



Report on the Lingwood & Burlingham Neighbourhood Development Plan 2022-2042

An Examination undertaken for Broadland District Council with the support of Lingwood & Burlingham Parish Council on the submission version of the Plan.

Independent Examiner: Derek Stebbing BA (Hons) DipEP MRTPI

Date of Report: 31 January 2024

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Main Findings - Executive Summary

From my examination of the Lingwood & Burlingham 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 Lingwood & Burlingham Parish Council (the Parish Council);
- the Plan has been prepared for an area properly designated – the Lingwood & Burlingham Neighbourhood Area, as identified on the map at page 4 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 for 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

Lingwood & Burlingham Neighbourhood Development Plan 2022-2042

- 1.1 The Parish of Lingwood & Burlingham is within Broadland District in Norfolk and comprises the large village of Lingwood and the smaller settlements of Burlingham Green, North Burlingham and South Burlingham. The Parish has a population of 2,774 (2020 estimate) within ca. 1,200 households. The civil Parish was created in 1935, by the merger of the ancient Parishes of Lingwood, Burlingham St. Andrew, Burlingham St. Edmond and Burlingham St. Peter.
- 1.2 The name Lingwood originates from “Lingwoode”, meaning “slope of a wood”, and the first record of the village is dated 1190. The name Burlingham means “Homestead/village of Baerala’s or Byrla’s people”.
- 1.3 The Parish is around 17 kilometres east of Norwich city centre and 19 kilometres west of Great Yarmouth. The principal road serving the area is the A47 which runs through the northern part of the Parish linking Norwich with Great Yarmouth. Lingwood has a railway station with hourly train services to Norwich and Great Yarmouth. The principal local bus service links Lingwood with Norwich and Wymondham.

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- 1.4 The Parish has a good range of local services and facilities, mainly concentrated in Lingwood, including retail outlets, cafés and restaurants, a modern village hall and social club and a public house. There is a range of overnight and tourist accommodation available in the area, including the Grade II Lingwood Hall.
- 1.5 Within the adopted Joint Core Strategy (adopted in 2014 by Broadland District Council, South Norfolk Council and Norwich City Council), Lingwood is designated as a Service Village, suitable for small-scale residential development subject to form and character considerations. In the adopted Broadland District Council Site Allocations DPD (2016), land north of Norwich Road/Station Road in Lingwood was allocated for 39 new dwellings, the new village hall and an extension to the playing field. This development has now been completed. The emerging Greater Norwich Local Plan (GNLP) contains proposals for two further housing allocation sites (Refs. GNLP0380 and GNLP4016) in Lingwood providing for a total of 60 new homes in the period up to 2038. In the GNLP, Lingwood & Burlingham, together with the nearby villages of Strumpshaw and Beighton, is identified as a Village Cluster.
- 1.6 There are no Natural England statutory designated sites within the Plan area, but there are several important sites within the vicinity of the Parish, including the Broads Special Area of Conservation (SAC), the Broadland Ramsar and Special Protection Area (SPA), the Yare Broads and Marshes Site of Special Scientific Interest (SSSI) and the Cantley Marshes SSSI. There are two County Wildlife Sites (CWS) within the Plan area at Belt Plantation and at Church & Drive Plantations, with the Buckenham Wood CWS lying immediately to the south of the Parish boundary.

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 Broadland District Council (the Council), 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:

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- (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;
- 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)¹; 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').²

2. Approach to the Examination

Planning Policy Context

- 2.1 The Development Plan for this part of Broadland District, not including documents relating to excluded minerals and waste development, consists of the Joint Core Strategy DPD (JCS) adopted in 2011, with amendments adopted in January 2014, the Development Management DPD³ adopted in August 2015 and the Site Allocations DPD adopted in May 2016. The Council's latest Local Development Scheme (LDS) dated January 2023 envisages that the emerging Greater Norwich Local Plan (GNLP), which is presently at an advanced state of examination⁴, will be adopted during the period January-March 2024 to cover the period up to 2038.
- 2.2 There are a number of strategic planning policies within the adopted DPDs which affect the Neighbourhood Plan area. These are fully listed at Figure 3 of the Basic Conditions Statement and are not set out within this report. Where appropriate, I make reference to the relevant policies and proposed site allocations within the adopted DPDs (and the emerging GNLP⁵) as

¹ The existing body of environmental regulation is retained in UK law.

² 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.

³ Development Plan Document (DPD).

⁴ View at: [Latest News | GNLP](#)

⁵ It is important to minimise any conflicts between the policies in a neighbourhood plan and those in an emerging local plan (albeit a neighbourhood plan is tested against the policies in the adopted development plan). In addition, the reasoning and evidence informing the local plan process is likely to be relevant to the consideration of the Basic

they affect the draft policies and other guidance within this Plan, as part of my detailed assessment contained in Section 4 of this report. Readers should refer to the Basic Conditions Statement and to the adopted DPDs for further information on all relevant strategic planning policies and other policy guidance that affects the Plan area.

- 2.3 The Basic Conditions Statement (at Sections 3, 4 and 5) provides a comprehensive assessment of how the policies proposed in the draft Plan have regard to national policy and are in general conformity with the relevant strategic policies in the adopted DPDs. The DPDs, adopted between 2011 and 2016, provide the necessary strategic planning context for the Neighbourhood Plan, and this has enabled the Neighbourhood Plan and its policies to be prepared.
- 2.4 The planning policy for England is set out principally in the National Planning Policy Framework (NPPF). The Planning Practice Guidance (PPG) offers guidance on how this policy should be implemented. A revised NPPF was published on 19 December 2023⁶ and all references in this report are to the NPPF (December 2023) and its accompanying PPG. Although the draft Plan and the Basic Conditions Statement were prepared on the basis of the NPPF published in July 2021, I have taken full account of the recently published NPPF in my assessment of the draft Plan, and specifically its draft Policies.

