

Tasburgh Neighbourhood Plan – South Norfolk Council Reg.16 representation and examiner responses

Section	Representation	Examiner's recommendation	SNC Commentary
General comments	The Plan is well laid out and easy to follow. The policies are generally well justified and thought out. It is positive to see that the Council's previous comments have, for the most part, been incorporated into the submitted Neighbourhood Plan.	N/A	N/A
Policies Map	While maps have been provided for individual policies, it does not appear that a comprehensive Policies Map, showing all of the areas affected by all policies, has been included. The Council would recommend that this is provided in order that the Plan can be accessible and to assist policy presentation, in line with paragraph 16 e) of the NPPF.	<i>Include a comprehensive Policies Map in the Plan</i>	This will help to give an overall view of the policies within the plan.

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Page 38 – Policy TAS1 Natural Assets	<p>The Council considers that this is a positive policy that takes a proactive approach to protecting the natural environment. The natural assets appear to be well justified and the policy includes guidance to follow when loss or damage to an asset is unavoidable. Specific guidance on delivering BNG is also supported, particularly the inclusion of creating connections between fragmented habitats. The Council does however consider that the section of “Loss of natural assets” should be expanded to cover off-site mitigation/compensation. Whilst it is reasonable to seek on-site mitigation/compensation as the sequentially preferable option in most circumstances, there may be circumstances where on-site mitigation/compensation cannot be achieved, or where off-site mitigation/compensation may be more beneficial in landscape and/or biodiversity terms. In order to ensure that the clarity required by paragraph 16 d of the NPPF is achieved, the Council considers that the policy should be amended in this way.</p>	<p>Delete ‘In addition to the Local Green Spaces (policy TAS2)’</p> <p>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.’</p> <p>In the ‘Enhancing Biodiversity’ section replace ‘All development proposals’ with ‘As appropriate to their scale, nature and location, development proposals’.</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>	<p>The recommendation addresses the Council’s concern that the loss of natural assets should be expanded to cover off-site mitigation or compensation.</p>

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<p>Page 48 – Policy TAS4 Climate change, flood risk and surface water drainage issues</p>	<p>The Council feels that the term, 'large development' needs to be defined. Is this the same as Major Development (10+ dwellings or 0.5+ hectares)? Without a definition of what this is or consistent use of terms it will be difficult for officers to apply this policy consistently. The Council considers that this should be defined in order to bring the clarity required by paragraph 16 d) of the NPPF.</p>	<p>Replace the policy with:</p> <p>'As appropriate to their scale, nature and location development proposals should:</p> <ul style="list-style-type: none"> • 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); • 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 • where appropriate, mitigate and adapt to climate change. <p>Proposals for major development should include sustainable drainage systems unless it is impracticable to do so.'</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</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>

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		<i>developments. For clarity a major development is that as defined by the Town & Country Planning Development Management Procedure Order (2015).'</i>	
Page 49 – Policy TAS5 Dark Skies	The Council considers that the last line should be reworded to state that this 'will not be permitted' or 'will not be supported', to provide the clarity required by the NPPF.	<p>In the first part of the policy replace 'must' with 'should' and 'permitted' with 'supported'</p> <p>In the second part of the policy replace 'permitted' with 'supported'</p>	The recommendation helps bring clarity required by NPPF and addresses the Council's comments.
Page 52 – Figure 23	There is no key on this map to distinguish between the 3 different character areas. The Council considers it would be helpful for a key to be provided to show which colour represents which area, in order to provide the clarity required by the NPPF.		

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<p>Pages 53/54 – TAS6 Design guidelines and codes</p>	<p>The Council previously raised a concern that the area of the proposed TAS1 allocation (as proposed in the Village Clusters Housing Allocations Plan) would appear to be designated as part of the 'Transition Area', as set out within this Policy. The Council remains of the opinion that the allocation site is more appropriately read in the context of Upper Tasburgh, with the more historic, rural elements of the village largely lying in the area beyond Old Hall Farm Bungalow.</p> <p>In addition, the extent of the 'Transition Area' covers the open space of the Tasburgh Enclosure. Presumably the development guidelines for this character area, as set out in the policy, should not apply to such a sensitive archaeological and heritage site?</p> <p>On this basis, the Council remains of the opinion that the Transition Area boundary should be amended so that the proposed allocation site is incorporated within the 'Upper Tasburgh' character area and so that the boundary follows the road and existing residential development, without extending into the open fields.</p> <p>The Council considers that these changes are necessary in order to ensure that the policy is clear and precise and that it contributes to sustainable development, in accord with paragraph 16 of the NPPF.</p>	<p>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'</p> <p>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).</p>	<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.</p>

