Addressing Local Climate Change Issues



**2. Which Protected characteristics under the Equalities Act 2010 does this Policy Impact:**  
(Indicate whether the impact could be positive, neutral or negative)

Protected Characteristic	Positive Impact	Neutral Impact	Negative Impact
Age	✓		
Disability	✓		
Race		✓	
Sex		✓	
Religion or Belief		✓	
Sexual Orientation		✓	
Marriage/Civil Partnership		✓	
Pregnancy/Maternity		✓	
Gender Reassignment		✓	

**3. Which additional Communities characteristics does this policy impact?**

Protected Characteristic	Positive Impact	Neutral Impact	Negative Impact
Health	✓		
Place inc. Rurality	✓		
Low Income and Poverty	✓		

**4. What do you believe are the potential equalities impacts of this policy?**

Please include:

- Partnership organisations worked with in the development of this policy
- Evidence gathered to inform your decision
- Where you have consulted, Who and How this has informed the decision/policy
- Any other groups impacted not detailed above

**Note: Impacts could be positive, neutral, or negative and impact groups differently**

Like most Local Plan documents that are concerned with the development and use of land, the Protected Characteristics that are most impacted are Age and Disability. The former due to the pressures facing young people, unable to afford housing in the community, and access employment locally, for example. The latter by access to and movement around the town. The Neighbourhood Plan takes measures to address these issues, primarily through a series of policies; Policy 4 and 5 which all look at housing growth and mix, Policy 6 which focuses on design and Policy 10 which looks at walking and cycling routes, all of which seek to support a range of improvements which would provide for the needs of these different groups within the community.

The Neighbourhood Plan includes statements of evidence and justification alongside each of the proposed policies, explaining how public consultation with residents, as well as factual research, has informed the policy being proposed. One of the supporting documents published alongside the Neighbourhood Plan is a Consultation Statement which provides more detail of how and when public consultation and engagement was carried out, what the results of this were, and how these results have impacted subsequent development of the policies.

A Neighbourhood Plan Steering Group was formed by the Town and Parish Councils to lead on the project with the help of external consultants. Throughout the process the steering group ensured that the local community and stakeholders were kept informed of the process and were able to get involved in the development of the Neighbourhood Plan. Stakeholder bodies that were



consulted included Norfolk County Council, neighbouring parish and town councils, the Environment Agency, Natural England, Historic England, and South Norfolk Council, amongst others.

Communications methods used during the process included the town council website; parish magazines; posters; flyers etc. During the plan process, several public and stakeholder engagement methods were utilised, including online surveys, meetings and a face-to-face exhibitions. This culminated in a statutory, pre-submission Neighbourhood Plan consultation that took place with the community and stakeholder bodies and a follow up consultation on major modifications prior to the Plan being submitted to the Council.

The engagement and consultation process allowed the emerging policies to be discussed, tested and updated with local residents and stakeholders, before the draft Plan was finalised for submission.

Support has been provided by South Norfolk Council, in the form of officer guidance, but also through a grant award. Financial support was also provided by the national support body, Locality.

## 5. What do you believe are the potential communities' impacts of this policy?

Please include:

- How the policy can meet agreed priorities
- Evidence gathered to inform your decision
- Partnership organisations worked with in the development of this policy
- Where you have consulted, Who and How this has informed the decision/policy
- Any other groups impacted not detailed above

**Note: Impacts could be positive, neutral, or negative and impact groups differently**

As explained above, the overall intention of the Neighbourhood Plan (as demonstrated by the Vision) is to encourage sustainable development and seek to benefit the entire community. The Neighbourhood Plan is required to demonstrate its contribution to sustainable development (encompassing economic, environmental and social sustainability). This is addressed in detail within the Basic Conditions Statement, which is one of the additional, supporting documents that the qualifying body is required to submit alongside its Neighbourhood Plan.

The Neighbourhood Plan policies cumulatively contribute towards the achievement of economic, social and environmental sustainability, which is summarised in the Basic Conditions Statement.

The Basic Conditions Statement also assesses the Plan against the National Planning Policy Framework Sustainable Development Objectives. The following illustrates those Neighbourhood Plan objectives and policies that help to address the social sustainability objective within the NPPF.

**NPPF 2021:**

**A social objective:** to support strong, vibrant and healthy communities by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being;

**Contribution through Diss & District Neighbourhood Plan Objectives and Policies:**



Policy 2 Regeneration of the Waveney Quarter will help to deliver this objective by promoting improvements to areas of public realm.

Policy 6 Design will support the delivery of this objective by promoting high standards of design across the Plan area.

Policy 10 Walking and Cycling Network will help to deliver this objective by promoting improvements to walking and cycling routes which will help support healthy lifestyles.

Policy 15 Local Green Spaces will help to deliver this objective by promoting improvements which will help support healthy lifestyles and changes that will support people's wellbeing.

## 6. How is it proposed that any identified negative impacts are mitigated?

Please include:

- Steps taken to mitigate, for example, other services that may be available
- If a neutral impact has been identified can a positive impact be achieved?
- If you are unable to resolve the issues highlighted during this assessment, please explain why
- How impacts will be monitored and addressed?
- Could the decision/policy be implemented in a different way?
- What is the impact if the decision/policy is not implemented?

This assessment does not identify any particular negative impacts or equalities-related issues concerning the Diss & District Neighbourhood Plan. This is due, in large part, to the fact that the statutory planning process requires an assessment of the proposed plan's contribution to sustainable development as a matter of course. Neighbourhood Plans are required by law to have undergone appropriate community and stakeholder consultation, and to demonstrate that policies are evidenced, justified, deliverable and sustainable.

If successful, and once made by South Norfolk Council, the Neighbourhood Plan will primarily be monitored by Town & Parish Councils, but the District Council will also be able to assess its implementation from a development management point of view and the determination of planning applications within the parish.

**Signed by evaluator:** Wicky West

**Signed by responsible head of department:** Helen Mellors

Please send your completed forms to the equalities lead (Victoria Parsons) to be reviewed and stored in accordance with our legal duty.

REVIEW DATE

(See page 2 for details of reviews. Please send a copy of the reviewed document to Victoria Parsons.)



## Update to the Local Development Scheme

**Report Author(s):** Paul Harris  
Place Shaping Manager  
(01603) 430444  
paul.harris@southnorfolkandbreckland.gov.uk

**Portfolio:** Policy and External Affairs & Stronger Economy

**Ward(s) Affected:** All

### Purpose of the Report:

Amendments to the current Local Development Scheme to reflect changes to the timetable for the Greater Norwich Local Plan, South Norfolk Village Clusters Housing Allocations Plan and East Norwich Masterplan SPD.

### Recommendations

1. Cabinet to recommend that Council approves the proposed amendments to the current Local Development Scheme.



## 1. Summary

- 1.1 The Local Development Scheme (LDS) sets out the timetable for preparing new local plans and summarises what they are to contain. This report sets out amendments to the timetable for the production and adoption of the Greater Norwich Local Plan (GNLP), South Norfolk Village Clusters Housing Allocations Plan (VCHAP) and the East Norwich Masterplan SPD.
- 1.2 It is anticipated that the Greater Norwich Local Plan will be adopted in quarter 4 2023/24, the South Norfolk Village Clusters Housing Allocations document in early 2024 and the East Norwich Masterplan SPD alongside the adoption of the GNLP.

## 2. Background

- 2.1 It is a legislative requirement for the Council to publish a Local Development Scheme and to keep this up to date under section 15 of the Planning and Compulsory Purchase Act, as amended by the Localism Act. The last update to the LDS was agreed in February 2022 and set out the timetable for the production of the Greater Norwich Local Plan, the South Norfolk Village Clusters Housing Allocations Plan and the East Norwich Masterplan SPD. This LDS can be viewed here: [Local Development Scheme – Broadland and South Norfolk \(southnorfolkandbroadland.gov.uk\)](https://southnorfolkandbroadland.gov.uk/local-development-scheme)

## 3. Current position/findings

- 3.1 The adopted LDS projected adoption of the GNLP in late 2022. The examination of the GNLP has taken longer than expected reflecting the discussion of potential modifications to the plan and consideration of the Natural England advice on nutrient neutrality that was published, without warning, during the examination process. To allow time for these matters to be resolved, it is now expected that the plan will be adopted in Quarter 4 2023/24.
- 3.2 The proposed submission version of the VCHAP was expected to be published June/July 2022; submitted for independent examination in November/December 2022 and adopted in late 2023. Completing the further technical work that needed to be carried out, including securing relevant information and assurances from site promoters, prior to the plan's submission has taken longer than anticipated. It is now expected that the VCHAP will be published during November, December or January 2022/23, submitted for independent examination in June/July 2023 and adopted in early 2024.
- 3.3 The stage 1 masterplan was reported to Norwich City Council's Cabinet, as lead authority on 17 November 2021. The stage 1 masterplan was referred to South Norfolk's Regulation and Planning Policy Committee for consideration/comment on 25 January 2022. The subsequent Stage 2 Masterplan was endorsed by Norwich City Council's Cabinet on 8 June 2022. The Stage 2 Masterplan will also be referred to South Norfolk's Regulation and Planning Policy Committee for consideration/comment in due course. Delays to the production of the GNLP are reflected in the expected timetable for the East Norwich Masterplan, with potential for further revision prior to consultation on a proposed SPD. Subject to the



agreement of the partner authorities, it is currently expected that the Masterplan SPD consultation will take place in Q1 2022/23 and adopted alongside the GNLP.

#### 4. Proposed action

- 4.1 To ensure that the latest timetable for the production of the GNLP, VCHAP and East Norwich Masterplan is properly reflected, it is recommended that the LDS be updated in accordance with the timetable set out in section 3 above.

#### 5. Other options

- 5.1 Failure to update the LDS may result in non-compliance with the Localism Act with implications for the soundness and legal compliance of the Local Plan document.

#### 6. Issues and risks

- 6.1 **Resource Implications** – production of the GNLP is being undertaken by a dedicated joint team comprising officers from South Norfolk and Broadland Councils, Norwich City Council and Norfolk County Council. Annual financial contributions towards the production of the GNLP have also been provided by the local planning authority partners.

Production of the South Norfolk Village Clusters Housing Allocation Document is being undertaken within existing officer resources, supported by input from technical consultees. There are currently vacancies for 1.6FTEs within the Place Shaping Team.

A dedicated budget has been made available for the Village Clusters document for 2020/21 and 2021/22, this is being utilised to provide necessary external support including the production of technical reports and the procurement of an online consultation platform. Remaining elements of this budget has been rolled forwards into 2022/23 and it is expected that elements will also need to be rolled forwards into 2023/24 to reflect the revised timetable for the production of the plan.

The East Norwich Masterplan is funded by a public-private partnership led by Norwich City Council. South Norfolk Council is not a funding partner. Officer representation on the officer partnership board is being met within existing officer resources. Additional South Norfolk officer resource would be needed to support the consultation and adoption of the SPD.

- 6.2 **Legal Implications** – Not having an up-to-date LDS would conflict with the Localism Act (2011) and result in emerging Local Plan documents not being 'sound' and legally compliant.

- 6.3 **Equality Implications** – the LDS is not a policy but is the document that sets out the timetable for the production of Development Plan Documents. As such, it does not itself impact on equalities. The timetable allows sufficient time for community engagement, as required under the Council's Statement of Community



Involvement (SCI). The Development Plan Documents will themselves be subject to equalities impact assessment.

6.4 **Environmental Impact** – none.

6.5 **Crime and Disorder** – none.

6.6 **Risks** – In addition to those risks identified above, it is possible that additional technical/planning issues arise during the examination of the GNLP, production of the Village Cluster Housing Allocation Plan or finalisation of the East Norwich Masterplan. Any changes to the timetable, would necessitate further changes to the LDS and would be reported in due course.

## 7. **Conclusion**

7.1 For the reasons set out within this report it is necessary to update the LDS to reflect the amended timetable for the production of the Greater Norwich Local Plan, South Norfolk Village Clusters Housing Allocation Plan, and the East Norwich Masterplan SPD.

## 8. **Recommendations**

8.1 Cabinet to recommend that Council approves the proposed amendments to the current Local Development Scheme.

## **Background papers**

None



# Local Development Scheme for South Norfolk

September 2022

**\*CANCELLED\***





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**\*CANCELLED\***



## 1. Introduction

- 1.1 The Council is required to prepare a *Local Development Scheme* (LDS) under the Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011). The LDS is essentially a project plan which identifies, amongst other matters, the Development Plan Documents which, when prepared, will make up the Local Plan for the area. It must be made publicly available and kept up-to-date. This enables the public and stakeholders to find out about emerging planning policies in the area, the status of those policies, what the documents will contain and the timescales for their production.
- 1.2 In addition to providing information about the development plan documents in preparation, this LDS also provides detail about the preparation of Supplementary Planning Documents (SPDs), and adopted local development documents, to provide a full account of the planning policies operating in South Norfolk. This document also refers to key documents supporting the production of the Local Plan.
- 1.3 The South Norfolk LDS does not cover the Broads Authority areas within South Norfolk, as the Broads Authority is a Local Planning Authority in its own right and produces its own LDS.



