

## **Tasburgh Neighbourhood Plan - Decision Statement**

### **1. Summary**

Following an independent examination, South Norfolk Council have received the examiner's report relating to the Tasburgh Neighbourhood Plan. The report makes a number of recommendations for making modifications to policies within the Neighbourhood Plan. South Norfolk Council has made a decision to approve each of the examiner's recommendations and to allow the Neighbourhood Plan to proceed to a referendum within the neighbourhood area.

### **2. Background**

Following the submission of the Tasburgh Neighbourhood Plan to South Norfolk 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 18<sup>th</sup> October and 29<sup>th</sup> November 2023.

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

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

### **3. Decision**

Having considered each of the recommendations in the examiner's report and the reasons for them, South Norfolk Council 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 Councils consider that this decision will ensure that the Neighbourhood Plan meets the basic conditions.

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

Subject to the modifications approved by South Norfolk Council, as set out in the table below, the Councils are 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	Consideration of recommendation	LPAs decision
TAS1: Natural Assets	<p><b>Delete 'In addition to the Local Green Spaces (policy TAS2)'</b></p> <p><b>Replace the Loss of Natural Asset section with: 'Where loss or damage is unavoidable, the development shall provide for appropriate replacement planting or appropriate natural features on site together with a method statement for the ongoing care and maintenance of that planting. Where this approach is not practicable, appropriate off-site mitigation/compensation should be incorporated into the development proposal. In either case, a method statement for the ongoing care and maintenance of the planting should be included in the proposal.'</b></p> <p><b>In the 'Enhancing Biodiversity' section replace 'All development proposals' with 'As appropriate to their scale, nature and location, development proposals'</b></p> <p><i>At the end of paragraph 6.3 add: 'Policy TAS1 Addresses natural assets. Policy TAS2 addresses local green spaces. Other policies in this part of the Plan comment about important views, climate change and dark skies.'</i></p>	The recommendation addresses the Council's concern that the loss of natural assets should be expanded to cover off-site mitigation or compensation.	Agree to the recommended modifications.
TAS3: Important Local Views	<p><b>In the opening part of the policy replace 'must' with 'should'</b></p> <p><b>Replace the final part of the policy with: 'Development proposals within or affecting an important local view should demonstrate how they have responded positively to the view concerned and safeguarded its integrity and local importance.'</b></p>	The recommendation is made to allow the policy to be implemented more consistently.	Agree to the recommended modifications.

<p>TAS4: Climate change, flood risk and surface water drainage issues</p>	<p><b>Replace the policy with:</b></p> <p><b>‘As appropriate to their scale, nature and location development proposals should:</b></p> <ul style="list-style-type: none"> <li>• <b>demonstrate how they can mitigate their own flooding and drainage impacts, avoid an increase of flooding elsewhere and seek to achieve lower than greenfield runoff rates for flooding (see figure 20 flood risk);</b></li> <li>• <b>respond positively to the advice and guidance on surface water drainage and the mitigation of flood risk obtainable from Norfolk County Council (as Lead Local Flood Authority) and the relevant Internal Drainage Board (as statutory Drainage Board for the Plan area); and</b></li> <li>• <b>where appropriate, mitigate and adapt to climate change.</b></li> </ul> <p><b>Proposals for major development should include sustainable drainage systems unless it is impracticable to do so.’</b></p> <p><i>In paragraph 6.29 replace ‘This is identified in policy TAS4’ with ‘This part of the parish is particularly important for the application of Policy TAS4.’</i></p> <p><i>At the end of paragraph 6.31 add: ‘Policy TAS4 has a proportionate element to acknowledge that individual proposals will have different impacts (if any) on surface water drainage issues and flooding. The policy has a specific requirement for major developments. For clarity a major development is that as defined by the Town &amp; Country Planning Development Management Procedure Order (2015).’</i></p>	<p>The Council’s concern related to the definition of major development. The examiners recommendation to para 6.31 addresses this by referring to a recognised definition. The examiner also makes modifications to ensure the policy is proportionate.</p>	<p>Agree to the recommended modifications.</p>
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TAS5: Dark skies	<p><b>In the first part of the policy replace 'must' with 'should' and 'permitted' with 'supported'</b></p> <p><b>In the second part of the policy replace 'permitted' with 'supported'</b></p>	The recommendation helps bring clarity required by NPPF and addresses the Council's comments.	Agree to the recommended modification.
TAS6: Design guidelines and codes	<p><b>In the second part of the policy replace 'Proposals for new development should accord with the parish-wide principles laid out' with 'As appropriate to their scale, nature and location, proposals for new development should accord with the parish-wide principles set out'</b></p> <p><i>In the Design Guidance and Codes include the parcels of land as proposed to be allocated for housing development in the emerging VCHAP within the Upper Tasburgh Character Area rather than the Transition Area (between Upper and Lower Tasburgh).</i></p>	The Council raised concerns about the revised boundaries of the character areas in light of the proposed housing allocation in the emerging Village Clusters Housing Allocations Plan (VCHAP) as this site would be better suited in the Upper Tasburgh area rather than the Transition Area. The examiner's recommendation addresses this issue.	Agree to the recommended modification.
TAS7: Housing location, pattern, and scale	<p><b>In the 'Location of New Housing' and 'Infill and Windfall Development' sections of the policy delete 'only'</b></p> <p><i>Include a clearer and more precise map, setting out the precise boundary of the gap between Upper and Lower Tasburgh in the Plan either in addition to figure 4 or within the context of figure 4.</i></p>	<p>The Council recommended that this policy could be more positively worded and the addition of a clear and precise map would help with the clarity of this policy.</p> <p>Whilst the recommendation only makes a small adjustment to the wording, the recommendation to include a map will help decision makers when applying this policy.</p>	Agree to the recommended modification.

