

# **Corpusty and Saxthorpe Neighbourhood Development Plan 2018-2036**

**A report to North Norfolk District Council on the  
Corpusty and Saxthorpe Neighbourhood  
Development Plan**

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## **Executive Summary**

- 1 I was appointed by North Norfolk District Council in August 2018 to carry out the independent examination of the Corpusty and Saxthorpe Neighbourhood Plan.
- 2 The examination was undertaken by written representations. I visited the neighbourhood plan area on 18/19 September 2018.
- 3 The Plan includes a range of policies and seeks to bring forward positive and sustainable development in the neighbourhood area. It identifies three priority areas for development. There is a very clear focus on safeguarding the local character and heritage of the village. It proposes the designation of two local green spaces.
- 4 The Plan has been underpinned by community support and engagement. It is clear that all sections of the community have been engaged in its preparation.
- 5 Subject to a series of recommended modifications set out in this report I have concluded that the Corpusty and Saxthorpe Neighbourhood Plan meets all the necessary legal requirements and should proceed to referendum.
- 6 I recommend that the referendum should be held within the neighbourhood area.

**Andrew Ashcroft**  
**Independent Examiner**  
**7 November 2018**

## 1 Introduction

- 1.1 This report sets out the findings of the independent examination of the Corpusty and Saxthorpe Neighbourhood Plan 2018-2036 (the Plan).
- 1.2 The Plan has been submitted to North Norfolk District Council (NNDC) by Corpusty and Saxthorpe Parish Council in its capacity as the qualifying body responsible for preparing the neighbourhood plan.
- 1.3 Neighbourhood plans were introduced into the planning process by the Localism Act 2011. They aim to allow local communities to take responsibility for guiding development in their area. This approach was subsequently embedded in the National Planning Policy Framework (NPPF) in 2012 and 2018. The NPPF continues to be the principal element of national planning policy.
- 1.4 The role of an independent examiner is clearly defined in the legislation. I have been appointed to examine whether or not the submitted Plan meets the basic conditions and Convention Rights and other statutory requirements. It is not within my remit to examine or to propose an alternative plan, or indeed a potentially more sustainable plan except where this arises as a result of my recommended modifications to ensure that the plan meets the basic conditions and the other relevant requirements.
- 1.5 A neighbourhood plan can be narrow or broad in scope. Any plan can include whatever range of policies it sees as appropriate to its designated neighbourhood area. The submitted Plan has been carefully designed to be distinctive to Corpusty and Saxthorpe. It addresses the close relationship between the village and its surrounding agricultural hinterland.
- 1.6 Within the context set out above this report assesses whether the Plan is legally compliant and meets the basic conditions that apply to neighbourhood plans. It also considers the content of the Plan and, where necessary, recommends changes to its policies and supporting text.
- 1.7 This report also provides a recommendation as to whether the Plan should proceed to referendum. If this is the case and that referendum results in a positive outcome the Plan would then be used to determine planning applications within the neighbourhood area and will sit as part of the wider development plan.

## 2 The Role of the Independent Examiner

- 2.1 The examiner's role is to ensure that any submitted neighbourhood plan meets the relevant legislative and procedural requirements.
- 2.2 I was appointed by NNDC, with the consent of the Parish Council, to conduct the examination of the Plan and to prepare this report. I am independent of both NNDC and the Parish Council. I do not have any interest in any land that may be affected by the Plan.
- 2.3 I possess the appropriate qualifications and experience to undertake this role. I am a Director of Andrew Ashcroft Planning Limited. In previous roles, I have over 35 years' experience in various local authorities at either Head of Planning or Service Director level. I am a chartered town planner and have significant experience of undertaking other neighbourhood plan examinations and health checks. I am a member of the Royal Town Planning Institute and the Neighbourhood Planning Independent Examiner Referral System.

### *Examination Outcomes*

- 2.4 In my role as the independent examiner of the Plan I am required to recommend one of the following outcomes of the examination:
- (a) that the Plan is submitted to a referendum; or
  - (b) that the Plan should proceed to referendum as modified (based on my recommendations); or
  - (c) that the Plan does not proceed to referendum on the basis that it does not meet the necessary legal requirements.

### *The Basic Conditions*

- 2.5 As part of this process I must consider whether the submitted Plan meets the Basic Conditions as set out in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990. To comply with the basic conditions, the Plan must:
- have regard to national policies and advice contained in guidance issued by the Secretary of State; and
  - contribute to the achievement of sustainable development; and
  - be in general conformity with the strategic policies of the development plan in the area;
  - be compatible with European Union (EU) and European Convention on Human Rights (ECHR) obligations; and
  - not be likely to have a significant effect on a European site or a European offshore marine site, either alone or in combination with other plans or projects.