## 2. The Adopted Local Plan

### Development Plan Documents (DPDs)

2.1 Development Plan Documents or DPDs, now more usually called 'Local Plans', are the formal policy documents which make up the statutory development plan for South Norfolk. Once adopted, these have full legal weight in decision making. The Council's decisions to approve or refuse any development which needs planning permission must be made in accordance with the policies in the development plan, unless material considerations indicate otherwise.

2.2 The currently adopted development plan for South Norfolk comprises the following documents:

- *Joint Core Strategy for Broadland, Norwich and South Norfolk* (the JCS), adopted in March 2011, with amendments adopted January 2014;
- *South Norfolk Site Specific Allocations and Policies Document*, adopted October 2015;
- *South Norfolk Development Management Policies Document*, adopted October 2015;
- *Wymondham Area Action Plan*, adopted October 2015;
- *Long Stratton Area Action Plan*, adopted May 2016;
- *Cringleford Neighbourhood Plan*, made February 2014;
- *Mulbarton Neighbourhood Plan*, made February 2016; and
- *Easton Neighbourhood Plan*, made December 2017;

Further details on the above can be found in Appendix 2.

2.3 Each document (apart from Neighbourhood Development Plans) must be prepared in accordance with a nationally prescribed procedure set out in the Town and Country Planning (Local Planning) (England) Regulations 2012, as amended. At key stages of plan-making there is an opportunity for the public to comment on emerging planning policies and proposals in the documents. At the end of the process, development plan documents must be submitted to the Secretary of State and be independently examined by a government appointed inspector to assess their soundness and legal compliance before they can be adopted by the Council and come into force.

2.4 Certain other documents must be published alongside each Development Plan Document, including:

- a *sustainability appraisal (SA) report* of the DPD at each stage (a *sustainability appraisal scoping report* is prepared and consulted on at the start of the process to set out what sustainability issues and objectives the SA should cover and what evidence it will



- use);
- a *policies map*, setting out the DPD's policies and proposals on a map base (if relevant);
  - a *statement of consultation* summarising public representations made to the plan and how they have been addressed (called the "Regulation 22(c) statement");
  - copies of any representations made;
  - any other supporting documents considered by the council to be relevant in preparing the plan;
  - an *adoption statement* and *environmental statement* (when the plan is adopted).

#### Supplementary planning documents (SPDs)

- 2.5 Supplementary planning documents (SPDs) help to support and explain in more detail how the Council will implement particular policies and proposals in the local plan. SPDs can also take the form of masterplans or detailed design briefs for sites allocated in the Local Plan. SPDs can be reviewed frequently and relatively straightforwardly to respond to change.
- 2.6 The National Planning Policy Framework (NPPF) and Planning Practice Guidance (PPG) state that SPDs should be used '*where they can help applicants make successful applications or aid infrastructure delivery*', and should not be used to add unnecessarily to the financial burden on development. SPDs should clarify and simplify existing policy, not introduce new policy or include excessively detailed guidance.
- 2.7 Current SPDs adopted by the Council are:
- *South Norfolk Place-Shaping Guide SPD (September 2012);*
  - *Guidance for the delivery of a Food and Agriculture Hub for Broadland and South Norfolk SPD (July 2014); and*
  - *Guidelines for Recreation Provision in New Residential Developments SPD (September 2018)*



### 3. The LDS Programme

- 3.1 With an adopted Local Plan for the whole of South Norfolk's planning authority area, the focus is now on maintaining an up to date Plan in accordance with Government requirements. The focus of this work is on the replacement of the oldest part of the Local Plan, the JCS, with a new Greater Norwich Local Plan (GNLP). As well as replacing the JCS the GNLP will also allocate the sites to deliver future growth, replacing sections of the South Norfolk Site Specific Policies and Allocations Document, and potentially some elements of the Wymondham and Long Stratton Area Action Plans, The South Norfolk Development Management Policies Document and some Neighbourhood Plan Policies.
- 3.2 The LDS also reflects the production of the South Norfolk Village Clusters Housing Allocations (VCHAP) Document. During production of the Regulation 18 draft GNLP it became apparent that the choice of sites available in the village clusters across South Norfolk was not producing the potential options that would successfully address the requirements in those settlements. Some parishes had a few sites submitted, often detached from the settlement or with other issues raised via the initial Housing and Economic Land Availability Assessment (HELAA), consequently leading to potentially greater concentration of development in other settlements. With its more extensive rural area, significantly larger number of small settlements/parishes, and consequently larger requirement for village cluster allocations than Broadland, new work to address the Village Clusters in South Norfolk is now being undertaken in a separate document. The overall strategic requirements, including the total number of new dwellings to be allocated in the Village Clusters, will continue to be set out in the GNLP.
- 3.3 The profile and timescales for the GNLP and VCHAP are set out in Section 4 below.



#### 4. Local Development Document Profiles

Document Title	Greater Norwich Local Plan (GNLP)
<b>Role and content</b>	<p>To provide the strategic vision, objectives and strategy for future development of the Greater Norwich area, to accommodate objectively assessed needs for growth and to identify specific sites for development in the period to 2038.</p> <p>The areas to which the policies apply will be shown on the Policies Map.</p> <p>The GNLP provides the strategic context for the preparation of any lower level policy documents prepared by the three constituent district planning authorities, such as Development Management Policies or Area Action Plans.</p>
<b>Status</b>	Development Plan Document/Local Plan
<b>Conformity</b>	<p>The document must conform with the National Planning Policy Framework (NPPF) and should also accord with planning advice in national the Planning Practice Guidance (PPG) and other Government Policy Statements.</p>
<b>Geographical coverage</b>	<p>The three districts of Broadland, Norwich and South Norfolk, excluding the parts of those districts falling within the Broads Authority Executive Area.</p>
<b>Joint working arrangements (if any)</b>	<p>The plan will be prepared jointly with Broadland District and Norwich City councils, working with Norfolk County Council.</p>
<b>Relationship with related local plans</b>	<p>The GNLP will supersede</p> <ul style="list-style-type: none"> <li>a) the Joint Core Strategy (JCS) for Broadland, Norwich and South Norfolk (adopted March 2011, amendments adopted 2014); and</li> <li>b) elements of the South Norfolk Site Specific Allocations and Policies Document (October 2015); and</li> <li>c) those other documents identified in the LDSs for Norwich City and Broadland District Councils</li> </ul> <p>The Wymondham Area Action Plan (October 2015), the Long Stratton Area Action Plan (October 2015) and the South Norfolk</p>



	<p>Development Management Policies Document (October 2015) will not be superseded, although there may be elements of the GNLP that add to, amend or replace parts of those documents.</p> <p>The GNLP will be a component of the overall South Norfolk Development Plan, in conjunction with the retained documents and any 'made' Neighbourhood Plans.</p>
<p><b>Evidence required</b>  <i>May include selective reviews of the evidence base already in place for the adopted Local Plan and new or updated studies where necessary.</i></p>	<p>Includes (but may not be limited to):</p> <ul style="list-style-type: none"> <li>• Strategic Housing Market Assessment (SHMA);</li> <li>• Housing and Economic Land Availability Assessment (HELAA);</li> <li>• New Settlement Topic Panel;</li> <li>• Employment, Town Centre and Retail Study;</li> <li>• Viability Study</li> <li>• Infrastructure study;</li> <li>• Health Impact Assessment;</li> <li>• Strategic flood risk assessment (SFLRA);</li> <li>• Water Cycle Study;</li> <li>• Landscape Character Assessment;</li> <li>• Green infrastructure study; and</li> <li>• Sport and recreation study.</li> </ul> <p>The plan must be accompanied by a Sustainability Appraisal (SA) and Habitats Regulation Assessment (HRA) which will draw on, and themselves be part of, the evidence base</p>
Production milestones	Date
Commence document production.	December 2015
Call for sites – invitation to put forward specific development sites for inclusion in the GNLP.	May-July 2017
Commission, prepare and publish evidence studies required to support the GNLP.	March 2016 – January 2019
Publish initial Growth Options	January-March 2018



and Site Proposals <b>(Regulation 18)</b> for consultation.	
Publish the New, Amended and Small Sites <b>(Regulation 18)</b> for consultation.	October – December 2018
Publish Draft Plan <b>(Regulation 18)</b> for consultation.	January – March 2020
Publish Pre-Submission Plan <b>(Regulation 19)</b>	February – March 2021
Formal submission of GNLP to Secretary of State <b>(Regulation 22).</b>	July 2021
Public Hearings start	January - March 2022
Adoption of the Greater Norwich Local Plan.	January - March 2023

### **Arrangements for Production and Review**

South Norfolk Governance: Led by Place Shaping Team. Agreement at each stage through Cabinet. Full Council approval at Regulation 22 and adoption.

### **How will stakeholders and the community be involved?**

The Council will accords with the approved Statement of Community Involvement (SCI)

### **How will the document be reviewed?**

The document will be monitored and reviewed as part of the Annual Monitoring Report process.

In accordance with the NPPF, Local Plans should be reviewed every 5 years. Such a review will need to determine whether any significant matters have arisen, for example through changes to national policy or the identification of additional development needs, that mean the Plan needs to be updated or replaced.

The current timetable proposes adoption of the GNLP in April 2023, approximately 6 years from commencement of plan production. Consequently, the first review is scheduled for late 2028.



Document Title	South Norfolk Village Clusters Housing Allocations document
<b>Role and content</b>	To allocate housing sites in the South Norfolk village cluster settlements, sufficient to meet the minimum requirements set out in the Greater Norwich Local Plan (GNLP).
<b>Status</b>	Development Plan Document/Local Plan
<b>Conformity</b>	The document must conform with the National Planning Policy Framework (NPPF) and the GNLP and should also accord with standing advice in national the Planning Practice Guidance (PPG) and other Government Policy Statements.
<b>Geographical coverage</b>	<p>Village Cluster parishes in South Norfolk Council, excluding the parts of those parishes falling within the Broads Authority Executive Area.</p> <p>Village Cluster parishes are all parishes, except: Chedgrave; Colney; Costeslow; Cringleford; Diss; Easton; Framingham Earl; Framingham Pigot; Hethersett; Hingham; Loddon; Long Stratton; Porington; Reddishall w Halesdon; Trowse w Newton; and Wymondham. The document also excludes housing sites in: parts of Roydon and Heywood that relate to the settlement of Diss; parts of Tharston &amp; Happisburgh that relate to the settlement of Long Stratton; and parts of Costeslow St Edmund &amp; Bixley and Stoke Holy Cross that relate to the settlement of Porington-Framingham Earl.</p>
<b>Joint working arrangements (if any)</b>	None
<b>Relationship with adopted local plan(s)</b>	The South Norfolk Village Clusters Housing Allocations document will supersede elements of the South Norfolk Site Specific Allocations and Policies Document (October 2015).
<b>Evidence Required</b> <i>May include selected reviews of the evidence base already in place for the adopted Local Plan and new or updated studies where necessary</i>	<p>Will include:</p> <ul style="list-style-type: none"> <li>Housing and Economic Land Availability Assessment (HELAA)</li> </ul> <p>The document will draw largely on the evidence base that supports the strategic policies in the GNLP but will in certain instances require specific updates/additional work. This includes (but may not be limited to):</p> <ul style="list-style-type: none"> <li>Strategic Housing Market Assessment (SHMA);</li> <li>Viability Study;</li> <li>Infrastructure study;</li> <li>Health Impact Assessment;</li> <li>Strategic flood risk assessment (SFRA);</li> <li>Water Cycle Study;</li> <li>Landscape Character Assessment;</li> <li>Green infrastructure study; and</li> </ul>



	<ul style="list-style-type: none"> <li>• Sport and recreation study.</li> </ul> <p>The plan must be accompanied by a Sustainability Appraisal (SA) and Habitats Regulation Assessment (HRA) which will draw on, and themselves be part of, the evidence base</p>
<b>Production milestones</b>	<b>Date</b>
Commence document production.	January 2020
Call for sites – invitation to put forward specific development sites for inclusion as part GNLP Regulation 18.	January to April 2020
Publish Draft Plan ( <b>Regulation 18</b> ) for consultation.	June 2021
Publish Pre-Submission Plan ( <b>Regulation 19</b> )	November/December/January 2022
Formal submission of GNLP to Secretary of State ( <b>Regulation 22</b> ).	June/July 2023
Public Hearings start	December/January 2023/24
Adoption of the South Norfolk Village Clusters Housing Allocations Plan.	April/May 2024

### **Arrangements for Production and Review**

South Norfolk Governance: Led by Place Shaping Team. Agreement at each stage through Cabinet and Full Council approval at Regulation 22 and adoption.

