

Broadland District Council

Lingwood & Burlingham Neighbourhood Plan - Decision Statement

1. Summary

Following an independent examination, Broadland District Council has received the examiner's report relating to the Lingwood & Burlingham Neighbourhood Plan. The report makes a number of recommendations for making modifications to policies within the Neighbourhood Plan. Broadland District 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 Lingwood & Burlingham Neighbourhood Plan to Broadland District Council in July 2023, 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 30th August and 11th October 2023.

The local planning authority, with the approval of Lingwood & Burlingham 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, Broadland District 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 Broadland District 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
'Policy Context' (Page 8)	<p>PM1 - Amend the reference in paragraph 18 to the “National Planning Policy Framework (NPPF) published in December 2023”.</p> <p><i>Examiner Advisory Comment: There are other references in the Plan to the NPPF and its paragraph numbers that may be updated to reflect the December 2023 version. Notably in paragraph 86 of the Plan (NPPF paragraph 174 is now 180 and Open space and recreation is covered by paragraphs 102-107 rather than 96-101); paragraph 101 of the Plan (NPPF paragraph 103 is now 106); and paragraph 122 of the Plan (NPPF paragraph 92 is now 96). Aside from the new references to beautiful buildings and beauty in revised Paragraph 96, the wording of these paragraphs remains unchanged from the 2021 NPPF version and these updated references may be undertaken as minor factual revisions (see main report paragraph 4.52).</i></p>	This is a minor amendment that is necessary for clarity.	Accept examiner's recommended modifications.

<p>'Policy Context' (Page 8)</p>	<p>PM2 - Insert the following text as new paragraph 19:</p> <p>"19. One of the basic conditions the Neighbourhood Development Plan must address is contributing to the achievement of sustainable development. A widely accepted definition of sustainable development is 'development that meets the needs of the present without compromising the ability of future generations to meet their own need'. It is about ensuring better quality of life for everyone, now and for generations to come. In doing so, social, environmental, and economic issues and challenges should be considered in an integrated and balanced way. This is captured by Paragraph 8 of the NPPF (December 2023) in particular, which summarises the three interdependent objectives which are economic, social and environmental. The Lingwood and Burlingham Neighbourhood Development Plan has considered the need for sustainable development within the parish by addressing the three overarching objectives in a localised way by creating policies which can add further detail to Broadland District Council local plan policies. The policies within our plan reflect the presumption in favour of sustainable development, whilst also seeking to manage development pressures, to ensure in addition to economic and growth considerations, reasonable environmental and social considerations are considered. Table 1 below sets out which policies in the Neighbourhood Development Plan relate to the sustainable development objectives in the NPPF. Some of the Plan's policies will be relevant to more than one objective."</p> <p>Insert the following Table after paragraph 19:</p> <p><u>"Table 1 - Table to show the relationship of the NDP policies to the NPPF objectives for Sustainable Development"</u></p> <p><i>*(BDC comment - See separate table below, on page 11)</i></p>	<p>The Council agrees with this modification as it will ensure that the Plan evidences that it contributes to sustainable development, in line with the Basic Conditions.</p>	<p>Accept examiner's recommended modification.</p>
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	<p>(<u>Note</u> - this Table will require revision following PM5)</p> <p>Re-number existing paragraphs 19 and 20 as paragraphs 20 and 21 respectively.</p> <p><u>Note</u> – there is no existing paragraph 21 in the draft submission Plan that has been the subject of this examination.</p>		
Paragraph 23 and Figure 4 (Pages 9 & 10)	<p>PM3 - Update and, where necessary, amend the data in paragraph 23 and in Figure 4 to reflect the Council's response (dated 15 November 2023) to Question No. 2 (see also paragraph 2.7).</p> <p>Amend the title of Figure 4 to reflect that the data was supplied by Broadland District Council in November 2023.</p>	The Council agrees with the examiner that this amendment will help to improve the precision and clarity of the Neighbourhood Plan.	Accept examiner's recommended modification.
Policy 1 – Housing Mix (Page 15)	<p>PM4 - Delete existing text in full and replace with:</p> <p>“Proposals for new residential development in the Plan area should include an appropriate housing mix that reflects the identified local housing need up to 2042, which is contained in the Lingwood & Burlingham Housing Need Assessment (HNA) (2022) and summarised at Figure 9 on Page 14.</p> <p>Proposals for new housing that are designed to maximise accessibility and be adaptable to the changing needs of older people or those with other requirements will be supported.”</p>	The Council is satisfied that this amendment will help to improve the clarity of the Neighbourhood Plan.	Accept examiner's recommended modification.