I have examined the submitted Plan against each of these basic conditions, and my conclusions are set out in Sections 6 and 7 of this report. I make specific comments on the fourth and fifth bullet points above in paragraphs 2.6 to 2.10 of this report.

- 2.6 The Neighbourhood Plan General Regulations 2015 require a qualifying body either to submit an environmental report prepared in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004 or a statement of reasons why an environmental report is not required. In order to comply with this requirement, NNDC has prepared a screening report for both Strategic Environmental Assessment and Habitats Regulations Assessment. It properly assesses the environmental impacts of the implementation of the Plan's policies. It does so in a professional way.
- 2.7 I am satisfied that the screening report complies with the basic conditions. It concludes that the Plan is not likely to have any significant effects on the environment and that SEA is not required.
- 2.8 NNDC also prepared a Habitats Regulations Assessment (HRA) screening report on the Plan. This report is thorough, comprehensive and professionally-prepared. Whilst there are no European sites within the neighbourhood area it assessed a series of protected sites within a 10-mile radius of the neighbourhood area as follows:
- the Norfolk Valley Fens SAC;
  - the North Norfolk Coast (North Norfolk Coast SAC/The Wash and North Norfolk Coast SAC/North Norfolk SPA/North Norfolk Coast Ramsar); and
  - the River Wensum SAC.
- It concluded that the Plan was not likely to have any significant effect on a European site and that a full Habitats Regulations Assessment was not required. Natural England agreed with the outcome of the screening opinion.
- 2.9 The screening work was undertaken at the time that a case in the Court of Justice of the European Union (People Over Wind, Peter Sweetman and Coillte Teoranta, April 2018) was becoming known. It has changed the basis on which competent authorities are required to undertake habitats regulations assessments. NNDC has given this matter due consideration and has advised me that it has concluded that the recent Court of Justice judgement does not affect the integrity of its early screening work on this important matter. In particular it has advised that the original screening work was carried out on the precautionary principle basis. This conclusion was reached after consultation with Natural England.
- 2.10 I am satisfied that NNDC has approached this issue in a sound and responsible manner. The outcome of the European Court case could not have been anticipated as the neighbourhood plan was being prepared.
- 2.11 Having reviewed the information provided to me as part of the examination I am satisfied that a proportionate process has been undertaken in accordance with the various regulations. None of the statutory consultees have raised any concerns with regard to either neighbourhood plan or to European obligations. In the absence of any evidence to the contrary, I am entirely satisfied that the submitted Plan is compatible with this aspect of European obligations.

2.12 In a similar fashion I am satisfied that the submitted Plan has had regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights (ECHR) and that it complies with the Human Rights Act. There is no evidence that has been submitted to me to suggest otherwise. There has been full and adequate opportunity for all interested parties to take part in the preparation of the Plan and to make their comments known. On this basis, I conclude that the submitted Plan does not breach, nor is in any way incompatible with the ECHR.

*Other examination matters*

2.13 In examining the Plan I am also required to check whether:

- the policies relate to the development and use of land for a designated neighbourhood plan area; and
- the Plan meets the requirements of Section 38B of the Planning and Compulsory Purchase Act 2004 (the Plan must specify the period to which it has effect, must not include provision about development that is excluded development, and must not relate to more than one neighbourhood area); and
- the Plan has been prepared for an area that has been designated under Section 61G of the Localism Act and has been developed and submitted for examination by a qualifying body.

2.14 Having addressed the matters identified in paragraph 2.13 of this report I am satisfied that all of the points have been met subject to the contents of this report.

### 3 Procedural Matters

3.1 In undertaking this examination I have considered the following documents:

- the submitted Plan.
- the Basic Conditions Statement.
- the Consultation Statement.
- the NNDC Screening reports.
- the NNDC update to the HRA screening report (October 2018).
- the representations made to the Plan.
- the Parish Council's responses to my Clarification Note.
- the North Norfolk Core Strategy.
- the North Norfolk Site Allocations Development Plan Document.
- the National Planning Policy Framework (March 2012 and July 2018).
- Planning Practice Guidance (March 2014 and subsequent updates).
- relevant Ministerial Statements.

3.2 I carried out an unaccompanied visit to the neighbourhood area on 18/19 September 2018. I looked at its overall character and appearance and at those areas affected by policies in the Plan in particular. My site inspection is covered in more detail in paragraphs 5.9 to 5.16 of this report. Whilst visiting the neighbourhood area I met with NNDC and the Parish Council to discuss procedural issues for the examination. Notes of that meeting are included at Appendix A.