### **How will stakeholders and the community be involved?**

The Council will accord with the approved Statement of Community Involvement (SCI)

### **How will the document be reviewed?**

The document will be monitored and reviewed as part of the Annual Monitoring Report process.

In accordance with the NPPF, Local Plans should be reviewed every 5 years. Such a review will need to determine whether any significant matters have arisen, for example through changes to national policy or the identification of additional development needs, that mean the Plan needs to be updated or replaced.



The current timetable proposes adoption of the in January-March 2024, approximately 4 years from commencement of plan production. Consequently, the first review is scheduled for late 2029.

Document Title East Norwich Masterplan	
<b>Role and content</b>	A supplementary planning document (SPD) for the East Norwich Strategic Regeneration Area to support policy in the GNLP for the coordinated redevelopment of the site and delivery of transformational change of this key area of Norwich.
<b>Status</b>	Non-statutory supplementary planning document
<b>Conformity</b>	The document must conform with the National Planning Policy Framework (NPPF), the relevant site allocation policies of the GNLP and should also accord with standing advice in national the Planning Practice Guidance (PPG) and other Government Policy Statements.
<b>Geographical coverage</b>	East Norwich sites including the Deal Ground, Utilities Site, Mill Green and Carrow Works identified on East Norwich masterplan map <sup>1</sup> . This includes land with the local planning authority areas of Norwich City, South Norfolk and the Broads Authority.
<b>Joint working arrangements (if any)</b>	A public-private partnership board has been formed to support the delivery of this ambitious and long-term project – The East Norwich Partnership. The partnership is led by Norwich City Council and includes representatives from Homes England, South Norfolk Council, Norfolk County Council, the Broads Authority, New Anglia Local Enterprise Partnership, Network Rail and the landowners.
<b>Relationship with adopted local plan(s)</b>	The East Norwich Masterplan will be adopted as an SPD by Norwich City, South Norfolk Council and the Broads Authority to support policies set out in the emerging GNLP.
<b>Evidence required</b> <i>May include selective reviews of the evidence base already in place for the adopted Local Plan and new or updated studies where necessary.</i>	The East Norwich Masterplan SPD is based on a specific masterplan study commissioned by Norwich City Council on behalf of the public-private partnership board. A number of board members have contributed financially to the production of the Study.

<sup>1</sup> [East Norwich regeneration: Project overview | Norwich City Council](#)



Production milestones	Date
Completion of Masterplan	October - December 2022
Public Consultation (Regulation 12)	January - March 2023 (Minimum 6 weeks)
Adoption (Regulation 14)	January - March 2024

### Arrangements for Production and Review

South Norfolk Governance: Led by Place Shaping Team. Agreement at each stage through Cabinet. Full Council resolution required for adoption.

### How will stakeholders and the community be involved?

The Council will accord with the approved Statement of Community Involvement (SCI)

### How will the document be reviewed?

The document will be monitored and reviewed as part of the Annual Monitoring Report process.

In accordance with the NPPF, Local Plans should be reviewed every 5 years, this will include the overarching allocation policy for East Norwich within the GNLP. Such a review will need to determine whether any significant matters have arisen, for example through changes to national policy or the identification of additional development needs, that mean the policy needs to be updated or replaced and by association whether any changes would be needed to the East Norwich masterplan.

## 5. Other documents related to the Development Plan Documents

5.1 Various other documents are required alongside the local plan, but do not form part of it. A **Statement of Community Involvement (SCI)** shows how the council intends to involve the community in plan preparation and planning decision making. The South Norfolk SCI was updated in June 2019 to reflect changes to national legislation and will be kept under regular review.

5.2 To ensure that plans and policies are effective, an **Annual Monitoring Report (AMR)** must also be prepared to record progress of implementing the local plan and whether local plan targets are being met. From 2011, the AMR for South Norfolk has been incorporated within a combined monitoring report for the Joint Core Strategy prepared jointly by the Greater Norwich authorities.

5.3 The **Norfolk Strategic Planning Framework (NSPF)** is a non-statutory strategic policy statement which sets broad targets and priorities for the next round of statutory Local Plans for individual districts and wider areas in Norfolk, facilitating joint working across



district boundaries and helping to fulfil the statutory Duty to Co-operate. Consultation on the initial NSPF took place from July-September 2017, and the document was subsequently endorsed by all of the Norfolk authorities. During 2019 it was updated to reflect the requirements of the revised NPPF, in particular (a) so that it fulfils the remit of a 'Statement of Common Ground' and (b) so that it reflects the new 'standard' housing methodology and Version 2 was endorsed by all of the authorities in late 2019. In order to keep the document relevant and up to date, Version 3 of the NSPF has been prepared and is currently in the process of being individually endorsed by all relevant partner organisations.

- 5.4 Local Planning Authorities must to publish and maintain a statutory **Brownfield Land Register**. The register is intended to include details of any previously developed land suitable for housing, which is capable of accommodating five or more dwellings. The first Register was prepared for December 2017 and will be reviewed annually thereafter. The Brownfield Register is prepared jointly by the Greater Norwich authorities.



Appendix 1: South Norfolk Local Development Scheme Timetable – September 2022

	2021												2022												2023												2024												
	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	
Greater Norwich Local Plan																																																	
South Norfolk Village Clusters Housing Allocations Document																																																	
East Norwich Masterplan SPD																																																	
Policies Map - Update																																																	

Legend

- Preparation of document/evidence gathering to inform Reg.18 consultation
- Regulation 18 (or equivalent for SPD) Consultation
- Pre-Submission Publication of Plan (Regulation 19)
- Submission to Secretary of State for Independent Examination (Regulation 22)
- Examination
- Adoption of Plan

**\*CANCELLED\***



## Appendix 2: The Adopted Local Plan and Neighborhood Plans

Several planning documents are already in place to guide the council's decisions on planning applications: together these form the existing adopted Local Plan for South Norfolk. As these documents are already in use, they are not part of the formal LDS schedule set out in Appendix 1.

The documents making up the Local Plan must conform to national planning policy in the National Planning Policy Framework (NPPF), supported by national Planning Practice Guidance (PPG).

The Local Plan documents fit into a hierarchy with broad, strategic policies at the top and more detailed policies interpreting the strategic approach at a district or smaller area level.

For the Greater Norwich area (which includes South Norfolk), the adopted **Joint Core Strategy for Broadland, Norwich and South Norfolk (JCS)** is at the top of the hierarchy. The JCS was adopted in March 2011, with amendments adopted in January 2014. It is a strategic planning document prepared jointly by the three constituent districts in Greater Norwich and provides a long-term vision, objectives and spatial strategy for development of the area to 2026.

The **Site Specific Allocations and Policies Document** identifies and sets out policies for site allocations in South Norfolk indicating where development is expected to occur between now and 2026. Alongside the Wymondham Area Action Plan, the Cringleford Neighbourhood Plan and the Long Stratton Area Action Plan, it responds to the requirement of the JCS to identify additional sites for approximately 16,000 new homes in the district by 2026, over and above existing housing commitments at the JCS base date of April 2008. It also identifies opportunities to accommodate the overall levels of growth in jobs and services anticipated over that period and to ensure that these can be delivered and located sustainably. It will also help to deliver the community facilities and green infrastructure and elements of the sustainable transport network required to support new development as it occurs, in accordance with the JCS.

The **Development Management Policies Document** sets out a range of more detailed policies applying throughout South Norfolk which will be used in the council's assessment of development proposals and to guide future council decisions on applications for planning permission. Policies cover a range of topics, building on the national policy principles for sustainable development set out in NPPF and the strategic policies and objectives of the JCS. In certain cases, the policies also set out local criteria and standards for different kinds of development.

The **Wymondham Area Action Plan** guides development in the town up to 2026. The plan provides for at least 2,200 new homes and 20 hectares of employment land, in the context of: protecting and enhancing a 'Kett's Country Landscape' to strengthen the role of the Tiffney Valley; maintaining the strategic



separation between Wymondham and Hethersett; protecting the landscape setting of the town and abbey; and creating connections and linkages between green infrastructure.

The **Long Stratton Area Action Plan** will deliver at least 1,800 new dwellings, additional employment land, alongside the long- sought Long Stratton bypass to reduce congestion and pollution through the village in peak hours and improve connectivity along the A140 corridor.

The Localism Act 2011 allows for community led **Neighbourhood Development Plans** to be brought forward to complement the adopted Local Plan. The latest updates on adopted and emerging neighbourhood plans can be found on the Council's dedicated Neighbourhood Plans webpage linked below:

[Neighbourhood Plans – Broadland and South Norfolk  
\(southnorfolkandbroadland.gov.uk\)](http://southnorfolkandbroadland.gov.uk)





## **South Norfolk Allocations Scheme: Family Connection**

**Report Author(s):** Richard Dunsire  
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**Portfolio:** Better Lives

**Ward(s) Affected:** All

### **Purpose of the Report:**

To propose an amendment to the South Norfolk Allocations Scheme and to provide the rationale for doing so.

### **Recommendations:**

1. Committee to agree the proposed changes to the South Norfolk Allocations Scheme as outlined in paragraph 4.

#### **1. Summary**

- 1.1 This report outlines our proposal to ensure equity of local connection criteria across South Norfolk and Broadland through an additional family connection clause in the South Norfolk Allocations Scheme.

- 1.2 Although this is not a Ukraine specific policy change, it will have the advantage of enabling Officers to further support evacuees in our district, in particular those who have entered the UK under the Ukraine Family Scheme and who are now in need of housing advice and support.

#### **2. Background**

- 2.1 The current Allocations scheme requires those not yet homeless, but seeking a place on the housing register to meet local connection criteria including:



- Be resident in South Norfolk for 6 of the last 12 months  
or
- Be resident in South Norfolk for 3 of the last 10 years

2.2 In terms of Ukraine, officers have been very proactive in supporting those fleeing the ongoing combat in Ukraine. We have been providing community support to all evacuees whether that be through the Ukraine Family scheme or the Homes4Ukraine scheme. A summary of the two schemes is given below:

#### Ukraine Family Scheme

Guests will be accommodated by family members.

Guests have 3 years leave to remain and can access public services

District statutory housing and homelessness duties can apply here (placement breakdown and move-on)

#### Homes for Ukraine (England)

Guests have 3 years leave to remain and can access public services

Guests have a named sponsor. A host will offer accommodation for at least 6 months

Hosts can receive a £350 per month thank you payment

Sponsors/Hosts are subject to checks, including DBS, Housing and Welfare

Norfolk County Council receives £10,500 funding per person

District statutory housing and homelessness duties can apply here (placement breakdown and move-on)

2.3 Unfortunately, placement breakdowns can occur, however within the Homes4Ukraine scheme we have been able to successfully rematch those guest with new hosts. To add all but a few will be covered by the criteria at 2.1 above as Homes4Ukraine placements must last at least 6 months therefore point one will allow them access.

2.4 Within the Ukraine Family Scheme, as there is no designated checking procedure, many family placements are wholly unsuitable, for example with 2 bed flats, already fully habited by a 4 person family welcoming 4 further fleeing family members. This is placing them in a very difficult position. If they were to present to the Council as homeless, they would go into TA and then onto the register. However many of the families are happy to continue accommodating in the short-term providing there is access to the register. At present we cannot provide this access until the 6 month mark due to lack of residency.

### 3. Current position/findings

3.1 This issue is specific to South Norfolk as a clause already exists in the Broadland Allocations scheme to provide local connection for those who:  
*'Have a family member (parent, adult child or adult sibling) who lives in and has lived in Broadland for a continuous period of at least five years'.*



- 3.2 Information has been collected that shows that since its inception in April 2021, a total of 46 (5.5%) applicants have qualified via the Broadland family local connection criteria. 11 of these had a need for sheltered housing. 10 out of the 46 also had a local connection to South Norfolk. This represents a very small number in relation to the overall number of applicants who qualified to join the Housing Register during this period.