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 draft Lingwood & Burlingham Neighbourhood Development Plan 2022-2042 submission version and its Appendices;
 - the Strategic Environmental Assessment (SEA) and Habitats Regulations Assessment (HRA) Screening Assessment Report (Collective Community Planning) (January 2023);
 - the Basic Conditions Statement (undated);
 - the Consultation Statement (undated);
 - all the representations that have been made in accordance with the Regulation 16 consultation;⁷ and

Conditions against which a neighbourhood plan is tested. For example, up to date housing need evidence is relevant to the question of whether a housing supply policy in a neighbourhood plan contributes to the achievement of sustainable development. See PPG Reference ID: 41-009-20190509.

⁶ Further updated on 20 December 2023. Planning policy for traveller sites was also updated on 19 December 2023.

⁷ View the submission documents at: [Lingwood and Burlingham Neighbourhood Plan – Broadland and South Norfolk \(southnorfolkandbroadland.gov.uk\)](https://www.southnorfolkandbroadland.gov.uk/lingwood-and-burlingham-neighbourhood-plan)

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- the request for additional clarification sought in my letter of 31 October 2023 to the Council and the Parish Council and their responses, both dated 15 November 2023.⁸

Supporting Documents

2.6 My consideration has also included the following supporting document to the submission Plan:

- Lingwood and Burlingham - Design Guidance and Codes (AECOM) (August 2022);
- Lingwood and Burlingham Neighbourhood Plan Evidence Base (Lingwood & Burlingham Parish Council) (Update June 2023);
- Important Local Views Assessment (Lingwood & Burlingham Parish Council) (Undated);
- Lingwood & Burlingham Housing Needs Assessment (HNA) (AECOM) (June 2022);
- Local Green Space Assessment (Lingwood & Burlingham Parish Council) (2022).

Examiner Questions

2.7 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 the Council and the Parish Council on 31 October 2023⁹ seeking further clarification and information on six matters contained in the submission Plan, as follows:

1. With regard to the emerging Greater Norwich Local Plan (GNLP), I requested that the Council update me on the current position regarding the two housing allocation sites GNLP0380 and GNLP4016 following the completion of the GNLP examination hearing sessions, and whether the sites will be the subject of any relevant Main Modifications (consultation on which I understood to be scheduled for Autumn 2023).
2. With regard to the draft Plan's section on Housing, and specifically paragraph 23 and Figure 4, I requested that the Council provide me with updated data to cover the period since the compilation of the information contained in paragraph 23 and Figure 4, concerning the number of residential units granted planning permission in the Neighbourhood Plan Area.
3. With regard to Policy 2 (Affordable Housing), I sought the Council's confirmation that it supports the proposed Affordable Housing tenures (55% affordable rented and 45% affordable home ownership) as defined in this Policy and based upon the data at Table 4-7 of the Lingwood and

⁸ View at: [Lingwood and Burlingham Neighbourhood Plan – Broadland and South Norfolk \(southnorfolkandbroadland.gov.uk\)](https://www.southnorfolkandbroadland.gov.uk)

⁹ View at: [Lingwood and Burlingham Neighbourhood Plan – Broadland and South Norfolk \(southnorfolkandbroadland.gov.uk\)](https://www.southnorfolkandbroadland.gov.uk)

Burlingham Housing Needs Assessment, in the context of its strategic planning and housing policies for Affordable Housing provision.

4. With regard to Policy 3 (Traveller Sites and Campsites), I noted that the Council had made representations concerning this Policy and considered that it should be split into two separate policies, with a policy concerning the provision of accommodation for Gypsies, Travellers and Travelling Showpeople and a policy concerning proposals for Campsites. Following my initial assessment of the Plan, I shared this view. I therefore invited the Parish Council to prepare a note setting out proposed new text for each of those two policies, which can be linked to the supporting text at paragraphs 45-50 (Gypsies, Travellers and Travelling Showpeople) and paragraphs 51-55 (Campsites), which I may consider as potential modifications to the Plan.
 5. With regard to Nutrient Neutrality, I sought the Council's confirmation that the advice regarding Nutrient Neutrality and The Broads SAC as published on its website remains current and accurate as it affects proposed developments within parts of the Neighbourhood Plan Area.
 6. I noted that, as part of my initial assessment of the draft Plan, I had not identified a sufficiently clear statement within the draft Plan, for example in its Objectives or Policy Context, which addresses the national requirement to contribute to the achievement of sustainable development as it applies to the Plan area. I therefore invited the Parish Council to consider providing some suitable text in order to address this point, either as a statement for inclusion in the Policy Context section, or as an over-arching Objective in the Vision and Objectives section, which I may consider as a potential modification to the Plan.
- 2.8 In response to my letter of 31 October 2023, the Council provided me with its response to Question Nos. 1, 2, 3 and 5 on 15 November 2023¹⁰ and the Parish Council provided its responses to Question Nos. 4 and 6 also on 15 November 2023.¹¹ 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 paragraphs 2.5 and 2.6 above.
- 2.9 To avoid unnecessary repetition in subsequent sections of this report, I refer to the questions and to the responses from the Council and the Parish Council by their relevant number, e.g. Question No. 1. Readers should refer to paragraph 2.7 above, and to the response documents from the Council and the Parish Council for the full text of questions and the responses.

¹⁰ View at: [Lingwood and Burlingham Neighbourhood Plan – Broadland and South Norfolk \(southnorfolkandbroadland.gov.uk\)](https://www.southnorfolkandbroadland.gov.uk)

¹¹ View at: [Lingwood and Burlingham Neighbourhood Plan – Broadland and South Norfolk \(southnorfolkandbroadland.gov.uk\)](https://www.southnorfolkandbroadland.gov.uk)

Site Visit

- 2.10 I made an unaccompanied site visit to the Neighbourhood Plan Area on 2 December 2023 to familiarise myself with it and visit relevant sites and areas referenced in the Plan, evidential documents and representations.

Written Representations with or without Public Hearing

- 2.11 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

- 2.12 Where necessary, I have recommended modifications to the Plan (**PMs**) 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 to this report.