<p>Policy 3 – Traveller Sites and Campsites (Pages 20-22)</p>	<p>PM5 - Amend Policy text to read as follows:</p> <p>“Policy 3 - Gypsies, Travellers and Travelling Showpeople</p> <p>Development proposals in the Plan area to meet the needs of the Gypsy, Traveller and Travelling Showpeople community (as defined in Planning policy for traveller sites or any subsequent policy) will be supported, where they:</p> <p>a) Are of a scale appropriate to meet the accommodation need identified or personal circumstances for Gypsy, Traveller and Travelling Showpeople;</p> <p>b) Would not be likely to result in a significant harm to the capacity of available local services;</p> <p>c) Are capable of being provided with infrastructure such as power, water supply, foul water drainage and recycling/waste management;</p> <p>d) Would not be likely to result in significant harm being caused to the health, well-being or living of future occupiers or neighbouring residents by way of noise;</p> <p>e) Causes no significant harm to the local landscape or biodiversity designations and other important features of the natural or built environment that cannot be adequately mitigated; and</p> <p>f) Have safe vehicular access and be located so as to reduce the need for long-distance travelling to access services and facilities.”</p> <p>Paragraph 46 – amend the first line of text to read as follows:</p> <p>“As stated in the Government’s Planning policy for traveller sites (PPTS) (published in 2015 and updated in December 2023).....”</p> <p>Paragraph 55 – Amend the reference to Policy 3 to refer to “Policy 4”.</p>	<p>The Council had suggested at the Reg. 16 consultation stage that this policy should be split into two, along the lines suggested, in order to improve clarity and precision. On this basis, the Council agrees with the examiner’s recommendations.</p>	<p>Accept examiner’s recommended modification.</p>
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	<p>Add new Policy 4 (to follow Policy 3 on page 22) to read as follows:</p> <p>“Policy 4: Campsites</p> <p>Development proposals in the Plan area for Campsite uses, which require planning permission, will be supported where they:</p> <p>a) Are capable of being provided with infrastructure such as power, water supply, foul water drainage and recycling/waste management;</p> <p>b) Would not be likely to result in significant harm being caused to the health, well-being or living of future occupiers or neighbouring residents by way of noise;</p> <p>c) Causes no significant harm to the local landscape or biodiversity designations and other important features of the natural or built environment that cannot be adequately mitigated; and</p> <p>d) Have safe vehicular access and be located so as to reduce the need for long-distance travelling to access services and facilities.”</p> <p>Re-number existing Policies 4-14 to be Policies 5-15 respectively, and amend all references in the Plan to re-numbered Policies accordingly, including the Table of Contents and new Table 1 (see PM2).</p>		
Policy 4 – Design (Pages 30 & 31)	<p>PM6 - Add the words “and should be applied, where appropriate:” to follow the words “The following design considerations are especially important to the area” in the second paragraph of Policy text.</p>	<p>The Council is satisfied with this modification, which prevents the policy from being over-prescriptive.</p>	<p>Accept examiner's recommended modification.</p>