#### 4. Proposed action

- 4.1 To amend section 3.2 the South Norfolk Allocations Scheme: Qualification Rules include:  
*'Have a family member (parent, adult child or adult sibling) who lives in an area where they have lived in South Norfolk for a continuous period of at least five years'.*
- 4.2 We do not wish to offer a different service to Ukrainians by virtue of the authority that they have family in. By addressing this difference it will ensure that they are treated equally.
- 4.3 There will be some cases where we will need to exercise discretion, for example, where a Ukrainian has moved in with a family in our area, however, the family have resided in our area for less than 5 years. In such cases we will need to consider the housing need of the Ukrainian household. If they have a housing need then we will utilise manager discretion on a case by case basis to waive the requirement for the 5 year residency of the family member.
- 4.4 There are discrimination concerns regarding only making this change for Ukraine nationals as it will be unfair and have potential political concerns if this is not also afforded to residents of South Norfolk. By going through the Allocations Scheme their overall need will be represented in the band provided meaning those in greatest need will have more favourable access than those in less need. This will mean their needs are assessed in line with all residents in South Norfolk

#### 5. Issues and risks

- 5.1 **Resource Implications** – There are no resource implications in making this amendment to the Allocations Scheme
- 5.2 **Legal Implications** – This amendment is proposed to support us to meet our statutory housing and homelessness duties under the Housing Act 1996 as amended by the Homelessness Reduction Act 2017
- 5.3 **Equality Implications** – The proposal seeks to provide equity across the South Norfolk and Broadland Allocations Schemes. As noted in the report, this will support officers in preventing homelessness within Ukrainians accommodated in South Norfolk. However amending the Allocations Scheme as a whole, rather than a stand-alone Ukrainian policy, will ensure that no one particular group would benefit above others.
- 5.4 **Environmental Impact** – There are no known environmental impacts.



5.5 **Crime and Disorder** – There are no perceived impacts

5.6 **Risks** – There are no other risks associated with these proposals.

## 6 **Conclusion**

- 6.1 The proposal to amend the South Norfolk Allocations Scheme strikes a balance in:
- Providing equity of service across South Norfolk and Broadland
  - Ensuring officers can continue to work hard to support and prevent homelessness in our Ukrainian guests.
  - By amending the Allocations Scheme as opposed to a targeted policy, it does not favour one particular group or exclude others

## 7 **Recommendations:**

1. Cabinet to agree the proposed changes to the South Norfolk Allocations Scheme as outlined in paragraph 4

### **Background papers**

None



## **Awarding of contracts in relation to the mobilisation of the Horizon Centre**

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**Portfolio:** Leader of the Council

**Ward(s) Affected:** None

### **Purpose of the Report:**

Following the Council decision to move to the Horizon Centre, Officers are working on the mobilisation of the building. As reflected in the Future Office Accommodation Project – Appraisal and Business Case Cabinet report in May 2022, there is an element of fit out and works required to the building. The cost of this is subject to finalisation of the spatial design and subsequent procurement but is expected to be at a value that, under the Contract Procedure Rules, the award of the contract will require a Cabinet decision. Due to the ambitious timeline to occupy the building to minimise the costs of running the current office, inflationary cost pressures on construction materials and to deliver the benefits of the move, this report seeks a delegation to enable the fit out and other contracts to be awarded without delay.

### **Recommendations:**

Cabinet to agree to:

The delegation to the Director Resources in consultation with the Leader of the Council to award contracts for the fit out of the Horizon Centre and other contracts, that are over a £100,000, as long as they are within the overall budgets as outlined in section 2 of this report.



## 1. Summary

- 1.1 Following the decision to purchase the Horizon Centre and relocate the Council's headquarters, there is a need to procure fit out and other contracts associated with the mobilisation. The value of some of these contracts are likely to be above the £100,000 CMLT delegation. This report seeks delegation to award these higher value contracts so as not to impede the project, given the ambitious timeline for occupation. \*

## 2. Background

- 2.1 The Council held an Extraordinary Council Meeting on the 10 May where it approved the purchase of the Horizon Centre, which will deliver significant financial and environmental benefits, as well as cultural benefits for the Officer One Team which will lead to improved performance and service delivery.
- 2.2 The business case that members considered included an element of fit out and associated mobilisation costs within the overall cost of the delivery of the building which Members approved including the related budget. As identified in Appendix P of the May 16 Future Office Accommodation Project – Appraisal and Business Case cabinet report, Wi-Fi is already included within the capital programme for replacement at current sites so will be reassigned to the Horizon Building.

In addition, the Building, Mechanical and Electrical surveys that were undertaken, identified some work that needs to be completed to deliver a fully operational building. While the cost of this is contained within the five-year capital programme in the budget line for South Norfolk House, due to the profile of the expenditure there is a requirement to bring forward some of the budget from the next financial year to this financial year and to reassign the revised budget to the Horizon Centre.

## 3. Current position/findings

- 3.1 Officers are working to an ambitious timeline to enable the two Councils to take occupation. The reason for this, is to deliver as quickly as possible the benefits that the move will bring. In particular, the rising costs of heating & lighting the current headquarters and the inflationary impact on construction materials has increased the need to move quickly.
- 3.2 Under the Contract Procedure Rules, contracts over £100,000 require Cabinet approval. To mitigate the delay this would have on the mobilisation project, it is proposed that the award of fit out and other contracts are delegated to the Director of Resources in consultation with the Leader of the Council, as long as the total cost doesn't exceed the overall budgets (see section 2) for the cost of getting the building fully operational.
- 3.3 For clarity, this delegation will be sought from both South Norfolk and Broadland Cabinets as both constitutions have the same limits for their Contract Procedure



Rules. If either Council does not agree to the delegation, then that will have consequences to the overall timeline for delivery.

- 3.4 As the spatial designs are not anticipated to be completed until the end of September it is not possible at the present time to estimate the value of these contracts, as the specifications for the work cannot be drawn up at the present time. However, Members can be reassured that the Procurement Team are part of the mobilisation project team and are involved in the procurement process to ensure any tendering or drawdown from frameworks is carried out in accordance with the Council's Contract Procedure Rules.

#### 4. Other Options

- 4.1 Cabinet could decide not to agree the delegation, this would mean that Officers would have to bring in a cabinet report for each contract they wish to award. Depending on the Committee meeting timetable this could require additional Cabinet and Overview & Scrutiny Committees, incurring additional costs and take up additional Officer and Members' time. As identified in 3.1 above there is also inflationary pressures on the cost of materials and the cost of keeping the two existing offices open while the Horizon Centre is mobilised.

#### 5. Issues and risks

- 5.1 **Resource Implications** – Delays in the mobilisation timeline for occupation of the Horizon Centre will mean it will incur increased revenue running costs associated with running the two existing buildings, which are much higher than the Horizon Centre. These costs were detailed in the Cabinet report on the 16 May in the confidential appendix P. In addition, there is the potential for cost inflation on delivery of the Horizon Centre.

The involvement of the procurement team in the mobilisation project and the letting of any contracts should reassure members that due process is being followed in the award of any contracts under this delegation.

- 5.2 **Legal Implications** – None

- 5.3 **Equality Implications** – None

- 5.4 **Environmental Impact** – The Cabinet report on the 16 May outlined that there is an 80% reduction in the carbon footprint compared to the combined carbon footprint of the two existing offices. Therefore, any delay will have a negative impact on realising this benefit.

- 5.5 **Crime and Disorder** – None



## 6. Conclusion

- 6.1 Following the decision to purchase the Horizon Centre and relocate the Council's headquarters, there is a need to procure fit out and other contracts associated with the mobilisation. The value of some of these contracts are likely to be above the £100,000 CMLT delegation. This report seeks delegation to award these higher value contracts so as not to impede the project, given the ambitious timeline for occupation which will ensure the Councils' deliver the benefits of the move as quickly as possible. These benefits include significant savings in ongoing revenue costs, especially at a time when the current cost of heating and lighting the two offices will be increasing due to the rise in energy prices and to mitigate against the cost of inflation.

## 7. Recommendations

Cabinet to agree to:

- 7.1 The delegation to the Director Resources in consultation with the Leader of the Council to award contracts for the fit out of the Horizon Centre and other contracts, that are over a £100,000, as long as they are within the overall budgets as outlined in section 2 of this report

### Background papers

16 May 2022 Future Office Accommodation Project – Appraisal and Business Case cabinet report



## Using intelligence to achieve a First-Class Customer Service

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**Portfolio:** Governance and Efficiency

**Ward(s) Affected:** All

### Purpose of the Report

The purpose of the report is to set out how the Council proposes to use data and intelligence to drive delivery of the ambitions set out in our Strategic Plan 2020 – 2024, and ultimately deliver a first-class customer service for our communities and businesses.

### Recommendations:

1. Cabinet to recommend to Council the agreement of funding to establish a Business Intelligence Service as set out in section 4.7 of the report.
2. Cabinet to recommend to Council that funding for 2022/23 is drawn from the corporate contingency.
3. Cabinet to recommend to Council that funding for the Business Intelligence Service is built into the base budget from 2023/24.

### 1. Summary



- 1.1 This report sets out how the Council proposes to use data and intelligence to drive delivery of the ambitions in our Strategic Plan 2020 – 2024, and ultimately deliver a first-class customer service for our communities and businesses.

## 2. Background

- 2.1 The Council agreed in March 2020 to move forward with implementing the four-year Strategic Plan which sets out the vision and priorities of the Council.

- 2.2 At the heart of the **Strategic Plan 2020-2024**, is the vision for our place:

***‘Working together to create the best place for everyone now and for future generations’***

- 2.3 This vision is underpinned by the Council’s strategic priorities:

- Growing the economy
- Supporting individuals and empowering communities
- Protecting and improving the natural and built environment, whilst maximising quality of life
- Moving with the times, working smartly and collaboratively

- 2.4 The first three of the strategic priorities outlined above are service driven ambitions. The last ambition sets a priority for how we will work in order to deliver the plan. As part of this, our key ambition for the two Councils is to use the best of technology, customer insight and the right resources to deliver value for money services for our customers.

- 2.5 How we said we would achieve this in our **Strategic Plan 2020-2024**:

- Continuously challenging ourselves to ensure we **utilise our resources in the best possible way** and seize opportunities as they arise
- Becoming **an agile, flexible and collaborative organisation**, working across traditional local government/organisational boundaries and driving and adapting quickly to the changing environment
- Continuing to improve our customer service offerings to best meet our customers’ needs, **using evidence and data to drive our services**
- Continuing to **use the best technology for the job in hand** and making best use of the opportunities that digital ways of working can bring. Alongside making our digital platforms easy to access
- **Investing in our team and technology** to develop a forward thinking and growth focussed organisation
- Trying out and **testing new approaches and ideas, using the best evidence that we have to inform our decisions** and sharing best practice

- 2.6 To date, we have embarked upon an ambitious transformation agenda, with improving and exceeding our customer expectations at the heart of our work. Over the last couple of years and in context of Covid, the Council has delivered a range of successful projects aimed at improving customer experience:



- We have launched a new housing system, giving our customers more flexibility to choose their own home
- We delivered a single website and email address for the Councils, providing us with a platform for improving our digital services for customers
- We agreed a new Customer Charter and resources dedicated to customer insight, agreed by Members in July 2021
- We introduced a new customer satisfaction survey, helping us understand and act upon customer feedback to help us continuously improve services in the future
- We implemented a single telephony system across both councils which allows us to have better understanding of our customer demand on our services
- We have implemented a range of projects to enhance our use of technology across the organisation e.g., Microsoft Office 365, underpinned by our **ICT & Digital Strategy**, agreed by Members in July 2021 (South Norfolk). This Strategy also sets out **one of the key pillars for success of delivering a first-class customer service being driving digital through greater use of data and intelligence**

2.7 We have the ambition to deliver a first-class customer service, but we know there is more we can do to drive us forward at pace and enable us to deliver this ambition more effectively. The recent work done by the Broadland Members Collaboration Working Group also identified using business intelligence as being critical to improving the services we provide to our customers.

2.8 As set out above, our Strategic Plan is clear that we would utilise evidence, data and the right technology to help us improve our services for customers. As part of the SPARK Transformation Programme and outlined in the Delivery Plan for 2022-24 (see reference MT1 of the Plan), Members have already agreed, as a priority, to deliver a transformational business intelligence programme of work. This is a key area we have identified we can do more, and the remainder of this report sets out the recommendations to Cabinet on how this can be achieved.

### 3. Current position findings

#### Context

3.1 Demand across the whole of the public sector is rising, with residents and businesses under pressure and needing growing support from local government; particularly in the recent context of Covid and the cost of living crisis. This demand is predicted to grow further over the coming years both nationally and locally, with an increase in population and growing older population. For context, Broadland and South Norfolk combined is predicted to see 19%<sup>1</sup> increase in the population by 2043.

3.2 Alongside this, we know that generally, customer expectation is also changing with more of a drive towards 'on demand' type services, providing services in a

<sup>1</sup> ONS



flexible way to suit different types of customer need and providing good quality services delivered in a timely and efficient way.

- 3.3 With this context, there is a need for us to effectively understand the needs of our customers better, including those who use, or will use, services and the key outcomes that need to be achieved. In order to do this, we must have good access to, understanding of and use of data and intelligence (termed 'Business Intelligence') to both inform our service delivery, and drive transformation of our services in the future. This will also help us to inform our future strategy and delivery plans for the Council in the coming years.