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 Lingwood & Burlingham Parish Council. An application to the Council for the designation of the proposed Neighbourhood Area was made by the Parish Council in September 2021.¹² The Council formally designated the whole Parish as a Neighbourhood Area on 28 September 2021.
- 3.2 The designated Neighbourhood Area is shown on the map (Figure 2) at Page 4 in the submission Plan and at Figure 1 in the Basic Conditions Statement. I am satisfied that the Lingwood & Burlingham Neighbourhood Plan is the only Neighbourhood Development Plan in the designated area.
- 3.3 The Parish Council is the Qualifying Body for the preparation of the Plan. The preparation of the Plan has been led by a Neighbourhood Plan Steering Group, comprising around eight persons, being a mix of Parish

¹² View at: [Lingwood and Burlingham Neighbourhood Plan – Broadland and South Norfolk \(southnorfolkandbroadland.gov.uk\)](https://www.southnorfolkandbroadland.gov.uk)

Councillors and residents which was established in September 2021. The Steering Group was assisted by planning consultants at various stages.

Plan Period

- 3.4 The draft Plan specifies (on the Front Cover) the period to which it is to take effect, which is from 2022 to 2042. The Plan period encompasses the remaining part of the plan period for the current adopted DPDs (up to 2026) and the greater part of the period to be covered by the emerging GNLP which will cover the period up to 2038. I make a recommendation and proposed modification **PM14** (see paragraph 4.49 below) with regard to the future review of the Plan to take account of the emerging GNLP.

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 August 2021 and Spring 2023. The decision to undertake the preparation of the Neighbourhood Plan was taken by the Parish Council on 7 September 2021.
- 3.6 The preparation of the Plan and the associated community engagement and consultation has involved four main stages, as follows:
- Stage 1: Initial work and community engagement (Summer 2021 to Spring 2022).
 - Stage 2: Evidence gathering, research and survey work, preparation of evidence base documents and preparation of draft Plan for the Regulation 14 pre-submission consultation (Spring 2022 to Spring 2023).
 - Stage 3: Review and update of draft Plan following the pre-submission Regulation 14 consultation responses, particularly to take account of comments made by the Council and statutory stakeholders, and preparation of revised draft Plan for submission (Summer 2023).
 - Stage 4: Submission to the Council (Regulation 15), Regulation 16 consultation and submission for examination under Regulation 17 (Autumn 2023).
- 3.7 Stage 1 was focused upon extensive community engagement activities across the Neighbourhood Area, survey work during Spring 2022 and the identification of the key themes and topics that would be covered by the Plan.
- 3.8 Work was concentrated during Stage 2 on preparing the evidence base studies that underpin the draft Plan's policies and guidance and the preparation of the draft Plan for the pre-submission Regulation 14 consultation, which was undertaken between 24 April and 4 June 2023. A

total of 36 responses were received during that consultation period, which are summarised at pages 6-20 in the Consultation Statement with details of the actions taken in relation to the comments received.

- 3.9 The consultation was accompanied by extensive local publicity and advertising across the Plan area, with a leaflet being distributed to homes and businesses in the area. Statutory consultees were contacted separately, including the Council, neighbouring Councils and Parish Councils, Historic England, Natural England, the Environment Agency and National Highways. Examples of the publicity accompanying the consultation are at Appendices A and B to the Consultation Statement.
- 3.10 Stage 4 comprised the finalisation of the draft submission Plan and its supporting documents, and approval by the Parish Council of the draft Plan, as amended, for submission to the Council for examination, with the draft Plan being formally submitted under Regulation 15 to the Council on 20 July 2023.
- 3.11 Regulation 16 consultation was then held for a period of six weeks from 30 August to 11 October 2023. A total of 19 duly made responses were received during the consultation period. From my assessment of the 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.

Development and Use of Land

- 3.12 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

- 3.13 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.¹³ The adopted Norfolk County Council Minerals and Waste Development Framework, containing three minerals and waste planning policy documents and a Policies Map and covering the period 2010-2026, contains the relevant planning policies for minerals and waste planning within Norfolk.

Human Rights

- 3.14 Neither the Council 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

¹³ The meaning of 'excluded development' is set out in s.61K of the 1990 Act.

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 The Parish Council appointed Collective Community Planning to undertake a Strategic Environmental Assessment (SEA) Screening Assessment of the draft Plan and a Habitats Regulations Assessment (HRA) Screening Assessment in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004 ('the SEA Regulations') and the Conservation of Habitats and Species Regulations 2017 (the Habitats Regulations). These Screening Assessments were prepared on the basis of the emerging policies contained in the draft Plan that was in preparation prior to the Regulation 14 consultation undertaken in April-June 2023. A Screening Assessment Report was prepared in January 2023 and concludes at Section 5 as follows:

"41. A Screening Assessment has been undertaken by applying the criteria from the SEA Directive and Schedule 1 of the SEA Regulations to determine whether or not the LBNP is likely to have significant environmental effects when assessed against the topics listed in the SEA Regulations.

42. LBNP will set out a vision and non-strategic planning policies to shape development in Lingwood and Burlingham up to 2042. The plan will not allocate sites for development but intends to contain policies that protect locally important assets (green spaces, heritage, important views) and promotes environmental improvement along identified green corridors. Such mitigating policies will compliment those set out in the local plans. The assessment concludes that this will not result in likely significant effects on the environment.

43. On this basis, it is considered that LBNP does not have the potential to have significant environmental impacts, and SEA is not required."

- 4.2 The SEA Screening Assessment Report was submitted to the Council, who undertook consultation in February/March 2023 with the statutory environmental bodies (SEBs): the Environment Agency, Natural England and Historic England. The SEBs all agreed with the report's conclusions and that SEA would not be required.
- 4.3 I have considered the SEA methodology and assessment set out in the Screening Assessment Report (at Section 4), by which the draft Plan was screened. I am satisfied that a comprehensive and rigorous approach has

been taken and that the draft Plan has been appropriately assessed to take full account of any potential effects upon interests of environmental, landscape, historic and heritage importance.