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<p>Policy 5 – Residential Parking Standards (Page 32)</p>	<p>PM7 - Delete first paragraph of Policy text in full and replace with:</p> <p>“Proposals for new residential development in the Plan area should take full account of the guidance on car parking contained in the accompanying ‘Lingwood and Burlingham - Design Guidance and Codes’ (2022) document, and in Norfolk County Council’s ‘Parking Guidelines for New Development in Norfolk’ (2022) document.”</p> <p>Delete second paragraph of Policy text in full and replace with:</p> <p>“The design of all parking areas and driveways should ensure that appropriate drainage is installed to mitigate against the risk of flooding arising from surface water run-off.”</p> <p><u>Courtyard Parking</u></p> <p>Add the following text to precede the existing Policy text:</p> <p>“Where appropriate, in line with Norfolk County Council’s ‘Parking Guidelines for New Development in Norfolk’ (2022),”.</p>	<p>This modification addresses the Council's concern that the policy was not consistent with Norfolk County Council's 'Parking Guidelines for New Development in Norfolk' document, as well as addressing further issues of clarity. The Council agrees with these modifications.</p>	<p>Accept examiner's recommended modification.</p>
<p>Policy 6 – Dark Skies (Page 39)</p>	<p>PM8 - Add new second sentence of text to the second paragraph of Policy text, to read as follows:</p> <p>“Such proposals should demonstrate compliance with best practice guidance for avoiding artificial lighting impacts on bats” and add new footnote as follows:</p> <p>https://theilp.org.uk/publication/guidance-note-8-bats-and-artificial-lighting/</p>	<p>The Council is satisfied that this amendment will help to improve the clarity of the Neighbourhood Plan.</p>	<p>Accept examiner's recommended modification.</p>

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Policy 7 – Biodiversity and Green Corridors (Pages 43 & 44)	<p>PM9 - Clause c) – delete existing text in full and replace with</p> <p>“Development will deliver or extend habitats on-site to mitigate the loss of the valued habitats in the Plan area through fragmentation. This can include ponds, native species rich hedges, tree planting, orchards and the addition of green roofs for community buildings where appropriate;”.</p>	The Council agrees with the examiner that this amendment will help to improve the clarity and precision of the Neighbourhood Plan.	Accept examiner's recommended modification.
Policy 8 – Local Green Space (Pages 48 and 81-84)	<p>PM10 - Amend the Policy title to read “Local Green Spaces”.</p> <p>Amend the first sentence of Policy text to read as follows:</p> <p>“The areas listed below and shown on Figures 23 and 24 and on the accompanying Inset Maps, are designated as Local Green Spaces:”</p> <p>Delete second, third, fourth and fifth paragraphs of Policy text in full.</p> <p>Add new second paragraph of Policy text to read as follows:</p> <p>“Development proposals in the eight designated Local Green Spaces listed above and defined on the accompanying maps to this policy will be managed in accordance with national policy for Green Belts.”</p> <p>Paragraph 101 – delete second sentence of text.</p> <p>Appendix C – delete in full (and amend Appendices D and E to be Appendices C and D respectively).</p> <p>Insert individual maps of the eight designated Local Green Spaces, as presently contained in the 'Local Green Space Assessment' supporting document, in the draft Plan to immediately follow Figure 24.</p>	The Council is satisfied that the policy text is amended in line with this recommendation, in order to have proper regard to Paragraph 107 of the NPPF.	Accept examiner's recommended modification.

