

# INDEPENDENT EXAMINATION OF THE TROWSE WITH NEWTON

## NEIGHBOURHOOD DEVELOPMENT PLAN 2019-2038

EXAMINER: DEREK STEBBING BA (Hons) DipEP MRTPI

Kate Leggett  
Clerk to Trowse with Newton Parish Council

Vicky West  
South Norfolk Council

Examination Ref: 01/DAS/TwNNP

2 May 2024

Dear Ms Leggett and Ms West

Following the submission of the Trowse with Newton Neighbourhood Plan (the Plan) for examination, I would like to clarify several initial procedural matters. I also have a number of questions for Trowse with Newton Parish Council (the Qualifying Body) and South Norfolk Council (the Council), to which I would like to receive a written response(s) by **Friday 31 May 2024** if possible.

### 1. Examination Documentation

I can confirm that I am satisfied that I have received the draft Plan and accompanying documentation, including the Basic Conditions Statement, the Consultation Statement, the Strategic Environmental Assessment (SEA) Screening Report, the Habitats Regulations Assessment (HRA) Screening Report and the Regulation 16 representations, to enable me to undertake the examination.

Subject to my detailed assessment of the Plan, I have not at this initial stage identified any very significant and obvious flaws in it that might lead me to advise that the examination should not proceed.

### 2. Site Visit

I will aim to carry out a site visit to the neighbourhood plan area during the week beginning 20 May 2024. The site visit will assist in my assessment of the draft Plan, including the issues identified in the representations.

The visit will be undertaken unaccompanied. It is very important that I am not approached to discuss any aspects of the Plan or the neighbourhood area, as this may be perceived to prejudice my independence and risk compromising the fairness of the examination process.

I may have some additional questions, following my site visit, which I will set out in writing should I require any further clarification.

### 3. Written Representations

At this stage, I consider the examination can be conducted solely by the written representations procedure, without the need for a hearing. However, I will reserve the option to convene a hearing should a matter(s) come to light where I consider that a hearing is necessary to ensure the adequate examination of an issue, or to ensure that a person has a fair chance to put a case.

#### 4. Further Clarification

From my initial assessment of the Plan and supporting documents, I have identified a number of matters where I require some additional information from the Council and the Parish Council.

I have six questions seeking further clarification, which I have set out in the Annex to this letter. I would be grateful if you can seek to provide a written response(s) by **Friday 31 May 2024**.

#### 5. Examination Timetable

As you will be aware, the intention is to examine the Plan (including conduct of the site visit) with a view to providing a draft report (for 'fact checking') within 4-6 weeks of submission of the draft Plan. However, as I have raised six questions, I must provide you with sufficient opportunity to reply. Consequentially, the examination timetable will be extended. Please be assured that I will aim to mitigate any delay as far as is practicable. The IPe office team will seek to keep you updated on the anticipated delivery date of the draft report.

If you have any process questions related to the conduct of the examination, which you would like me to address, please do not hesitate to contact the office team in the first instance.

In the interests of transparency, may I prevail upon you to ensure that a copy of this letter is placed on the Parish Council and Council websites.

Thank you in advance for your assistance.

Yours sincerely

*Derek Stebbing*

Examiner

## ANNEX

From my initial reading of the Trowse with Newton Neighbourhood Plan 2019-2038 (Submission Version dated November 2023), the supporting evidence and the representations that have been made to the Plan, I have the following six questions for the Qualifying Body. I have requested the submission of responses **by Friday 31 May 2024**, although an earlier response would be much appreciated. All of the points set out below flow from the requirement to satisfy the Basic Conditions.

### **Question 1: Re. Section 2 – Neighbourhood Planning (Page 2)**

I understand that the Greater Norwich Local Plan (GNLP) was adopted by the Council on 25 March 2024 (notwithstanding that it is presently subject to a six-week legal challenge period which ends on 7 May 2024).

This will necessitate some amendments to the draft Plan, principally at paragraph 7 but also at some other parts of the Plan, for example at paragraphs 9, 20 and 28.

Can the **Qualifying Body** please review the full text of the Submission Version of the draft Plan, and provide me with a Note setting out the draft amendments (including deletions) that are necessary to take account of the Council's adoption of the GNLP, thereby replacing the Joint Core Strategy (JCS) as the strategic planning context for the draft Plan?

I shall wish to consider the amendments as a potential consolidated modification to the draft Plan, rather than as a series of modifications.