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<p>Page 57 – TAS7 Housing location, pattern and scale</p>	<p>The Council previously raised a concern that the section of the policy dealing with the 'Gap between Upper and Lower Tasburgh' could be more positively written as well as being more precise, in terms of the area being referred to.</p> <p>Although some wording has been removed, the removal of the second sentence (commencing 'Development that would individually or cumulatively erode...') would help to ensure that this part of the policy is positively worded.</p> <p>In addition, the Council remains of the opinion that a clearer and more precise map, setting out the precise boundary of the gap between the two areas, would help to ensure the clarity of the policy. Currently, it is not apparent from Figure 24 that such a gap exists.</p> <p>Such amendments will help to bring the clarity and positive wording required by the NPPF (paragraph 16).</p>	<p>In the 'Location of New Housing' and 'Infill and Windfall Development' sections of the policy delete 'only'</p> <p>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.</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>

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Page 64 – TAS8 Housing Mix	<p>This policy states that there is a greater need for affordable housing and specialist housing in the parish. The Council considers that the policy should be amended to improve its clarity, as required by paragraph 16 of the NPPF. The Council suggests that the first sentence of the paragraph under the heading 'Affordable Housing', is amended to '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.'</p>	<p>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.'</p> <p>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'</p> <p>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.'</p>	<p>The examiner recommendations incorporate comments made by the Council at the Regulation 16 stage. The changes help to bring clarity to the policy.</p>

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<p>Page 68 – TAS9 Site north of Church Road</p>	<p>The Council has previously commented that it is not clear if the provision of a children's play area would exceed open space standards. The policy as it is currently worded still does not make this clear. The inclusion of the play area as a distinctly separate criteria does make it appear as an additional requirement to the general open space required. It is acknowledged that criteria 'b' does state that the play area should be delivered where possible; however the concern remains as to why the development would justify being required to deliver more open space than needed to meet the additional demands arising from development. The Council is concerned that this does not meet the NPPF requirement for plans to be 'aspirational but deliverable' (para. 16 b) and to be 'based on proportionate evidence' (para 35 b).</p> <p>Criteria 'f' as it is written conflicts with the emerging policy VC TAS1 in the emerging South Norfolk Village Clusters Housing Allocations Plan. As stated in previous comments, the requirement for vehicular access from both Church Road and Henry Preston Road was determined by consultation with Norfolk County Council Highways in order to make the access acceptable.</p> <p>As Government guidance states, 'although a draft neighbourhood plan is not tested</p>	<p>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:'</p> <p>In a. replace 'See TAS 8' with 'as set out in Policy TAS8 of this Plan'</p> <p>Delete b.</p> <p>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.'</p> <p>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.'</p> <p>Delete e. and f.</p> <p>Replace h. with: 'Street lighting within the development should respond positively to the contents of Policy TAS5'.</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>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>

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	<p>against the policies in an emerging local plan, the reasoning and evidence informing the local plan process is likely to be relevant to the consideration of the basic conditions against which a neighbourhood plan is tested.' Therefore, the Council considers that this element of the policy is not in accord with the basic conditions with which the Neighbourhood Plan should be in conformity.</p>	<p><i>As set out within 'Revision to Examiner's Report':</i></p> <p>In Policy TAS9 delete the final paragraph (which refers to the Design Guidance and Codes)</p>	

Factual / Typographical Corrections

Section	Factual Correction
Page 38 – TAS1: Natural assets	There is a typo at the end of the first line, referring to figures – both refer to figure 15.
Page 61 - Paragraph 7.11	In the third bullet point of this paragraph, it states ‘...to accommodate the 25 percent First Homes requirement mandated nationally...’. This figure is not ‘mandated nationally’ – it is a minimum requirement which can be exceeded if necessary.