- 4.4 The HRA Screening Assessment notes that no designated European sites fall within the Neighbourhood Plan Area. However, consistent with best practice approach, six European sites within 20 kilometres radius of the Parish boundary were included in the screening assessment, these being The Broads SAC, the Southern North Sea SAC, the River Wensum SAC, the Broadland SPA, the Outer Thames Estuary SPA and the Broadland Ramsar site. The HRA Screening Assessment concludes (at Section 7 of the report) that:

"53. The HRA Screening Assessment concludes that no significant effects are likely to occur with regards to the integrity of European Wildlife Sites, either those within the LBNP area or within 20km. As such a full HRA and Appropriate Assessment is not required at this point and is screened out."

The HRA Screening Determination therefore concludes that a full HRA Appropriate Assessment of the Plan is not required. I have noted that Natural England (by letter dated 8 March 2023) concur with that conclusion.

- 4.5 Therefore, I consider that, on the basis of the information provided and my independent consideration of the SEA Screening Assessment and the HRA Screening Assessment (both January 2023), I am satisfied that the Plan is compatible with EU obligations under retained EU law.

Main Assessment

- 4.6 The NPPF (December 2023) states (at Paragraph 29) that:

"29. 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. Neighbourhood plans should not promote less development than set out in the strategic policies for the area, or undermine those strategic policies."

It also sets out (at Paragraph 11) the presumption in favour of sustainable development, stating that:

"For plan-making this means that:

- all plans should promote a sustainable pattern of development that seeks to: meet the development needs of their area; align growth and infrastructure; improve the environment; mitigate climate change (including by making effective use of land in urban areas) and adapt to its effects."*

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.

Specific Issues of Compliance

- 4.8 I test the Plan against the Basic Conditions by considering specific issues of compliance of the Plan's 14 policies, which address the following themes: Housing; Natural Environment; Business and Community Facilities; and Transport and Accessibility. 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.¹⁴ 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 ensure that its policies, alongside the adopted Local Plan, can be used for the determination of planning applications within the Parish.

Vision and Objectives

- 4.10 Paragraphs 1-16 of the draft Plan describes the background to the preparation of a neighbourhood plan and sets out how the Plan was prepared during 2021-2023, including a synopsis of the community engagement work and the issues and concerns that were raised by residents. With regard to paragraph 7 and Figure 1 in this part of the Plan, I requested, as Question No. 1, that the Council update me on the current position regarding the two housing allocation sites GNLP0380 and GNLP4016 in the Plan area following the completion of the GNLP examination hearing sessions, and whether the sites will be the subject of any relevant Main Modifications (consultation on which I understood to be scheduled for Autumn 2023). The Council responded that the Main Modifications consultation was undertaken between 25 October and 6 December 2023 and advised that there are proposed modifications to allocation sites GNLP0380 and GNLP4016 that add clarity and consistency to the policy requirements, but none that affects the site boundary or number of homes allocated. On that basis, I do not identify any need to amend the draft Plan as it concerns the emerging GNLP.

¹⁴ PPG Reference ID: 41-041-20140306.

4.11 This is followed by the Plan's Vision and Objectives, which are as follows:

Vision

"By 2042 Lingwood and Burlingham will have grown in line with the community's aspirations, celebrating its past, preserving the environment, growing community belonging, improving infrastructure, whilst providing housing (within a design code) and services that help sustain and build our local economy."

Objectives

"A. Preserve and promote the historical part of the villages, keeping all residents, including newcomers and younger residents, in touch with the Parish's past.

B. Ensure that development contributes to a cleaner, safer, and greener parish.

C. Protect the countryside and ensure that public open spaces are utilised by the community.

D. Grow the level of community cohesion and belonging.

E. Improve infrastructure to ensure facilities meet the needs of the local community.

F. Provide high quality and affordable housing that meets community need.

G. Encourage local business growth and retention."

Policy Context

4.12 Paragraphs 17-20 of the draft Plan set out the Policy Context of national and local planning policies, within which the Plan will form a part. It refers to national policies contained in the National Planning Policy Framework (NPPF). However, as the Plan was prepared in the context of the NPPF that was published in July 2021, this principal reference should now be changed to the most recent version published in December 2023. This amendment is addressed by recommended modification **PM1** (along with guidance on updating other references in the Plan to the NPPF and its paragraph numbers).

4.13 Upon my initial assessment of the draft Plan, I noted that it did not contain a sufficiently clear statement, for example in its Objectives or Policy Context, which addresses the national requirement to contribute to the achievement of sustainable development as it applies to the Plan area. I raised this matter in Question No. 6, and invited the Parish Council to consider providing some suitable text in order to address this point, either as a statement for inclusion in the Policy Context section, or as an over-arching Objective in the Vision and Objectives section, which I may consider as a potential modification to the Plan. The Parish Council's response of 15 November 2023 included draft text and a draft table to address this matter. I am satisfied that this is appropriately drafted, and accordingly, I therefore recommend modification **PM2** in order to include this additional material in the Plan.

Policies

- 4.14 The draft Plan contains a suite of 14 draft policies addressing the various policy themes listed at paragraph 4.8 above. The following sections of this report consider each of these proposed policies.