### **Question 2: Re: Policy 2 (Design) (Pages 16-18)**

I am concerned at the length of this draft Policy, which extends to nearly two full pages of text. As a minimum, I consider that the content of the Policy requires a much clearer structure to its requirements, for the benefit of future users of the Plan. However, overall, I consider that the Policy does need to be significantly shorter in length. To that end, I consider that the material relating to the Design Guidance and Codes (2022) can be referenced within supporting text or to a table that links design features, e.g.. building height to the relevant Design Code guidance (D.C.4), with a cross-reference to that material within the text of the Policy. This would not reduce the efficacy of the Policy. I also note that the Council has identified a minor typographical error in criterion j).

Can the **Qualifying Body** therefore please review this draft Policy and provide me with a Note on how it wishes to re-draft the Policy to take account of the points that I have raised above?

### **Question 3 – Re. Section 5 – Development of the former May Gurney Site and Policy 3 (May Gurney Site) (Pages 20-26)**

Again, I am concerned at the length of this draft Policy.

I consider that the Policy does need to be re-drafted in order to improve the clarity of its requirements for users of the Plan, with an initial paragraph setting out what the Policy is seeking to achieve, followed by a series of design and planning criteria (in a bullet point or numbered listing format) that detailed development proposals should seek to meet.

I note that the Deal Ground/May Gurney sites already have the benefit of an Outline Planning Permission, and I shall be considering Policy 3 in the context of providing appropriate guidance that can be considered as part of Reserved Matters applications.

Please see also Question 5.

Can the **Qualifying Body** please provide me with a Note setting out possible amendments to the Policy text which I may consider as a potential modification to the Plan?

#### **Question 4 – Re. Policy 6 (Strategic Gap) (Page 47)**

As drafted, I consider that Policy 6 (Strategic Gap) fails to provide clear guidance regarding the purpose of the Policy and the nature of development that may be acceptable or will not be acceptable within the proposed Strategic Gap. Paragraph 59 notes that *“there remains potential for non-residential development, for example solar panels”*. This could encompass a wide range of potential developments, and I consider that the Policy does need to give greater clarity regarding the acceptability or otherwise of such ‘non-residential developments’.

The Policy also states that *“Development that detracts from the open countryside and character of this area or reduces the visual separation will not be permitted”*. As the Parish Council does not have the responsibility to be able to grant or refuse planning permissions, the word “permitted” should be amended to “supported”.

I invite the **Qualifying Body** to review Policy 6 and its supporting justification, which is largely at paragraph 59, and provide me with a Note that sets out potential amendments to both the Policy text and to its supporting justification that address the need and purpose for this Policy and its policy guidance, or criteria, for the consideration and assessment of any development proposals that may be submitted within the area defined on Figure 17 (at Page 48).

#### **Question 5 – Re. Policy 7 (Protection of Important Local Views) (Pages 51 and 52)**

I share the Council’s view that the protection of Key Views 4 and 5 does seem to be inconsistent with certain policy guidance contained in Policy 3 (see also above), which could lead to some misunderstandings for users of the Plan.

I also note that Section 5 of the draft Plan makes no references to Policy 7.

I consider that Policy 3 may need some further revision to provide clearer guidance regarding Policy 7 and Key Views 4 and 5.

Can the **Qualifying Body** please provide me with a Note setting out possible amendments to the text of Policy 3 and, if necessary, to its supporting justification. which I may consider as a potential modification to the Plan?

#### **Question 6 – Re. Policy 12 (Traffic Volumes and Speed) (Pages 67 and 68)**

As drafted, this Policy is, at least in part, not a land-use planning policy as compliance with traffic speed limits is the responsibility of other agencies, under other legislation. Furthermore, the control of traffic volumes passing through the village, such as ‘rat-running’ issues, is more likely to be the responsibility of the Highway Authority through traffic restraint measures and signage on the public highway. There is also significant duplication between the Policy and Community Action 5 (which is not a matter that I shall be considering as part of my Examination).

The Policy therefore requires some amendment, including to its title, if it is to constitute an effective planning policy.

Before I give the matter more detailed consideration, I invite the **Qualifying Body** to prepare a Note setting out revisions to the Policy text that focus upon the assessment of development proposals within the Plan area and the related traffic generation factors that should be assessed, which I may consider as a potential modification to the Plan.

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