3.3 It is a general rule that neighbourhood plan examinations should be undertaken by written representations only. Having considered all the information before me, including the representations made to the submitted plan, I was satisfied that the Plan could be examined without the need for a public hearing. I advised NNDC of this decision early in the examination process.

3.4 On 24 July 2018 a revised version of the NPPF was published. Paragraph 214 of the 2018 NPPF identifies transitional arrangements to address these circumstances. It comments that plans submitted before 24 January 2019 will be examined on the basis of the 2012 version of the NPPF. I have proceeded with the examination on this basis. All references to paragraph numbers within the NPPF in this report are to those in the 2012 version.

## 4 Consultation

### *Consultation Process*

- 4.1 Policies in made neighbourhood plans become the basis for local planning and development control decisions. As such the regulations require neighbourhood plans to be supported and underpinned by public consultation.
- 4.2 In accordance with the Neighbourhood Planning (General) Regulations 2012 the Parish Council has prepared a Consultation Statement. This Statement is very thorough and comprehensive. It includes a very detailed assessment of the consultation undertaken during the Plan's production. It is particularly effective in the way in which it lists the initial consultation exercises.
- 4.3 The Statement sets out details of the comprehensive range of consultation events that were carried out in relation to the initial stages of the Plan. It provides details about:
- the initial questionnaire;
  - the Village Green open day (May 2014);
  - the series of community consultation exercises in Autumn 2014;
  - the consultation exercises with landowners; and
  - the village envelope consultation exercise (September-October 2015).
- 4.4 The Statement also comments in detail about how the community was engaged in the consultation exercises for the pre-submission version of the Plan.
- 4.5 The latter parts of the Statement set out how the submitted Plan has evolved following the publication of the pre-submission Plan (June-July 2017). In particular they set out the comments received as a result of the pre-submission consultation and the Parish Council's responses to those comments. They do so in a very thorough and effective way. They help to describe the evolution of the Plan.
- 4.6 It is clear that consultation has been an important element of the Plan's production. Advice on the neighbourhood planning process has been made available to the community in a positive and direct way by those responsible for the Plan's preparation.
- 4.7 From all the evidence provided to me as part of the examination, I can see that the Plan has promoted an inclusive approach to seeking the opinions of all concerned throughout the process. The complexity of the consultation exercises has prolonged the Plan preparation process. Nevertheless, it has properly and fully sought to address community views and concerns. NNDC has carried out its own assessment that the consultation process has complied with the requirements of the Regulations.



### *Representations Received*

4.8 Consultation on the submitted plan was undertaken by the District Council for a six-week period that ended on 6 August 2018. This exercise generated comments from a range of organisations and private individuals as follows:

- Anglian Water
- Bidwells
- Diane and Michael Eatherley
- Environment Agency
- Gladman Developments Limited
- Historic England
- Marine Management Organisation
- National Grid
- Natural England
- NNDC
- Norfolk County Council
- Norfolk County Council – Member for Melton Constable
- Sport England

4.9 I have taken all these representations into account in preparing this report. Where it is appropriate to do so I have mentioned the organisation concerned in commenting on certain policies.

## 5 The Neighbourhood Area and the Development Plan Context

### *The Neighbourhood Area*

- 5.1 The neighbourhood area is the parish of Corpusty and Saxthorpe. It is located approximately 10kms to the south of Holt and approximately 15kms to the south-west of Cromer. It is predominantly comprised of pleasant rolling countryside. Its population in 2011 was 697 persons. It was designated as a neighbourhood area on 2 December 2013.
- 5.2 The wider neighbourhood area is mainly in agricultural use and sits within a rich landscape setting. The villages of Corpusty and Saxthorpe are the principal focus of built development. They sit within the middle of the neighbourhood area. Whilst they are connected by The Street they are separated by the River Bure. The two villages sit to the west of the B1149. It provides relief from through traffic in both of the villages.
- 5.3 Saxthorpe is located to the north of the River Bure. It is based around The Street and Post office Lane. St Andrew's Church provides a dominant and impressive centrepiece of the village. The Street contains a series of vernacular buildings. Post Office Lane is more modern in character and appearance. Corpusty is located to the south of the River Bure. Whilst it has a more nucleated format than Saxthorpe it is nevertheless dominated by the semi-circular alignment of The Street. The Primary School and the Dukes Head P.H. sit at the heart of the village together with the open space to the north leading down to the River Bure. Station Road runs to the south of the village. It leads down to the old railway station and the disused railway line.