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TAS8: Housing mix	<p><b>Replace the first sentence of the 'Affordable Housing' section with: 'In line with the findings of the Tasburgh Housing Needs Assessment, opportunities should be taken to maximise the delivery of affordable housing, where appropriate, above the minimum required by the Local Plan.'</b></p> <p><b>In the second sentence of the 'Affordable Housing' section replace 'Major residential development proposals' with 'Where it is both practicable and viable to do so, major residential development proposals'</b></p> <p><b>Replace the 'Specialist Housing' section of the policy with: 'Proposals for specialist housing, particularly for older people, will be supported. Wherever practicable new homes should be built to the adopted accessible and adaptable dwellings standards.'</b></p>	The examiner recommendations incorporate comments made by the Council at the Regulation 16 stage. The changes help to bring clarity to the policy.	Agree to the recommended modifications.

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TAS9: Land north of Church Road and west of Tasburgh School	<p><b>Replace 'the site should include the following' with 'the development of land to the north of Church Road for residential purposes should incorporate the following matters:'</b></p> <p><b>In a. replace 'See TAS 8' with 'as set out in Policy TAS8 of this Plan'</b></p> <p><b>Delete b.</b></p> <p><b>Replace c. with 'A density of houses, plots and street layouts that responds positively to the location of the site on the north-western edge of Upper Tasburgh.'</b></p> <p><b>Replace d. with 'Wherever practicable, car parking should be located to the side or rear of properties. Otherwise, parking should be screened from the street, preferably through soft landscaping.'</b></p> <p><b>Delete e. and f.</b></p> <p><b>Replace h. with: 'Street lighting within the development should respond positively to the contents of Policy TAS5'</b></p> <p><i>At the end of paragraph 7.16 add: 'These opportunities may act as a basis for detailed discussions which take place on the eventual development of the site between South Norfolk Council and the landowner/developer.'</i></p> <p><i>Delete paragraph 7.17</i></p> <p>As set out within Examiner's own 'Revision to Examiner's Report', dated 01/03/2024 (page 2 of published report):</p> <p><b>In Policy TAS9 delete the final paragraph (which refers to the Design Guidance and Codes)</b></p>	<p>The Council made comments in relation to some of the criteria within this policy and how these conflict with the proposed allocation in the VCHAP.</p> <p>The examiner has assessed these comments and the evidence provided and has recommended the removal of the conflicting criteria as well as some additional rewording.</p> <p>The Council is content that these revisions remove the conflicts previously identified.</p>	Agree to the recommended modifications.