Housing

- 4.15 The draft Plan (at paragraphs 22-72) addresses the theme of Housing in the Plan area and contains five policies (Policies 1-5) which address the topics within this theme. This section sets out (at paragraph 23 and at Figure 4) details of planning permissions for 34 additional dwellings that were granted, started or completed over the period 2015-2022. Following my initial assessment of the draft Plan, in Question No. 2 (see paragraph 2.7 above), I requested that the Council provide me with updated data to cover the period since the compilation of the information contained in paragraph 23 and Figure 4, concerning the number of residential units granted planning permission in the Neighbourhood Plan Area. The Council's response included updated and additional data for both paragraph 23 and for Figure 4 (covering the period up to 31 October 2023). I therefore consider that paragraph 23 and Figure 4 should be amended and updated to reflect this data which confirms that 33 (rather than 34) additional dwellings were granted, started or completed during the period. These amendments are addressed by recommended modification **PM3**. I also sought confirmation from the Council, in Question No. 5, that the advice regarding Nutrient Neutrality and The Broads SAC as published on its website remains current and accurate as it affects proposed developments within parts of the Neighbourhood Plan Area. The Council indicated that the information and the mapping remain accurate, and, on that basis, I do not consider that any amendments are necessary to the draft Plan in this respect.
- 4.16 Policy 1 (Housing Mix) states that housing proposals will need to reflect local housing need using the best available and proportionate evidence. It states that the Lingwood & Burlingham Housing Need Assessment (2022) will be acceptable evidence. It goes on to state that, except for developments comprising self-build and conversions, new residential development should offer a housing mix whereby at least 85% of homes are two to four bedrooms, unless evidence is provided either showing there is no longer such a local need, or the scheme is made unviable. Although there have been no representations concerning this Policy, I do consider that, as drafted it lacks sufficient clarity regarding its requirements. Accordingly, it requires some amendments in order to ensure its clarity for future users of the Plan. The necessary amendments are addressed by recommended modification **PM4**.
- 4.17 Policy 2 (Affordable Housing) also states that housing proposals will need to reflect local housing need using the best available and proportionate evidence. It states that the Lingwood & Burlingham Housing Need Assessment (2022) will be acceptable evidence. It goes on to state that

Affordable Housing delivered within the Plan area should comprise 55% Affordable Rented Housing and 45% Affordable Home Ownership, unless evidence is provided either showing there is no longer such a need, the scheme is made unviable or there are more suitable Affordable Home Ownership tenures.

- 4.18 Following my initial assessment of the draft Plan, in Question No. 3, I sought the Council's confirmation that it supports the proposed Affordable Housing tenures (55% affordable rented and 45% affordable home ownership) that are defined in this Policy, which is based upon the data at Table 4-7 of the Lingwood and Burlingham Housing Needs Assessment, in the context of its strategic planning and housing policies for Affordable Housing provision. The Council responded that it is content with the proposed affordable housing tenure split as specified within the Policy, as this was supported by the findings within the local Housing Needs Assessment. I therefore consider that the Policy is appropriately drafted, and I do not recommend any modifications to the Policy text.
- 4.19 Policy 3 (Traveller Sites and Campsites) states that development proposals to meet the needs of the Gypsy, Traveller and Travelling Showpeople community (as defined in Planning policy for traveller sites or any subsequent policy) or campsite uses which require planning permission, will be supported subject to meeting a series of planning and design criteria concerning the development of sites. I noted that the Council had raised significant representations concerning this Policy and considered that it should be split into two separate policies with a policy for the provision of accommodation for Gypsies, Travellers and Travelling Showpeople and a policy concerning proposals for Campsites. Following my initial assessment of the Plan, I shared that view. In Question No. 4, I therefore invited the Parish Council to prepare a note setting out proposed new text for each of those two policies, which can be linked to the supporting text at paragraphs 45-50 (Gypsies, Travellers and Travelling Showpeople) and paragraphs 51-55 (Campsites), which I may consider as potential modifications to the Plan.
- 4.20 I have considered the Parish Council's response (dated 15 November 2023) to this question which, in my assessment, addresses my concerns and those of the Council regarding this Policy. Accordingly, I recommend the appropriate amendments to Policy 3 (Gypsies, Traveller and Travelling Showpeople) and its supporting text, and the addition of new Policy 4 (Campsites), together with consequential amendments to other parts of the Plan, as consolidated modification **PM5**.
- 4.21 Policy 4 (Design) is a lengthy policy and states all development proposals should be consistent with the 'Lingwood and Burlingham Design Guidance and Codes' prepared by AECOM in 2022 for the specific character area in which it is located. The 'Design Guidance and Codes' defines five Character Areas (CA1-CA5) in the Plan Area for Lingwood, North Burlingham, Burlingham Green, South Burlingham and the Countryside,

and contains detailed design guidance for each of those areas. It states, at paragraph 1.2, that:

"The purpose of this document is to provide an appreciation of Lingwood and Burlingham Parish's existing character, in order to create a set of design codes which will apply to any future housing development in the area. This will help to ensure that as any new development comes forward, it responds to its context and supports and enhances the quality of the parish's existing character."

- 4.22 The Council has made representations concerning this Policy, which I have considered alongside my own assessment. The preparation of the 'Design Guidance and Codes' supporting document is consistent with national policy, and I consider it to be an extremely well-researched document. However, I do recognise the Council's comment that the Policy, as drafted, is overly prescriptive. I therefore agree with the Council's proposed amendment to address this point, and this is the subject of recommended modification **PM6**.
- 4.23 Policy 5 (Residential Parking Standards) states that proposals should make sure that they have considered all appropriate points made under Design Code SP02 - Car Parking Solutions (at Section 5.1.3 of the 'Design Guidance and Codes' supporting document) and at Part 10 of the Design Checklist within that document. It goes on to state that all parking areas should be designed to improve impervious surfaces and that they should provide opportunities for electric vehicle charging points. It then sets out design criteria for on-street parking, on-plot parking, garage parking and courtyard parking.
- 4.24 The Council and Norfolk County Council have both made representations concerning this Policy. The County Council's concerns relate to its role as Lead Local Flood Authority and the need to mitigate against flood risk from car parking areas. The Council's concerns relate to the design criteria for Courtyard parking, which do not align with Norfolk County Council's '*Parking Guidelines for New Development in Norfolk*' guidance published in 2022. I consider that some amendments are necessary to the Policy text in order to address the Council's concerns and to secure clarity in the Policy for users of the Plan. These amendments are addressed by recommended modification **PM7**.
- 4.25 With recommended modifications PM3-PM7, I consider that the draft Plan's section on Housing (Policies 1-5) is in general conformity with the strategic policies of the adopted Broadland Local Plan (BLP), has regard to national guidance, would contribute to the achievement of sustainable development and so would meet the Basic Conditions.

Natural Environment

- 4.26 The draft Plan (at paragraphs 73-113) addresses the theme of the Natural Environment in the Plan area and contains five policies (Policies 6-10) which address the topics within this theme.