Section	Examiner's recommendation	Council consideration of recommendation	Council decision
Policy 10 – Surface Water Flood Risk and Management (Page 59)	PM11 - Delete existing Policy title and replace with “ Sustainable Drainage Systems (SuDS) ”.	The recommended modification addresses the Council's concern that the policy predominantly relates to sustainable drainage rather than wider issues of surface water flood risk. On this basis, the Council agrees with the examiner's recommendation.	Accept examiner's recommended modification.
Policy 11 – Economic Development (Page 62)	PM12 - Delete existing Policy text in full and replace with: “ Proposals for the development of new or extended business premises within the Plan area will be supported where they comply with other relevant policies in this Plan and with the policies contained in the adopted Joint Core Strategy (2014) and the adopted Broadland Local Plan Development Plan Documents. Proposals which will lead to the creation of additional local employment opportunities in new and existing businesses will be supported, particularly where they will maintain the viability of existing businesses in the Plan area. ”	The Council agrees that these modifications are required in order to bring the necessary clarity for the policy to be effective.	Accept examiner's recommended modification.
Policy 14 – Community Parking Provision	PM13 - Delete the words “off-road” in the third paragraph of Policy text and replace with “ off-street ”.	The Council is satisfied that this amendment will bring clarity to the policy.	Accept examiner's recommended modification.

Section	Examiner's recommendation	Council consideration of recommendation	Council decision
Monitoring, Review and Implementation (Page 70)	<p>PM14 - Paragraph 140 (but shown as 104 in the draft Plan) – delete existing text in full, and replace with:</p> <p>“The Plan will be reviewed should the emerging Greater Norwich Local Plan contains policies and proposals that necessitate such a review, in order that the Plan remains in conformity with the relevant strategic policies of the Local Plan. Similarly, the Plan will be reviewed should any changes in national policies necessitate revisions to the Plan’s policies.”</p> <p>Paragraph 141 (but shown as 105 in the draft Plan) – delete the existing text in full, and replace with:</p> <p>“Additionally, the Parish Council will monitor the effectiveness of the policies within the Plan. The monitoring will be undertaken on an annual basis, and a decision can be made whether this requires a review of the Plan.”</p>	The Council is satisfied that this amendment will bring clarity to this section of the plan.	Accept examiner's recommended modification.

*See recommendation PM2 on page 3, above

Table 1 - Table to show the relationship of the NDP policies to the NPPF objectives for Sustainable Development

NPPF Sustainable Development Objectives	Relevant NDP policies
<p>Economic – to help build a strong, responsive, and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure.</p>	<ul style="list-style-type: none"> • Policy 11- Economic Development • Policy 13 - Burlingham Country Park • Policy 14 - Community Parking Provision
<p>Social – 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.</p>	<ul style="list-style-type: none"> • Policy 1 - Housing Mix • Policy 2 - Affordable Housing • Policy 4 - Design • Policy 5 - Residential Parking Standards • Policy 7 - Biodiversity and Green Corridors • Policy 8 - Local Green Space • Policy 9 - Protection of important local views • Policy 12 - Improving Walking and cycling routes • Policy 14 - Community Parking Provision
<p>Environmental – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy</p>	<ul style="list-style-type: none"> • Policy 3 - Gypsies, Travellers and Travelling Showpeople • NEW Policy 4 - Campsites • Policy 4 - Design • Policy 6 - Dark Skies • Policy 7 - Biodiversity and Green Corridors • Policy 8 - Local Green Space • Policy 9 - Protection of important local views • Policy 10 - Surface Water Flood Risk & Management

4. Next Steps

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

- www.southnorfolkandbroadland.gov.uk/neighbourhood-plans
- **Acle Library** - Bridewell Lane, Acle, NR13 3RA (Staffed Tues & Thurs: 10:00-19:00; Fri 14:00-19:00; Sat 13:00-16:00)
- **Brundall Library** - 90 The Street, Brundall, NR13 5LH (Staffed Mon 16:00-19:00; Tue: 10:00-19:00; Thur 14:30-19:00; Sat 13:00-16:00)
- **Broadland District Council & South Norfolk Council offices** – The Horizon Centre, Broadland Business Park, Peachman Way, Norwich, NR7 0WF (Please call to make a prior appointment – 01603 431133)

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

‘Do you want Broadland District Council to use the Neighbourhood Plan for Lingwood & Burlingham to help it decide planning applications in the neighbourhood area?’

Further information relating to the referendum will be published by Broadland District Council in due course.