### Our use of business intelligence

- 3.4 Intelligence and data is critical to the Council as it will help us to better manage demand, identify savings and make more accurate forecasts for the future both in terms of finance and performance. Business Intelligence can be used for both customer insight, but also operational insight, underpinning service delivery and effective use of resource:

**Table 1 – business intelligence benefits**

<b>Customer Insight &amp; Intelligence</b>	<b>Operational Insight &amp; Intelligence</b>
Understand the needs, wants and preferences of our customers and target services accordingly (e.g. government grants)	Enables monitoring of business activities (in real time if needed) to ensure we deploy our resources in the most effective way
Ability to make evidence-based decisions on service levels, locations and resources to meet customer demand	Helps to identify what is working, what might be inefficient and help inform continuous improvements in services delivered to our customers
Better support to with increasing our communications through greater awareness and understanding of the customer through the data we hold	Provides clear evidence for both strategic and operational decision making
Helps us to inform service changes based on customer trends (e.g. 'on demand' service)	Allows for openness and transparency of our data internally and externally

- 3.5 Other local authorities have made use of business intelligence in a variety of ways – below is an overview of examples from different Councils have what they have done using intelligence however it should be noted that in each case they will have gone through a process, with the right resource and over a period of time, to get the quality of their data right and held in a central location.

### Having open and transparent data



- Cornwall Council has used data and intelligence to enable 'data driven councillors' – by providing access to real time data from Council services, allowing for Councillors to look at service performance, but also understand their local constituent's engagement with services by postcode

### Using Data Analytics to predict trends

- London Borough of Barking and Dagenham have been exploring data and predictive analytics as part of their focus on improving preventative work. Through this, the borough is working to use predictive analytics to determine which households are at risk of becoming homeless before it happens

### Bringing data sets together to provide new insights

- Suffolk County Council and local health services are using data to help create an integrated service to shift funding towards preventative work and away from costly reactive service and improve the culture and effectiveness of performance management. This has allowed them to diagnose problems in a system more easily such as why there are high numbers of people who have delayed transfers of care from hospitals to residential settings.

### Using data to provide better reporting

- North Norfolk Council publish their performance against their strategic measures on their website to inform residents and customers of how effectively they are delivering. They currently do this through a product called InPhase which enables them to provide reports and visualisations both internally and externally. The technology we are proposing to use for the Business Intelligence Service will enable us to produce those types of report and visualisations and much more, but without the restrictions which come with using a third-party provider.

### Current state

3.6 Across the Council, we hold, manage and maintain significant amounts of data about the services we provide. We have some services, or parts of services that use data to analyse, understand and improve their operational delivery. But we also have areas where we only use data to meet statutory or delivery plan/strategic reporting requirements.

3.7 **Framework** - At present, neither Council has a framework for how we plan to use, manage and store our data and intelligence. This means we do not have a consistent approach and are potentially missing out on opportunities to improve our use and analysis of intelligence.

3.8 **Storage** – Across the Council, we gather and store data in a range of disparate ways, from utilising existing tools linked to specific service systems, extracting data from systems and placing it into MS Excel Spreadsheets and sometime using paper forms. We know this approach has a range of associated issues such as; risk of data corruption (being copied from one place to another), data integrity and difficulties in retrieving previous data as there is no central storage repository or system.



- 3.9 **Using data and intelligence to inform services** – as we currently have no central data store or reporting system in place, extracting data and intelligence from our systems is time consuming across the organisation and often, hard to access. Each service area where a system is used, has its own methods of extracting data and intelligence, which is often stored in multiple places and in a range of formats. This makes it difficult for us to bring together different data sources from different services to help us identify customer trends and improved customer journeys. \*
- 3.10 **Using data and intelligence to understand our performance** – understanding and reporting on our performance as a council at present, is largely a manual process. Due to the challenges set out above, understanding our performance, which should be something we are able to do all the time, is often time consuming and difficult and draws on staff resources just to gather data. This is a resource that could be better used to analyse the data and provide insights to help improve services for customers. Our longer-term ambition is to enable performance information to be accessed automatically (both internally and potentially externally) and made available at touch of a button.
- 3.11 **Skills and resources** – at present, whilst we have staff across the organisation who are responsible for producing data and some analysis, we do not have dedicated staff with the right skills who can provide deeper levels of insight and analysis.
- 3.12 As prioritised by Members in the Delivery Plan 2022-24, work has been underway, working in partnership with consultants, to explore the opportunities that business intelligence and data could bring to the organisation. This exploratory work has been to date, funded through the Covid budget. This work has included delivering a 'pilot' project based on our telephony system and utilising an analysis and visualisation tool from Microsoft called 'PowerBI'. PowerBI allows the organisation to visualise the data we hold, connect different data sets and bring the data to life. The purpose of the pilot was to explore whether we were able to bring our data into a single storage, transform and visualise data using an in-house solution and a view to the resources and costs to deliver a service for business intelligence. This pilot has been successful and has given us:
- A greater understanding of customer contact e.g. successful calls, abandonment rates, wait times, average call times, call types. This will allow us to be able to manage our service resource more effectively.
  - The ability to identify trends in our customer contact behaviour e.g. peak call times, by day or by hour. This will allow us to make sure we have the right resource at the right time for our customers.
  - The ability to predict future customer behaviour to anticipate changing demand on services.
  - The ability to focus on the analysis – by providing the data automatically, it has enabled services to focus resource and effort on insight and analysis, to improve services and better manage resource.
- 3.13 Alongside the above pilot on telephony, we also conducted some initial work looking at housing and homelessness data. Even at an early stage, this provided



insights which we would not have identified in a normal course of events (e.g., it allowed us to visualise those on the housing list by geographic location and their most recent application date).

- 3.14 The pilot as set out above provided the assurance, knowledge and evidence that the proposed model for business intelligence is the right approach for the Council moving forward.

#### Strategic drivers for change

- 3.15 **Service delivery for customers** – as demand for services is changing, it is even more important for us to understand this demand in more detail and make sure we are able to ask the right questions to improve our service offering. It is key we are able to not only use data and intelligence to understand 'what has happened' but also to understand 'why is it happening, what could we do differently, what happens if we change xyz' and predict what might happen in the future.
- 3.16 **Wider context** – local government has faced a sustained reduction in the funding from Central Government over the last few years, with district councils having taken the hardest financial hit<sup>2</sup>, with districts seeing a 35% reduction in the overall real terms spending power between 2010-11 and 2020-21. Broadland and South Norfolk Councils, like many local Authorities, continue to operate in a climate of financial uncertainty with increasing demands on services alongside unpredictable future changes to government funding, from the potential changes to the Business Rates Retention Scheme and the Fair Funding Review, as well as a lack of clarity around the New Homes Bonus funding. This context provides the Council with the need to continuously review our service delivery models to ensure they remain efficient, effective and relevant to our customers. Key to this will be the data, intelligence and insight we use to inform the decisions we make in the future.
- 3.17 **Open and Transparent Services** – both Central Government and the LGA are promoting an increasing need for local government to release open data, enabling data and insight to be used more meaningfully to engage with the public and other public services. Recently, the Levelling Up White Paper also announced Governments move towards establishing a new independent body in England focused on data, as well as a new Spatial Data Unit, aiming to empower citizens with information about their local area and drive data transformation.

#### **4. Proposed action**

- 4.1 In order for us to take advantage of the benefits that intelligence and data could give to use to improve our customer offering, it is critical that we invest in the right resources and technology. To enable us to do this, it is recommended that we invest in establishing a new Business Intelligence Service, alongside the proposed technology required. The proposal for this is outlined below.

<sup>2</sup> [Analysis by the Institute for Fiscal Studies](#)



## Business Intelligence Service

4.2 We are proposing to establish a new Business Intelligence Service across the organisation. As set out above, this is something we do not currently have within our existing resources. A business intelligence service will enable the organisation to deploy, manage and use business intelligence tools and technology to improve customer services. \*

4.3 Below is an overview of what the new service would be doing:

- Provide a secure repository of 'clean' data which becomes a trusted and consistent reference point for reporting, trend analysis, planning, decision making and cost/benefit analysis.
  - Automate reporting to reduce time spent on resource intensive, manual data gathering will release capacity to focus on high value performance and data analysis.
  - Produce, up to date, dashboards which provide key performance data, at the touch of a button, right across the organisation. This can be both internally (team leader through to senior leaders) and eventually externally (members and residents)
  - Provide a tool for innovative analysis of service data and releases existing resource time to carry new insights which identify areas for improvement, savings, revenue generation and inform decision making.
  - Facilitate cross organisational data analysis and open opportunities for wider data sharing with other organisations in a secure and controlled way.
  - Provides a basis for many intelligent technologies which we may want to consider that will support service transformation.
  - Supports compliance with data protection legislation and provides an auditable repository for data. Provides consistency of data and data governance protection
  - Embeds specialist skills within the One Team and standardises reporting functionality which will enable us to build a cohort of Power BI expertise removing the risk of a single point of failure.
  - Delivers a flexible scalable 'in house' solution over which we have the control to amend, change, develop without incurring further costs
- Currently services spend considerable time running both regular and ad-hoc reports to meet reporting requirements and requests for information. We anticipate that moving to this approach will release capacity that can be redeployed onto analysis that we help us understand how best to deliver services to customers in the most effective and efficient way and to drive continuous service improvement.

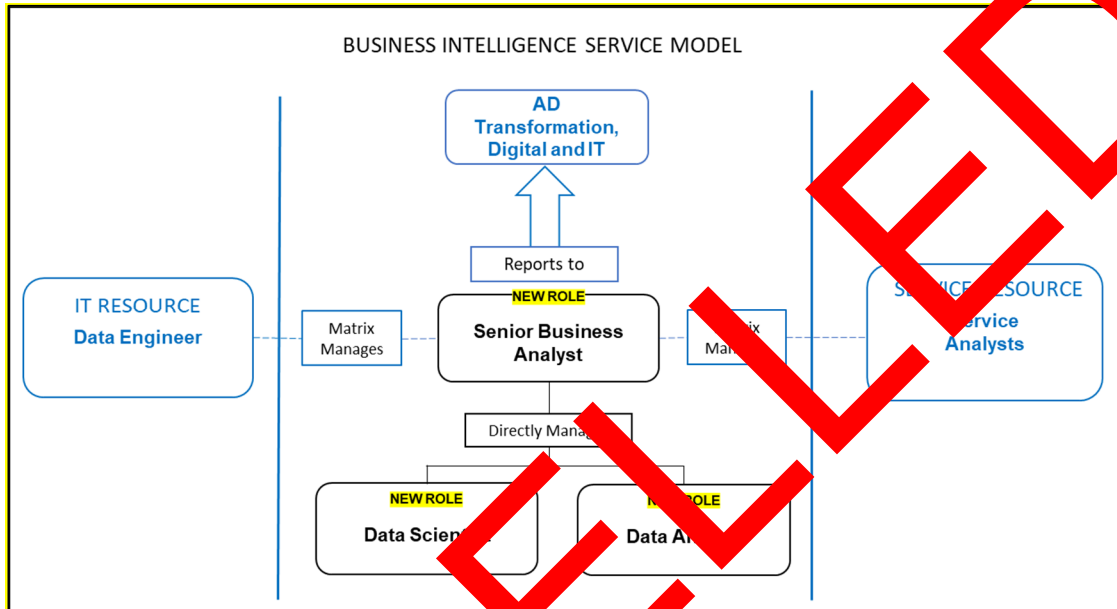
## Technology to enable the service

\* 4.4 The 'pilot' established that the best approach for us is to develop our business intelligence model 'in-house' using tried and tested tools from the **Microsoft suite** of services (Microsoft Azure and Microsoft PowerBI). This enables us to build our central data storage at a pace which is suited for the organisation. Whilst these tools are already available and used by the Council, to deliver the proposed business intelligence model, we need to increase the capacity and usage of the tools, which will require investment for the Council (see table x below).



## Resources to enable the service

- 4.5 We anticipate that the Business Intelligence Service will need specialist resource to ensure that the service is correctly managed, governed and has sufficient resource to deliver and maintain a range of services across the organisation. The table below shows the key roles, where they will sit in the structure and includes a brief overview of the responsibilities and connections with existing roles.