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- 4.27 Policy 6 (Dark Skies) states that proposals including external lighting in locations that are likely to be visible from the surrounding landscape will not be normally supported except where a requirement can be demonstrated in the interests of health and safety on public footways. It goes on to state that where lighting cannot be avoided altogether in proposals then it must be designed to avoid light spill onto wildlife roosts, foraging habitat, and commuting routes for bats, birds and other species. The Norfolk Wildlife Trust has made a representation concerning this policy, proposing some additional clarificatory text. I agree with this representation which is addressed by recommended modification **PM8**.
- 4.28 Policy 7 (Biodiversity and Green Corridors) is a lengthy policy and states that the importance of the area for wildlife will be safeguarded, retained and habitats enhanced through positive action as part of the development process. It goes on to state that, where required, a 10% Biodiversity Net Gain (BNG) will be achieved through a series of potential options for increasing and enhancing habitats and green infrastructure. The Policy states that, through effective layout and design, development should recognise the location of existing green infrastructure and support appropriate uses and functions, for example through the incorporation of invertebrate, swift or bat boxes into the design of built infrastructure. The Policy refers to Figure 22 which defines the many Green Corridors in the Plan area.
- 4.29 The Norfolk Wildlife Trust has made further representations concerning this Policy, proposing some amendments to the existing text and some additional wording. Again, I agree with the proposed amendments and additional text, which are addressed by recommended modification **PM9**.
- 4.30 Policy 8 (Local Green Space) proposes the designation of eight Local Green Spaces within the Plan area, which are shown on Figures 23 and 24. The proposed Local Green Spaces are as follows:
1. Lingwood Allotments
 2. Peters Diamond Jubilee Woodland
 3. Millennium Green, Lingwood
 4. Lingwood Village Hall Fields
 5. Lingwood Village Pond
 6. Clamps Orchard, North Burlingham
 7. The Green North Burlingham
 8. Church Farm Orchard, North Burlingham
- 4.31 I visited all of the sites listed above during the course of my site visit and have assessed the proposed designation of each of the eight sites as a Local Green Space against the criteria set out in the NPPF (at Paragraph 106), which states that the Local Green Space designation should only be used where the green space is:
- "a) in reasonably close proximity to the community it serves;*
 - b) 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
c) *local in character and is not an extensive tract of land.*”

I have also given careful consideration to the supporting document ‘Local Green Space Assessment’, prepared by the Parish Council in 2022, which I consider to be a robust and comprehensive assessment of the sites being considered for designation as Local Green Spaces, noting that each site was assessed in relation to the NPPF criteria set out above. From my own assessment, including the site visits, I do not disagree with any of the conclusions set out in the supporting document. I conclude that all of the eight sites meet the criteria set out in NPPF, Paragraph 106 and consider that the sites should be capable of enduring beyond the end of the Plan period (Paragraph 105). Therefore the sites should be designated as Local Green Spaces in the Plan.

- 4.32 However, with regard to the mapping of the Local Green Spaces in the draft Plan, I am not satisfied that Figures 23 and 24 identify the precise boundaries of the sites with sufficient clarity, being at too small a scale for future users of the Plan. I therefore consider that the individual site maps contained in the supporting document be inserted (in sequence) in the draft Plan to follow Figure 24.
- 4.33 I have also given very careful consideration to the draft Policy text which, in my view, is more extensive than that which is necessary for the development management of Local Green Spaces. The justification for the Policy text is set out at Appendix C to the Plan, which at Figure 34 sets out the rationale for deviations from Green Belt policy. The NPPF (December 2023) states that “*Policies for managing development within a Local Green Space should be consistent with those for Green Belts*” (Paragraph 107). This is a clear and precise statement of national policy. After careful consideration of the material set out at Appendix C, I am not persuaded that the rationale provided in Appendix C is sufficiently locally distinctive to warrant an enhanced approach to that set out in national policy and, therefore, I consider that the Policy text requires amendment to have proper regard to Paragraph 107 of the NPPF (and Appendix C should also be removed from the draft Plan). The necessary amendments in order to satisfy the Basic Conditions are addressed by recommended modification **PM10**.
- 4.34 Policy 9 (Protection of Important Local Views) states that the four views defined on Figure 25, and described in the supporting document ‘Important Local Views Assessment’ (undated), are identified as important local views, and that development proposals that would adversely affect these key views will not be supported. I visited the areas that are subject to these important views and have given careful consideration to the supporting document. I am satisfied that the identification of the four views as ‘Important Local Views’ is justified.
- 4.35 Policy 10 (Surface Water Flood Risk & Management) states that proposals should have regard to the Design Guidance and Codes Document (2022)

and Design Codes EE02 to EE04 and 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. It goes on to state that SuDS should be designed for the benefit of wildlife.

- 4.36 The Council has made representations concerning this Policy, stating that it does not serve a clear purpose or avoids unnecessary duplication¹⁵, and furthermore, that it predominantly relates to sustainable drainage rather than to wider issues of surface water flood risk. I agree with the Council on this latter point, and I note that paragraph 110 does indicate that the Policy focuses on sustainable drainage matters.
- 4.37 Norfolk County Council, as Lead Local Flood Authority (LLFA), has submitted comments on the draft Plan which are generally supportive. However, the LLFA recommends that a full review of flooding within the Parish should be carried out to assess all sources of flooding in the Parish, including flood risk from surface water, groundwater, rivers and ordinary watercourses, supported by relevant mapping and covering the whole Parish. This will require significant further work, potentially involving consultancy work in conjunction with the Environment Agency, Anglian Water, and will be a matter for a future review of the Plan.
- 4.38 It is my conclusion that the Policy should be re-titled to more closely reflect its content, and this is addressed by recommended modification **PM11**. This is necessary in order to clarify that the Policy does not directly address "*Surface Water Flood Risk and Management*", which as noted above will require further technical evidence.
- 4.39 With recommended modifications PM8-PM11, I consider that the draft Plan's section on the Natural Environment and its accompanying policies (Policies 6-10) is in general conformity with the strategic policies of the adopted BLP, has regard to national guidance, would contribute to the achievement of sustainable development and so would meet the Basic Conditions.