Section	Examiner's recommendation	Consideration of recommendation	LPAs decision
TAS10: Business development and digital connectivity	<p><b>Replace the policy with:</b></p> <p><b>‘Proposals for new or expanded business and employment uses will be supported where they have taken account of the Tasburgh Design Guidance and Codes and respect the character of the rural area, the amenity of any residential properties in the immediate locality, and highway safety. Proposals for light industrial and retail developments on the A140 adjacent to existing business premises will be particularly supported where they provide local employment opportunities.</b></p> <p><b>Development proposals for homeworking, including home offices, will be supported where they respect the character of their immediate locality, and the amenity of any nearby residential properties.’</b></p> <p><i>Replace the policy's title with: ‘Business Development’</i></p>	The recommendations help to bring further clarity to the policy wording.	Agree to the recommended modifications.
TAS12: Public rights of way, footpaths, and cycleways	<p><b>Replace the first sentence of the first part of the policy with:</b></p> <p><b>‘As appropriate to their scale, nature and location, the design of new residential developments should include opportunities to enhance and join up networks of footpaths and cycleways (including Public Rights of Way) that are suitable for all users, within their designs and layouts.’</b></p>	The recommendations help to allow the policy to be applied in a proportionate way.	Agree to the recommended modifications.

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TAS13: Existing and new community infrastructure	<p><b>In the first part of the policy replace 'Tasburgh parish has the following existing community infrastructure (figure 34):' with 'The Plan identifies the following existing community infrastructure (as shown on figure 34):'</b></p> <p><b>At the end of the first part of the policy add: 'Proposals for the improvement, adaptation or extension of existing community infrastructure will be supported where they comply with other development plan policies.'</b></p> <p><b>In the second part of the policy delete 'Improvements to existing community infrastructure will be supported in principle.'</b></p>	The recommendations help to bring clarity to the policy wording.	Agree to the recommended modifications.
TAS14: The village hall site	<p><b>Replace the opening element of the first part of the policy with:</b></p> <p><b>'Proposals for the redevelopment of the Village Hall site, an extension to the existing building, and/or a replacement building will be supported. The incorporation of the following uses within a new or reconfigured Village Hall will be particularly supported:'</b></p> <p><b>In the second part of the policy replace 'possible' with 'practicable'</b></p>	The examiner's recommendation to the opening element of the first part of the policy to better express the various development options and the way in which different component uses would be supported. There is also a recommended modification to the second part of the policy to bring the clarity required by the NPPF.	Agree to the recommended modifications.



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Monitoring and Review	<p><i>At the end of paragraph 12.5 add:</i></p> <p><i>'Any neighbourhood plan operates within the wider context provided by national planning policy and local planning policy. The Parish Council will monitor and assess the implications of any changes to national or local planning policy on the Plan throughout the Plan period. Where necessary it will consider the need for a partial review of the Plan.</i></p> <p><i>The eventual adoption of both the Greater Norwich Local Plan and the South Norfolk Village Cluster Housing Allocation Plan could bring forward important changes to local planning policy. In this context the Parish Council will assess the need or otherwise for a full or partial review of the neighbourhood plan within six months of the adoption of both these Plans.'</i></p>	This additional text helps to expand on the potential reasons for when a neighbourhood plan might need to be reviewed.	Agree to the recommended modifications.
Other Matters - General	<i>Modification of general text (where necessary) to achieve consistency with the modified policies and to accommodate any administrative and technical changes.</i>	This recommendation allows for changes to be made where appropriate in light of other recommendations in the report.	Agree to the recommended modifications.
Other Matters – Specific	<i>Include a comprehensive Policies Map in the Plan</i>	This will help to give an overall view of the policies within the plan.	Agree to the recommended modifications.

#### 4. Next Steps

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

- [www.southnorfolkandbroadland.gov.uk/neighbourhood-plans](http://www.southnorfolkandbroadland.gov.uk/neighbourhood-plans)

Printed copies of these documents have also been deposited at the following locations, where they can be viewed on request during normal opening hours:

- **Long Stratton Library**, The Street, Long Stratton, NR15 2XJ
- **South Norfolk Council**, The Horizon Centre, Broadland Business Park, Peachman Way, Norwich, NR7 0WF

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

**'Do you want South Norfolk Council to use the Neighbourhood Plan for Tasburgh to help them decide planning applications in the neighbourhood area?'**

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