**Senior Business Analyst** – Responsible for governance of the Business Intelligence Service. Responsible for interpreting data to provide insight and analysis to the organisation. Line management and matrix management responsibilities for the team

**Data Scientist** – Responsible for modelling and transforming data to create an information resource for the Data Analysts

**Data Analyst** – Responsible for interpreting data to provide insight and analysis to the organisation

## Costs of service

- 4.5 The costs of operating a Business Intelligence Service which can support and serve the needs and requirements of the whole organisation are set out in table below in paragraph 4.7
- 4.6 This breaks down between the costs for technical products and cost for the resources and consultancy.
- 4.7 We know that Data Analysts and Data Scientists are highly sought after and can be difficult to recruit in the marketplace. The resources budget we are asking for gives us the flexibility to tailor our approach to as required. This could be though



substantive recruitment, by growing our own skills through graduate apprenticeships, buying in specialist consultancy as needed or a mixture of all of these approaches.

<b>Business Intelligence Service</b> (costs are based on 22/23 prices)	<b>Budget Required (£)</b>				
	<b>2022/23</b>	<b>2023/24</b>	<b>2024/25</b>	<b>2025/26</b>	<b>2026/27</b>
<b>Technical Costs</b>	0	12,868	15,146	19,861	19,861
<b>Resource &amp; Consultancy Costs</b> (on-costs included where relevant)	45,281	121,241	171,910	166,910	166,910
<b>Totals (combined)</b>	45,281	134,109	187,056	186,771	186,771
<b>(45/55 applied) BDC</b>	20,376	60,349	84,175	84,047	84,047
<b>SNC</b>	24,905	73,760	102,881	102,724	102,724

### Next steps

4.8 Following agreement to fund a new business intelligence service for the organisation, there are some key activities which will take place as set out below:

- Recruit to the roles required and enable the technology in the most cost-effective way, to deliver the service as outlined in section 4.5
- Begin a phased roll out of the business intelligence model across the organisation – this will be done by bringing operational data into a central data store on a service-by-service basis
- Work with services to start using their data and intelligence to drive improvements to services for customers
- Design and develop a new open and transparent approach to providing our strategic performance data on our website

## **5. Other options**

5.1 There is an option to continue as we are currently and not investing in a new intelligence service and operating model. However, this would come at the risk of not being able to fully achieve our ambitions of driving a first-class customer service. We would continue to have a less effective and efficient way of utilising intelligence for the customer and service improvement. The desire from service areas for data insight and analysis will continue to grow nevertheless and if we cannot provide this as a service within the One Team then we will need to buy in services. Recently one of our services areas purchased a 12month contract for a specialist data analysis and insight service at a cost of £40K per annum.

## **6. Issues and risks**

6.1 **Resource Implications** – The proposals listed in section 4 above outline the costed model for delivering a Business Intelligence Service to achieve a first-class



customer service offering. These proposals include the funding required to deliver this model and will be an increase to the existing budget for the Council.

6.2 **Legal Implications** – None applicable to this report.

6.3 **Equality Implications** – None applicable to this report.

6.4 **Environmental Impact** – None applicable to this report.

6.5 **Crime and Disorder** – None applicable to this report.

6.6 **Risks** – None applicable to this report.

## 7. Conclusion

7.1 In summary, this report has set out how the Council proposes to use data and intelligence to drive delivery of our ambitions in our Strategic Plan 2020 – 2024, and ultimately deliver a first-class customer service for our communities and businesses. As demand changes, expectations grow and the context we are working in evolves, it is ever more important that we are able to efficiently and effectively access, manage, maintain and use our data and intelligence as an asset, to improve our customer offering.

7.2

## 8. Recommendations

1. Cabinet to recommend to Council the allocation of funding to establish a Business Intelligence Service as set out in section 4.7 of the report.
2. Cabinet to recommend to Council that funding for 2022/23 is drawn from the corporate contingency.
3. Cabinet to recommend to Council that funding for the Business Intelligence Service is split into the base budget from 2023/24.

## Background papers

Strategic Plan 2020-2024

Delivery Plan 2022 – 2024

ICT & Digital Strategy



## Annual re-ratification of Strategy for Norfolk Strategic Flood Alliance

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**Portfolio:** Clean and Safe Environment

**Ward(s) Affected:** All wards

### Purpose of the Report:

This report presents the slightly updated Norfolk Strategic Flood Alliance's Strategy for annual re-ratification, one year on from its original ratification by Cabinet. Information is provided to outline how the council and the wider Alliance is delivering against the Strategy, and against the wider needs of our communities facing potential threats of flooding.

### Recommendations:

1. Cabinet to ratify the Norfolk Strategic Flood Alliance Strategy 2022 as set out at Appendix 1, and to note the progress being made.



## 1. Summary

- 1.1 The Norfolk Strategic Flood Alliance's (NSFA) Strategy, ratified by Cabinet on 13<sup>th</sup> September 2021, requires annual re-ratification. This helps to keep high-level action to tackle flooding high on the agenda. Re-ratifying the NSFA Strategy for a further one-year period will endorse and support the approach being taken.
- 1.2 Progress is being made by the NSFA on a range of flooding actions both within South Norfolk and more widely across Norfolk.
- 1.3 Local action outlined at paragraphs 3.3 and 3.4 is being taken across the district working with local communities in flooding awareness, prevention, mitigation, preparedness.

## 2. Background

- 2.1 The flooding experienced across Norfolk over Christmas and New Year 2020 caused widespread impacts. Responding agencies' resources were severely stretched and there were inconsistencies in the responses in different local authority areas. Residents were confused about which agency to contact for help and what level of response they could expect.
- 2.2 Following that flooding, the Norfolk Strategic Flood Alliance (NSFA) was established in early 2021. Chaired by Lord Danna, the work of the Alliance has involved strategic lead officers and Leaders from a range of agencies involved in flood response and water management across the County. The NSFA membership includes, among others, the Environment Agency, Anglian Water, the Association of Drainage Authorities, the Water Management Alliance, Water Resources East, the Norfolk Resilience Forum, the Broads Authority and Norfolk's local authorities. The NSFA Strategy was considered and ratified by Cabinet on 13<sup>th</sup> September 2021. This Strategy will be presented annually for re-ratification to maintain a high profile. This re-ratification is perhaps unusual, but it is appropriate given the continuing threat flooding can threaten to some of our communities, and the complexity of making improvements in flooding problem-solving and improving future prevention and mitigation.
- 2.3 There are long standing flooding issues where ownership of and responsibilities for land, ditches and drains has been unclear. The NSFA is able to highlight these areas and drive these issues forward at a more visible level than previously. The NSFA identified lists of priority flooding sites of concern for special attention, known as Tranche 1 and Tranche 2.

## 3. Current position/findings

- 3.1 The NSFA has brought various agencies and interests together successfully. It originally produced a set of guiding principles, the NSFA Strategy, and Tranche 1 and 2 lists including a number of locations for focussed attention in South Norfolk. Progress has been made in a number of locations towards the aim of developing costed, funded solutions to ongoing or periodic flooding. The NSFA was also instrumental in the establishment of Coastal Flooding and Inland Flooding tactical



coordinating groups which have monitored and supported the progress of developing solutions to flooding at Tranche 1 and 2 sites. Much of the progress made would have been difficult to achieve without the focus on the NSFA and its Strategy.

- 3.2 The NSFA Board meeting in July 2022 received an annual report for the previous period of one year, an updated campaign plan and a slightly updated version of the Strategy for re-ratification in 2022.
- 3.3 The Council has enhanced staffing resources to focus on flooding through a Flood and Water Management Officer and, by working with communities, to promote and enforce where necessary the free-flowing condition of land drains to prevent or minimise localised surface water flooding.
- 3.4 Through this dedicated staffing the aims are to:
  - 1. Bring strong expertise and organisational knowledge to a 'can-do' focus on flooding, closely engaging with key stakeholders and local communities.
  - 2. Offer sector-leading proactive service for flood prevention, mitigation, advice and support.
  - 3. Develop a strong action-focused profile and providing strong reassurance, planning and responses, developing a track record of results.

Key planned activities for Regulatory Services and the Flood and Water Management Officer will include:

- a) Identifying and mapping flood risk threatened areas and past incidents, including surface water flooding.
- b) Prioritising higher risk flood-threatened local areas within the district for close attention, engaging with local communities and representatives.
- c) Delivering high quality planning consultation responses to maximise positive influence on flood prevention, mitigation, protection and resolution of significant issues and concerns. Doing this internally on non-major proposed new developments and working with the Lead Local Flood Authority to maximise stakeholder consultation on major proposed developments.
- d) Develop and deliver flood prevention and preparedness education and advice as a phased programme of activity to equip local people and ensure responsibilities are understood and exercised.
- e) Pursuing a prioritised work programme to promote, inspect compliance with and enforce where necessary the responsibilities of riparian owners, prioritising for close attention and working through the areas of greatest risk. This will involve practical inspection and community work by a practical inspector gathering information to enable informal and formal enforcement.
- f) Enabling better local community outcomes through flooding and water management policy and funding, strategic and partnering focus, strong positive relationships with stakeholders and key partner agencies.



- g) Promoting local community resilience (flood action groups, community emergency plans, etc.).

#### 4. Proposed action

- 4.1 As reported previously, the NSFA has proposed that, on an annual basis, member agencies are invited to reaffirm their commitment to working in the Alliance and the delivery of collaborative working in accordance with its guiding principles. As an NSFA member the Council, by ratifying each year and then adopting the Strategy into its strategic plans, helps to add weight and brings greater unity of purpose as well as coherency and consistency to bear on flooding action.
- 4.2 The NSFA Strategy has received minor updates for 2022 and is presented in Appendix 1 for ratification for a period of one year.

#### 5. Other options

- 5.1 Cabinet could decide not to re-ratify the NSFA Strategy for a further one-year period.

#### 6. Issues and risks

- 6.1 **Resource Implications** – The NSFA Strategy seeks to gain a consensus approach bringing new focus to member agencies' existing resources. Re-ratification of the Strategy as proposed raises no new resource implications.
- 6.2 **Legal Implications** – None.
- 6.3 **Equality Implications** – No equality implications have been identified in connection with the adoption of the NSFA Strategy.
- 6.4 **Environmental Impact** – Localised flooding has evidently become more frequent in the United Kingdom and this is expected to continue and, potentially, to worsen. The NSFA Strategy (in conjunction with other agency plans, procedures and mitigations) will assist Norfolk residents to become more resilient to flooding. If any major schemes are brought forward the Council will have a key role in environmental assessment of individual projects and schemes as necessary.
- 6.5 **Crime and Disorder** – There are no identified crime and disorder risks associated with this report.
- 6.6 **Risks** – None identified other than set out above.

#### 7. Conclusion

- 7.1 There are strong benefits in taking a multi-agency approach through the Norfolk Strategic Flood Alliance and keeping flooding action high on the local, regional and national agenda. Re-ratifying the NSFA Strategy will for a further year endorse and support the approach being taken.



## **8. Recommendations**

- 8.1 Cabinet to ratify the Norfolk Strategic Flood Alliance Strategy 2022 as set out at Appendix 1, and to note the progress being made.

### **Background papers**

Minutes of Cabinet meeting on 13<sup>th</sup> September 2021.

**\*CANCELLED\***



## NORFOLK STRATEGIC FLOODING ALLIANCE – OVERALL STRATEGY (2022)

***The purpose of the constituent members of the Norfolk Strategic Flooding Alliance (NSFA) is to work together so that Norfolk communities and infrastructure are safer and more resilient to the risks of inland and coastal flooding and better placed to ensure adequate water supplies during droughts.***

1. **Introduction.** The NSFA was formed following recognition that the county-wide response to flooding and flood-related risks is incoherent and improvements are required to protect and reassure Norfolk communities. Members of the NSFA are united in their determination to work collaboratively and transparently across boundaries and structures to improve the response to flooding and increase the coherency and consistency of flood risk management. The unique selling point of the NSFA is that it represents a single point of focus and collaboration for all flood-related challenges facing the County of Norfolk. As the NSFA enters its second year it has been agreed that the strategy should be updated to reflect the experiences of the last year. We also have a campaign plan that prioritises and sequences our actions and objectives.

### OUR GOALS

2. **Our Vision.** The NSFA will be successful through the coordinated actions of the statutory authorities from central to local government, through to commercial companies, land and property owners large and small, their communities and individuals themselves. As a result, the people of Norfolk will have a high level of confidence that flood risks are as low as reasonably practicable and are being managed within the overall context of improved water management.

3. **Our Objectives.** Our objectives are:<sup>1</sup>

- a. Maintain a transparent, collaborative, integrated and sustainable approach to water management issues across the County of Norfolk that is applied coherently.<sup>2</sup>
- b. Provide a cooperative approach to local, regional and national funding opportunities to mitigate Norfolk's flood risks.
- c. Examine how to implement what is river management best practice for inland waterways from catchment areas to the sea.
- d. Work to ensure that the planning system across the County is coherently applied and does not exacerbate the flood risks to new and existing residents and communities.
- e. Work with category one responders and other relevant bodies, so that when they are preparing and delivering their statutory or lead-agency responsibilities they will, where appropriate, collaborate through the Norfolk Resilience Forum (NRF) to:
  - I. enable the Local Lead Flood Authority (LLFA) to compile a common flood risk picture,
  - II. Maintain a consolidated action plan that maps multi-agency activities and progress,
  - III. ensure local flood resilience and the response to flooding events, are streamlined and cohered across the County,
  - IV. achieve synchronised initiatives across Norfolk that mitigate the risk of flooding and enhance communities' local resilience, and

<sup>1</sup> These are distilled further into a series of actions and tasks in Annex A.