Business and Community Facilities

- 4.40 The draft Plan (at paragraphs 114-126) addresses the theme of Business and Community Facilities in the Plan area and contains one policy (Policy 11) which addresses economic development.
- 4.41 Policy 11 (Economic Development) states that the following categories of development will be supported to promote jobs, community cohesion and the economy in Lingwood and Burlingham:
- economic development within the development limits that comprises small business.
 - new facilities that are within or well related to the development

¹⁵ NPPF, Paragraph 16 f).

limits, such as farm shops and cafés.

- farm diversification, including new build development, where it is directly related to the existing business and will provide local employment opportunities or other community benefit, as demonstrated via a planning statement.

It goes on to state that proposals for business expansion in the Parish that will provide an increase in local employment opportunities will be seen as delivering significant benefit and that proposals that support community infrastructure for all ages will be supported in principle, such as a facility for the Children's Scout Group.

- 4.42 The Council has made a number of representations concerning the drafting of this Policy. In my assessment, the Policy, as drafted, lacks the necessary clarity to be effective and fails to provide sufficient policy guidance for users of the Plan considering economic development proposals. I therefore recommend modification **PM12** in order to provide the necessary clarity to this Policy and its requirements.
- 4.43 With recommended modification PM12, I consider that the draft Plan's section on Business and Community Facilities and its accompanying policy (Policy 11) is in general conformity with the strategic policies of the adopted BLP, has regard to national guidance, would contribute to the achievement of sustainable development and so would meet the Basic Conditions.

Transport and Accessibility

- 4.44 The draft Plan (at paragraphs 127-137) addresses the theme of Transport and Accessibility and this section contains three policies (Policies 12-14) which address the topics within this theme.
- 4.45 Policy 12 (Improving Walking and Cycling Routes) states that new residential developments will be expected to encourage and enhance walking and cycling. It goes on to state that development proposals should demonstrate safe walking links to key local services and community facilities, and also that, where appropriate, new developments will be expected to improve and/or extend Public Rights of Way and footways where this does not significantly harm the local character. There have been no representations concerning this Policy, which I consider to be appropriately drafted.
- 4.46 Policy 13 (Burlingham Country Park) states that where a Country Park is established in Burlingham, development within its defined boundary will be supported where it enhances public access to the country park, creates local employment opportunities, delivers improved public facilities and contributes to planting additional new trees. This Policy relates to the current discussions about the possible establishment of a new Country Park at the Burlingham Estate, which is owned by Norfolk County Council. Whilst this is not yet a firm proposal, I am satisfied that the Policy is appropriate on the basis that the new Country Park could be established

during the Plan period and note, again, there have been no representations concerning this Policy.

- 4.47 Policy 14 (Community Parking Provision) states that development proposals that will improve or expand parking facilities for services and community facilities in Lingwood and Burlingham are encouraged and will be supported. It goes on to state that the promoter of such proposals should proactively work with the Parish Council and community on understanding current safety issues and how to overcome these. Finally, it states that businesses proposing to create additional off-road car parking for visitors will be supported in principle. Whilst there have been no representations concerning this Policy, I do recommend a focused amendment to the Policy text to be assured of its clarity. This is addressed by recommended modification **PM13**.
- 4.48 With recommended modification PM13, I consider that the draft Plan's section on Transport and Accessibility and its accompanying policies (Policies 12-14) is in general conformity with the strategic policies of the adopted BLP, has regard to national guidance, would contribute to the achievement of sustainable development and so would meet the Basic Conditions.

Monitoring, Review and Implementation

- 4.49 The final section of the draft Plan (at paragraphs 138-142 but which are incorrectly numbered as 102-106) addresses Monitoring, Review and Implementation and includes reference (at paragraph 140, but shown as 104) to the potential future need to review the Plan, if required. I consider that the Plan needs to include a clearer statement that, if necessary, the Plan will be reviewed in light of any relevant changes in national policies and the emerging GNLP. This is addressed by recommended modification **PM14**, which also sets out a revision to the text of paragraph 141 (but shown as 105).

Community Actions

- 4.50 Some sections in the draft Plan also set out relevant Community Actions proposed by the Parish Council. By way of example, the section on Business and Community Facilities contains Community Action 2 which concerns the need for a GP Surgery in the Parish. I have read all of the Community Actions that are set out in the draft Plan, which appear to constitute appropriate aspirations of the Parish Council, reflecting some of the outcomes of the community engagement that was undertaken during the preparation of the draft Plan. I do not make any further comments on the proposed Community Actions, which are not the subject of proposed land-use planning policies.¹⁶ However, I do draw the Parish Council's attention to certain representations that have been made concerning the

¹⁶ See PPG Reference ID: 41-004-20190509.

Community Actions, including representations by the Council and the Norfolk Wildlife Trust.

Other Matters

- 4.51 The Plan contains five Appendices. Appendix A is the Policies Map containing the Policy notations for the relevant policies in this Plan. Appendix B is a listing of the Design Checklist Questions from the AECOM Design Guidance & Codes Document. Appendix C sets out the Justification for the Local Green Space Policy wording (c.f. Policy 8 and **PM10**). Appendix D is a series of four maps showing the Green Corridors and other natural environment designations within the Plan area. Appendix E comprises two maps which are extracts from the Broadland District Council Green Infrastructure Project Plan 2015. I do not recommend any modifications to the content of these Appendices, apart from the need to delete Appendix C consequent upon the recommended modification in this report concerning Policy 8 and its supporting text. For accuracy, the title of Appendix E (which will become Appendix D) should be "Broadland District Council Green Infrastructure Project Plan 2015 Maps (Source Broadland District Council)", and not as presently shown.
- 4.52 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. Minor amendments to the text and numbering (sections, paragraphs etc.) can be made consequential to the recommended modifications, alongside any other minor non-material changes or updates, in agreement between the Parish Council and the Council.¹⁷ For example, the comments and suggestions raised by Strumpshaw Parish Council in its consultation response can, in my assessment, be added to the draft Plan as minor non-material changes.
- 4.53 As a further advisory comment, it would be preferable if the Policies in the Plan could be made more easily distinguishable from other supporting and non-policy text, for example by using a bold and/or larger font size, or by using borders for the Policies.