<sup>2</sup> This will include an understanding of other water management strategies and activities already in practice through other bodies and organisations.



- V. deliver a programme of exercises to confirm NSFA effectiveness and assure progress development.<sup>3</sup>
  - VI. instil an approach that increases the effectiveness of a plan-mitigate-respond-recover continuum.
- f. Enhance the confidence of Norfolk communities through regular public communications and engagement on flood risks, mitigation measures and resilience / self-reliance initiatives.
- g. Complete an Integrated Norfolk Water Management Strategy.<sup>4</sup>
- h. Deliver a united Norfolk view on flooding and water management issues to Central Government.
- i. The function of the NSFA becomes a business as usual (Bau) function where the strategic direction, oversight and leadership is provided by an elected leader and the LGA.

## OUR APPROACH

### 4. **Our Principles.** Our guiding principles are:

- a. We will work together in a collaborative and transparent manner through the statutory duties established by the Civil Contingencies Act (CCA) (2004) and its supporting doctrine and guidance as well as making maximum use of Public Sector Cooperation Agreements, where appropriate.
- b. Extant statutory or lead responsibilities remain with the relevant agency.
- c. We will share information and manage knowledge intelligently.
- d. We will focus on delivering the best outcome for Norfolk communities.
- e. We will speak with one voice and communicate clearly, coherently and consistently to Norfolk communities.
- f. We will explore pre-existing structures and multi-agency fora to reduce duplication and ensure our activities are efficient and effective.
- g. We will ensure a balanced approach – delivering quick wins and set the conditions for achieving longer-term success.
- h. We will make evidence-based decisions and anticipate future risk through collaborative analysis and data sharing.
- i. We learn from others and our own experiences and seek to identify and share 'best practice' as appropriate.

5. **Strategic Collaboration – Threats and Opportunities.** It is unlikely that any single entity will be able to develop projects or solutions alone that mitigate the threats of flooding or to promote the opportunities for better water management. Collaboration (not duplication) between NSFA and Water Resources East (WRE) is essential to a coherent approach across the County of Norfolk. From a water management perspective, WRE and its strategic partners will identify opportunities in the short, medium and long-term to connect fluvial flood risk reduction with water scarcity

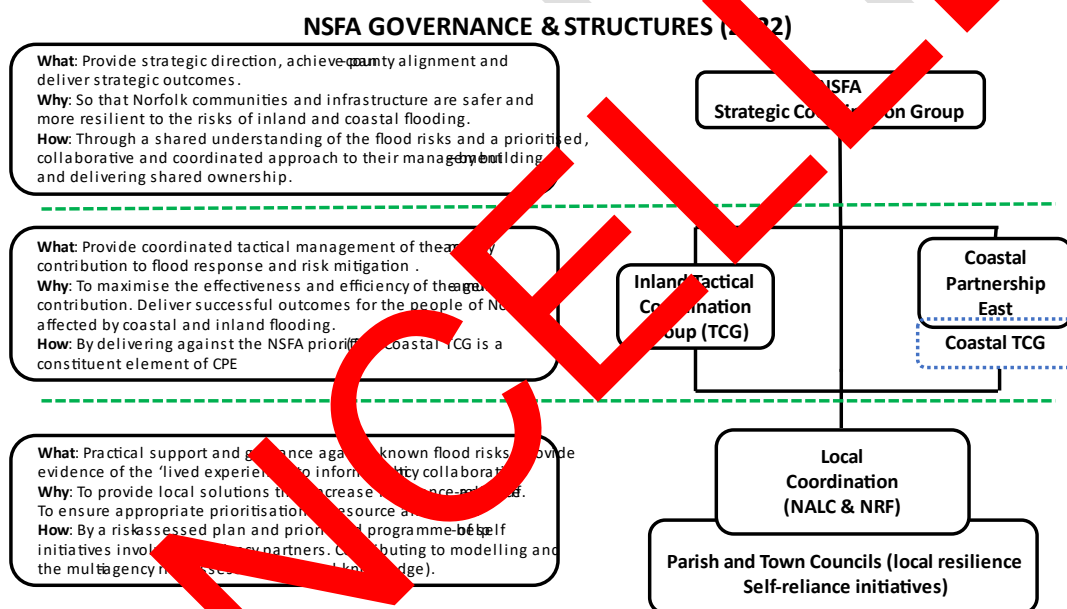
<sup>3</sup> We will do this in partnership with the Ministry of Housing, Communities and Local Government (MHCLG) or the Cabinet Office, partner authorities in the region and the Emergency Planning College, in the design, training, work up and delivery of the exercise.

<sup>4</sup> To include an integrated approach to resource planning that considers all potential requests for funding to develop a single and prioritised statement of desired outcomes that all can work to deliver.



opportunities, ideally delivering water quality benefits at the same time. This will predominantly focus on the opportunities to capture and store flood water and make it available for use for example for irrigation, energy production and to drive environmental improvement and natural capital net gain. Key partners in this work, alongside Norfolk local authority colleagues and WRE's Norfolk Water Strategy partners (Anglian Water and The Nature Conservancy) will be landowners, internal drainage boards, local community leaders and environmental Non-Governmental Organisations (NGO).

6. **How we Function.** The NSFA operates across 3 levels (using Civil Contingencies Act doctrinal definitions for each level) – Strategic, Tactical and Operational/Delivery – a schematic representation of how this will be achieved, with broad roles and responsibilities, is shown below:<sup>5</sup> The NSFA recognises that member organisations and authorities have different priorities, funding arrangements, regulators and statutory obligations. It is incumbent on NSFA members to highlight to the NSFA their constraints to help the NSFA appreciate how best to work around these for the benefit of local communities. While the NSFA will determine its priorities, it accepts the need to work within the statutory and funding frameworks of other bodies to realise these priorities. The Norfolk County Council (NCC) communications team would use this strategy and action plan to develop a proactive communications and engagement plan.



7. **What will success look like?** Achieving the stated vision will be the ultimate assessment of success for the NSFA. On our journey to achieving this vision, the NSFA will assess performance against the individual objectives (para 3) and the specific actions and tasks (Annex A) and we will work together in a collaborative manner according to our guiding principles (Annex B). On an annual basis (July NSFA meeting) members will be invited to affirm their commitment to the NSFA and the delivery of collaborative working in accordance with our guiding principles.

8. **Universal Stakeholder Buy In.** On an annual basis the stakeholders, who are the constituent members of the NSFA, will commit to work together by formally signing off the annual NSFA Overall Strategy and incorporate within their own organisation's strategy and plans.

<sup>5</sup> For local operational/delivery groups to be successful, there will need to be multiple (to spread the load), probably covering either the district council areas (with a number amalgamated to ensure there aren't too many groups for those of us that cover the whole of Norfolk) or Anglian Water water recycling collection areas. Discussions are underway to see if KL&WN might consider joining Coastal Partnership East and therefore remove the need for a bilateral arrangement between the NSFA and KL&WN on coastal flooding matters.



## Public Space Protection Order - Dog fouling

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**Portfolio:**

Clean and Safe Environment

**Ward(s) Affected:**

All Wards

**Purpose of the Report:**

This report presents for Cabinet approval a proposed new dog fouling and dog restrictions Public Space Protection Order under the Anti-social Behaviour, Crime & Policing Act 2014. This follows public consultation and would establish replacement of the existing Public Space Protection Order on a like-for-like basis.

**Recommendation:**

That Cabinet recommends to Council approval of the Public Space Protection Order No. [redacted] as proposed in paragraph 4.7 and Appendix 1 over the geographical areas identified in Appendix 2 for a period of three years.



## 1 SUMMARY

- 1.1 A Public Space Protection Order is the mechanism by which the Council can incentivise people to clean up after their dogs if they have fouled in a public place or have allowed their dogs to enter an enclosed play area without reasonable excuse and can enforce non-compliance. Public Space Protection Orders have a maximum duration of three years, and a decision is now required whether to approve a new one, either as proposed or differently worded.
- 1.2 Dog fouling remains a significant environmental concern and nuisance for residents. The report seeks Cabinet to make a new Public Space Protection Order to apply to the whole South Norfolk Council administrative area under the Anti-social Behaviour, Crime & Policing Act 2014, requiring persons in control of dogs firstly to clear up after them if they foul in on any public/private land open to the air which the public have access with or without payment including but not limited to all public highways (to include verges, footways and footpaths), all public parks, pleasure grounds, sports grounds, playing fields and play areas and secondly to exclude dogs from enclosed children's play areas.

## 2 BACKGROUND

- 2.1 A Public Space Protection Order (PSPO) is the principal measure available to councils to combat dog fouling offending by irresponsible dog owners. These are made routinely by councils across the country.
- 2.2 The previous Public Space Protection Order was extended in 2021 applying to the whole administrative area of South Norfolk and Required a person in control of a dog to clean up after it when it fouls in a public place; and excluded dogs from enclosed children's play areas (i.e. those enclosed by a fence) in South Norfolk that are open to the air, however they have a limited duration.
- 2.3 The Order made exceptions for people who are blind, deaf or have a disability that affects their mobility, manual dexterity, physical coordination, or ability to lift, carry or otherwise move everyday objects, in respect of a dog trained by a registered guide dog and upon which they rely for assistance.
- 2.4 Before making a Public Space Protection Order the Council must also be satisfied that the activity has a detrimental effect on the quality of life of those in the locality (or it is likely that activities will take place and have such an effect); is (or is likely to be) persistent or continuing in nature; is (or is likely to be) unreasonable and justifies the restrictions being imposed. The Council must formally consult with the local police and local communities on the proposal to introduce an order.

## 3 CURRENT POSITION/FINDINGS

- 3.1 The South Norfolk district enjoys relatively low levels of reports of dog fouling however routine contact with residents tells us that dog fouling remains an issue the public are concerned about.



3.2 Dog fouling is unpleasant where it occurs and contact on rare occasions with dog excrement can cause toxocariasis – an infection that can lead to dizziness, nausea, asthma and even blindness or seizures.

3.3 While most dog owners are caring, responsible individuals, there are still some people who do not clean up after their pets.

3.4 Over the previous twelve months the Council has responded to seven complaints of dog fouling. In this period no fixed penalty notices were issued because offenders could not be identified. However, action was taken to inspect the local areas of concern and reassure local communities as to the council's robust enforcement policy. When offenders are dealt with, a fixed penalty notice may be offered, or the council may decide to prosecute. Formal action tends to have the support of the majority of residents.

3.5 It should be noted that despite the low rate of fixed penalty notices, public space protection order signage and bins act as a reminder to dog owners of the penalties of not complying with the order.

3.6 A public space protection order allows the council to post anti-fouling signage, place dog waste bins in public areas, to issue fixed penalty notices or prosecute dog owners who fail to clear up after their pets. The same legal actions can be taken for owners who allow their animals into enclosed children's play areas.

#### 4 PROPOSED ACTION

4.1 A public space protection order can run for a period of up to 3 years. The Public Spaces Protection Order No.3 has been drafted as presented in Appendix 1 is made, with a duration for a period of 3 years. The requirement for a further such Order will be then considered in good time to with a view to future decisions provided for under the Anti-social Behaviour, Crime & Policing Act 2014.

4.2 Prior to the production of this report a formal consultation ran from 6<sup>th</sup> May 2022 until 1<sup>st</sup> June 2022. Parish and Town Councils were consulted with letters sent via emails. The Police, Police & Crime Commissioner and Norfolk Highways were consulted via posted letter and the public consultation was carried out via the Council's website.

4.3 No objections were raised against the proposed Public Space Protection Order from any consultee or the public via the website. No objections were raised against the proposed public space protection order from any consultee or the public via the website.

4.4 Whilst not offering an objection to the proposed public space protection order, Costessey Town Council did respond expressing views about (a) a perceived absence of dog fouling formal enforcement, (b) notices, signs, and public space protection orders being widely ignored by members of the public, making enforcement essential, and (c) that South Norfolk Council did not have enough enforcement officers to make this public space protection order effective.



- 4.5 Whilst not offering any objection, Hingham Town Council requested that the Council follow the example of some other councils and include in the public space protection order an addition making it an offence not to have sufficient means to clean up after their dog. This suggestion was received after the consultation had closed and would warrant further policy considerations. The Council would need to reconsult if wishing to incorporate the suggestion. The existing offence under the Council's previous public space protection order already addresses in its entirety failing to remove dog faeces and, during enforcement, it is not an acceptable excuse that a person in control of dog is not carrying suitable means of removing the faeces.
- 4.6 No responses were received from the Police Crime & Commissioner, Norfolk Constabulary or Norfolk Highways.
- 4.7 Following the closure of the consultation period, and having considered the responses received, it is proposed that the Public Space Protection Order No.3 is made as set out in Appendix 1.
- 4.8 With the introduction of a new public space protection order, Council officers will conduct patrols in areas where reports or intelligence are received that fouling is occurring persistently. Officers will endeavour to inform and where necessary educate dog owners and will robustly investigate when individuals are identified as not clearing up after their dogs. Regulatory officers will work with the Council's waste and cleansing services to monitor and target any frequently dog fouled areas, with a view to reducing the amount of clean-up of public areas that is required.

## 5 OTHER OPTIONS

- 5.1 The Council could decide to not to approve a new public space protection order. This would leave the Council with limited sanctions or deterrents to deal with irresponsible dog owners who fail to clear up after their pets. This option is not recommended due to the scale of public concern about dog fouling, the importance of cleanliness of the open spaces of South Norfolk, and the fact that dog fouling in such areas can present health issues to residents.

## 6 ISSUES AND RISKS

- 6.1 **Resource Implications** – Signage is already in place and monitoring/enforcement is business as usual for the Council's Regulatory services.
- 6.2 **Legal Implications** – The legislation establishes a particular process for adoption of a Public Space Protection Order. The Public Spaces Protection Order No.3 as proposed is a readily administered legal sanction available to local authorities to tackle irresponsible dog owners with a straightforward enforcement process.
- 6.3 **Equality Implications** – No equality implications have been identified. The order would have exemptions for people reliant on assistance dogs.



6.4 **Environmental Impact** –The proposed Public Space Protection Order would have a positive environmental impact by establishing clear regulatory offences and penalties, encouraging dog owners keep our open spaces clean and increase compliance, and contributing to cleaner neighbourhoods and environments.

6.5 **Crime and Disorder** – The proposed Public Space Protection Order will encourage responsible dog owners by providing an easily administered enforcement sanction against irresponsible dog owners.

6.6 **Risks** – Public Space Protection Orders are made under the Anti-social Behaviour, Crime & Policing Act 2014. Direct offences under the orders are difficult to witness however dog fouling is an area where there is near universal agreement that public spaces and children's play areas should be kept clear of dog fouling. Having the orders in place allow the council to advertise the requirement and penalties of a dog owner not clearing up after their animals and to legitimately raise the profile of the authority in the area by regular high visibility patrolling.

## 7 CONCLUSION

7.1 The adoption of the Public Space Protection Order No.3 as proposed will deter dog fouling offences by irresponsible dog owners and enable enforcement under specific legal requirements. This will protect the health and wellbeing of our residents and the quality and cleanliness of South Norfolk's open spaces.

## 8 RECOMMENDATIONS

8.1 That Cabinet recommends to Council approval of the Public Space Protection Order No. 3 as proposed in paragraph 4.7 and Appendix 1 over the geographical areas identified in Appendix 2 for a period of three years.

### Background Paper

None

### Appendices

Appendix 1 – Proposed South Norfolk Council Public Space Protection Order No. 3

Appendix 2 – Area Map to which the Proposed South Norfolk Council Public Space Protection Order No. 3 would apply.



South Norfolk District Council 2022

The Anti-Social Behaviour, Crime and Policing Act 2014

Fouling of Land by Dogs

The District of South Norfolk Public Spaces Protection Order No. 3

**1. South Norfolk District Council (the Council) hereby makes the following Order:**

- a. This Order is made by the Council in exercise of its powers under Section 59 and Chapter 2 of Part 4 of the Anti-Social Behaviour, Crime and Policing Act 2014 ("the Act") and this Order may be cited at the South Norfolk District Council Public Space Protection Order No.3
- b. The Council is satisfied that:
  - i. activities carried on within the restricted area as defined in Article 2 below, being the fouling of land by dogs and/or the presence of dogs in enclosed play areas have had or are likely to have a detrimental effect on the quality of life of those in the area.
  - ii. such activities may be of a persistent or continuing nature and the restrictions imposed by this Order are justified.

**2. The Restricted Areas**

- a. This Order relates to all land within the administrative area of the Council, shown on the plan in Schedule 1 of this Order, (the Restricted Area). This Order relates to all public/private land open to the air to which the public have access with or without payment including but not limited to all public highways (to include verges, footways, and footpaths), all public parks, pleasure grounds, sports grounds, playing fields and play areas.

**3. Requirements and prohibitions**

- a. Fouling – failure to remove dog faeces

If a dog defecates at any time on land within the restricted area the person who is in control of the dog at that time shall remove the dog's faeces from the land forthwith. This restriction is subject to the exemptions as stated in Article 4.

- b. Exclusion – Dog Ban



A person in charge of a dog shall not at any time take the dog into, or permit the dog to enter or remain within, any enclosed play area within the restricted area. This restriction is subject to the exemptions as stated in Article 4.

#### 4. Exemptions

- a. The restrictions and prohibitions defined in Article 3 of this Order shall not apply to a person who:
  - i. is registered as a blind person in a register compiled under Section 29 of the National Assistance Act 1948.
  - ii. is deaf, in respect of a dog trained for deaf people and upon which he or she relies for assistance.
  - iii. has a disability that affects their mobility, manual dexterity, physical coordination, or ability to lift, carry or otherwise move everyday objects, in respect of a dog trained by a registered charity and upon which they rely for assistance.

#### 5. For the purposes of this Order

- a. A person who habitually has a dog in their possession shall be considered in charge of the dog at any time unless at that time another person is in charge of the dog.
- b. Placing dog faeces in a suitable waste disposal receptacle shall be considered sufficient removal to satisfy the requirement of Article 3.
- c. The Council does not consider being unaware of dog defecation (whether by reason of not being in the vicinity or otherwise), or not having a device for or other suitable means of removing the faeces as an acceptable reason for failing to remove the faeces as required by Article 3.

#### 6. Offences

- a. Under section 67 of the Act, it is an offence for a person, without reasonable excuse, to do anything that the person is prohibited from doing by a public space protection order or to fail to comply with a requirement to which the person is subject under a public space protection order.
- b. A person failing to comply with a requirement or prohibition set out in Articles 3(a) or 3(b) of this Order shall be guilty of an offence unless he or she has reasonable excuse for failing to do so.
- c. A person guilty of an offence is liable on summary conviction to a fine not exceeding Level 3 on the standard scale.



- d. Pursuant to section 68 of the Act, a Constable or authorised person of the Council, may issue a fixed penalty notice to anyone he or she has reason to believe has committed the offences specified above. This gives the person to whom it is issued the opportunity of discharging any liability to conviction for the offence by payment of a fixed penalty to the Council.
- e. The level of the fixed penalty shall be £100. If the fixed penalty is paid within 10 days following the date of the notice the amount payable is reduced to £80.
- f. A person who pays the fixed penalty within the period of 14 days following the date of the notice may not be convicted of the offence in respect of which the fixed penalty notice was issued.

## 7. Commencement and duration of the Order

- a. This Order comes into force on XXXXXXXX and shall remain in force until the XXXXX unless extended under section 60 of the Act.

## 8. Right to Appeal

- a. Any interested person wishing to challenge the validity of this Order must do so within 6 weeks beginning with the date on which this Order is made or, if applicable, varied.
- b. An application under Section 66 of the Anti-Social Behaviour, Crime and Policing Act 2014 is in the High Court.
- c. An interested person means an individual who lives in the restricted area or who works in or visits that area.

Dated

The Common Seal of South Norfolk District Council

Was hereunto affixed in the presence of

Deputy Monitoring Officer

Officer of the Relevant Service







## CABINET CORE AGENDA 2022/23

Date	Key	Title of Report	Responsible Officer	Portfolio Holder	Exempt
26 Sept	Key	Submission of Diss and District Neighbourhood Plan	Richard Squires	John Fuller/ Lisa Neal	
		Starston Neighbourhood Plan – Consideration of Examiner's Report	Richard Squires	John Fuller/ Lisa Neal	
		South Norfolk Allocations Scheme – Family Connection	Richard Dunsire	Alison Thomas	
	Key	Dog related Public Space Protection Orders	Andrew Grimley / Teri Munro	Graham Minshull	
	Key	Dog Warden Contract Award	Andrew Grimley	Graham Minshull	Exempt
	Key	Update of the South Norfolk Local Development Scheme (LDS)	Paul Harris	John Fuller	
		Tivetshalls Neighbourhood Plan – consideration of examiner's report	Richard Squires	John Fuller/ Lisa Neal	
	Key	Annual re-ratification of Strategy for the Norfolk Strategic Flood Alliance	Nick Howard	Graham Minshull	
	Key	Approach to resourcing Fraud Work	Rosie Fincham/ Simon Quilter	Adrian Dearnley	Exempt
	Key	Using Intelligence to achieve a more Class Customer Service	Sinead Carey / Shaun Crook	Kay Mason Billig	
	Key	Awarding of contract in relation to the mobilisation of the Horizon Centre	Debbie Lorimer	John Fuller	
31 Oct		Submission of Wymondham Neighbourhood Plan	Richard Squires	John Fuller/Lisa Neal	
	Key	Local Development Order Browick Interchange	Nina Cunningham/ Glen Beaumont	Lisa Neal	Exempt
		South Norfolk Co-investment Fund application – Easton Community Centre	Emily Larter	Lisa Neal	
		CCM Business Case	Corinne Lawrie	Richard Elliott	
		Support the Cost of Living – Part A	Mike Pursehouse	Alison Thomas	
	Key	Business Rates Pool Projects and Expenditure	George Denton	Lisa Neal	
		Findings of the Peer Review team	Sinead Carey/ Ella Howman	John Fuller	



Date	Key	Title of Report	Responsible Officer	Portfolio Holder	Exempt
<b>5 Dec</b>		Best in Class housing phase two development – Temp Accommodation	Richard Dunsire	Alison Thomas	
	Key	Licensing Fees and Charges	Nick Howard	Graham Minshull	Exempt
	Key	Licensing Service Review	Nick Howard	Graham Minshull	Exempt
	Key	Digital Mail Solution	Craig Moore	Kay Mason Billig	Exempt
	Key	Food Safety Service Review	Nick Howard	Graham Minshull	tbc
		Performance Report Q2 2022/23	Sinead Carey / Helen Hall	Adrian Dearnley / Kay Mason Billig	
<b>9 Jan</b>		Health and Wellbeing Strategy	Mike Bursehouse	Alison Thomas	
	Key	Draft Local Development Order FEP	Nina Cunningham/ Glen Beaumont	Lisa Neal	Exempt
	Key	Commuted Sums Action Plan SI & CL	Helen Skoyles / Sally Hoare	Lisa Neal	
	Key	Housing Development Strategy	Helen Skoyles	Lisa Neal	
<b>13 Feb</b>	Key	Greater Norwich 5-year Infrastructure Investment Plan	Paul Harris	John Fuller	
<b>20 Mar</b>	Key	Ratification Local Development Order FEP	Nina Cunningham/ Glen Beaumont	Lisa Neal	
	Key	Ratification of Local Development Order Bury St Edmund Interchange	Nina Cunningham/ Glen Beaumont	Lisa Neal	
		Performance Report Q3 2022/23	Sinead Carey / Helen Hall	Adrian Dearnley / Kay Mason Billig	



A key decision is an executive decision which will:

- (a) result in the Council spending, or saving a **significant** amount compared with the Budget for the service or function the decision relates to; or
- (b) to be **significant** in terms of its effects on communities living or working in an area, comprising two or more wards in the area of the Council, in that it will:
  - (i) Have a long-term, lasting impact on that community; or
  - (ii) Restrict the ability of individual businesses or residents in that area to undertake particular activities; or
  - (iii) Removes the provision of a service or facility for that community; or
  - (iv) Increases the charges payable by members of the community to provide a service or facility by more than 5%; or
  - (v) Have the potential to create significant local controversy or reputational damage to the Council; or
  - (vi) Is a matter that the decision maker considers to be a key decision.

When assessing whether or not a decision is a key decision the decision maker must consider all the circumstances of the case. However, a decision which results in a significant amount spent or saved will generally be considered to be a key decision if:

- (a) the amount spent is £200,000 or more of revenue expenditure;
- (b) savings of £75,000 or more per annum, or
- (c) capital expenditure of £200,000 or more (where a decision makes a commitment for spending over a period of time, it is the total commitment that must be considered to see if it is a key decision).