Concluding Remarks

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

¹⁷ PPG Reference ID: 41-106-20190509. Also see the 'Examiner Advisory Comment' in PM1.

5. Conclusions

Summary

- 5.1 The Lingwood & Burlingham Neighbourhood Development 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 responses made following consultation on the Plan, and the supporting documents submitted with the Plan together with the Parish Council and the Council's responses to my 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 Lingwood & Burlingham Neighbourhood Development 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 Development Plan boundary, requiring the referendum to extend to areas beyond that boundary. I therefore recommend that the boundary for the purposes of any future referendum on the Plan, should be the boundary of the designated Neighbourhood Area.

Overview

- 5.4 It is clear that the Lingwood & Burlingham Neighbourhood Development Plan 2022-2042 is the product of much hard work undertaken since 2021 by the Parish Council and the many individuals and stakeholders who have contributed to the preparation and development of the Plan. I commend particularly the swift production of the Plan, demonstrating the focus and determination of all those involved. In my assessment, the Plan reflects the land use aspirations and objectives of the Lingwood & Burlingham community for the future planning of their area 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 Broadland District Council.

Derek Stebbing

Examiner

Appendix: Modifications

Proposed modification number (PM)	Page no./ other reference	Modification
PM1	Page 8	<u>Policy Context</u> Amend the reference in paragraph 18 to the “National Planning Policy Framework (NPPF) published in December 2023”. <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>
PM2	Page 8	<u>Policy Context</u> Insert the following text as new paragraph 19: "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.”

Insert the following Table after paragraph 19:

“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
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.	• Policy 11- Economic Development • Policy 13- Burlingham Country Park • Policy 14- Community Parking Provision

		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.	• 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
		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	• 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

(Note - this Table will require revision following PM5)

Re-number existing paragraphs 19 and 20 as paragraphs **20** and **21** respectively.

		<u>Note</u> – there is no existing paragraph 21 in the draft submission Plan that has been the subject of this examination.
PM3	Pages 9 and 10	<u>Paragraph 23 and Figure 4</u> 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). Amend the title of Figure 4 to reflect that the data was supplied by Broadland District Council in November 2023.
PM4	Page 15	<u>Policy 1 – Housing Mix</u> Delete existing text in full and replace with: "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. 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."
PM5	Pages 20-22	<u>Policy 3 – Traveller Sites and Campsites</u> Amend Policy text to read as follows: "Policy 3 - Gypsies, Travellers and Travelling Showpeople 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: a) Are of a scale appropriate to meet the accommodation need identified or personal circumstances for Gypsy, Traveller and Travelling Showpeople; b) Would not be likely to result in a significant harm to the capacity of available local services; c) Are capable of being provided with infrastructure such as power, water supply, foul water drainage and recycling/waste management;

		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; 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 f) Have safe vehicular access and be located so as to reduce the need for long-distance travelling to access services and facilities." Paragraph 46 – amend the first line of text to read as follows: "As stated in the Government's Planning policy for traveller sites (PPTS) (published in 2015 and updated in December 2023).....". Paragraph 55 – Amend the reference to Policy 3 to refer to "Policy 4". Add new Policy 4 (to follow Policy 3 on page 22) to read as follows: "Policy 4: Campsites Development proposals in the Plan area for Campsite uses, which require planning permission, will be supported where they: a) Are capable of being provided with infrastructure such as power, water supply, foul water drainage and recycling/waste management; 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; 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 d) Have safe vehicular access and be located so as to reduce the need for long-distance travelling to access services and facilities." Re-number existing Policies 4-14 to be Policies 5-15 respectively, and amend all references in the Plan to re-
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		numbered Policies accordingly, including the Table of Contents and new Table 1 (see PM2).
PM6	Pages 30 and 31	<u>Policy 4 – Design</u> 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.
PM7	Page 32	<u>Policy 5 – Residential Parking Standards</u> Delete first paragraph of Policy text in full and replace with: “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.” Delete second paragraph of Policy text in full and replace with: “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.” <u>Courtyard Parking</u> Add the following text to precede the existing Policy text: “Where appropriate, in line with Norfolk County Council’s ‘Parking Guidelines for New Development in Norfolk’ (2022),”.
PM8	Page 39	<u>Policy 6 – Dark Skies</u> Add new second sentence of text to the second paragraph of Policy text, to read as follows: “Such proposals should demonstrate compliance with best practice guidance for avoiding artificial lighting impacts on bats” and add new footnote as follows: https://theilp.org.uk/publication/guidance-note-8-bats-and-artificial-lighting/
PM9	Pages 43 and 44	<u>Policy 7 – Biodiversity and Green Corridors</u> Clause c) – delete existing text in full and replace with

		"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;"
PM10	Pages 48 and 81-84	<u>Policy 8 – Local Green Space</u> Amend the Policy title to read "Local Green Spaces". Amend the first sentence of Policy text to read as follows: "The areas listed below and shown on Figures 23 and 24 and on the accompanying Inset Maps, are designated as Local Green Spaces:" Delete second, third, fourth and fifth paragraphs of Policy text in full. Add new second paragraph of Policy text to read as follows: "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." Paragraph 101 – delete second sentence of text. Appendix C – delete in full (and amend Appendices D and E to be Appendices C and D respectively). 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.

PM11	Page 59	<u>Policy 10 – Surface Water Flood Risk & Management</u> Delete existing Policy title and replace with “Sustainable Drainage Systems (SuDS)”.
PM12	Page 62	<u>Policy 11 – Economic Development</u> 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.”
PM13	Page 69	<u>Policy 14 – Community Parking Provision</u> Delete the words “off-road” in the third paragraph of Policy text and replace with “off-street”.
PM14	Page 70	<u>Monitoring, Review and Implementation</u> Paragraph 140 (but shown as 104 in the draft Plan) – delete existing text in full, and replace with: “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.” Paragraph 141 (but shown as 105 in the draft Plan) – delete the existing text in full, and replace with: “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.”