### *Development Plan Context*

- 5.4 The North Norfolk Core Strategy was adopted in September 2008. It sets out the basis for future development in the District up to 2021. The Core Strategy was then supplemented with the adoption of the Site Allocations DPD in February 2011. Corpusty and Saxthorpe is one of a series of Service Villages in the adopted Core Strategy (Policy SS1). These villages are each expected to deliver a small amount of new development to support rural sustainability.
- 5.5 The core policies (Core Policies 1-14), several of the development management policies in the Core Strategy and the site allocations in the Site Allocations DPD are the strategic policies of the development plan (see paragraph 2.5 of this report). It is this development plan context against which I am required to examine the submitted Neighbourhood Plan. The following policies are particularly relevant to the submitted Neighbourhood Plan:

#### *Core Strategy*

Policy SS1	Spatial Strategy for North Norfolk
Policy SS2	Development in the Countryside
Policy SS3	Housing Distribution
Policy HO2	Affordable Housing

Policy HO7	Density
Policy EN8	Protecting and Enhancing the Historic Environment

*Allocations Plan*

COR01 Land between Norwich Road and Adams Lane, Corpusty

- 5.6 The Basic Conditions Statement comments on the overlap between the policies in the development plan and the policies in the submitted Plan. It demonstrates that the submitted Plan has been prepared to sit within its local planning policy context. The submitted Plan seeks to address several of the key issues raised in the Core Strategy in a positive fashion. At its heart is an ambition to enhance the sustainability of the neighbourhood area by seeking to redress the current imbalance of an ageing population. In particular it seeks to promote priority areas for development.
- 5.7 NNDC is preparing a new Local Plan. That process started in 2015 and is currently expected to be completed in late 2020. On this basis I have given it little weight in the examination of this submitted neighbourhood plan.
- 5.8 The submitted Plan has been prepared within its wider development plan context. In doing so it has relied on local evidence and other published information and research that has underpinned existing and emerging planning policy documents in the District. This reflects key elements in Planning Practice Guidance on this matter.

*Site Visit*

- 5.9 I carried out an unaccompanied visit to the neighbourhood area on 18 September and part of 19 September 2018.
- 5.10 I drove into the neighbourhood area from the north along the B1149. This allowed me to see its wider agricultural context and landscape setting.
- 5.11 I looked initially at the centre of Corpusty. I saw the School, the Public House and the open space by the River Bure. I saw the local shop and the other commercial and community uses in this part of the neighbourhood area.
- 5.12 I then walked down Norwich Road to look at the two priority areas in Corpusty. I saw their relationship to existing development and to the network of local footpaths. I took the opportunity to walk down to the main B1149 road.
- 5.13 I then looked walked back to Station Road and walked down to the Village Hall, the old railway station site and the proposed local green space. I saw the interesting range of local facilities that this open area provided.
- 5.14 I then took the opportunity to walk around the Street. I saw the interesting contrast between traditional and modern dwellings.

- 5.15 I then walked into Saxthorpe and attended the inception meeting with NNDC and the Parish Council. Thereafter I looked around Saxthorpe itself and St Andrew's Church grounds. I then looked at the third priority site to the north of Saxthorpe. I saw its relationship with the surrounding countryside.
- 5.16 The following morning I took the opportunity to look at the neighbourhood area in its wider context. In particular I drove along the various roads which project out of the villages. This part of the visit highlighted the continued agricultural importance of both the setting and of the economy of the neighbourhood area.

## 6 The Neighbourhood Plan as a whole

- 6.1 This section of the report deals with the submitted neighbourhood plan as a whole and the extent to which it meets the basic conditions. The submitted Basic Conditions Statement has helped considerably in the preparation of this section of the report. It is a well-presented and informative document.
- 6.2 The Plan needs to meet all the basic conditions to proceed to referendum. This section provides an overview of the extent to which the Plan meets three of the five basic conditions. Paragraphs 2.6 to 2.10 of this report have already addressed the issue of conformity with European Union legislation.

### *National Planning Policies and Guidance*

- 6.3 For the purposes of this examination the key elements of national policy relating to planning matters are set out in the National Planning Policy Framework (NPPF) issued in March 2012. Paragraph 3.4 of this report has addressed the transitional arrangements which the government has put in place as part of the publication of the 2018 version of the NPPF.
- 6.4 The NPPF (2012) sets out a range of core land-use planning principles to underpin both plan-making and decision-taking. The following are of particular relevance to the Corpusty and Saxthorpe Neighbourhood Plan:
- a plan led system– in this case the relationship between the neighbourhood plan and the North Norfolk Core Strategy;
  - recognising the intrinsic character and beauty of the countryside and supporting thriving local communities;
  - taking account of the different roles and characters of different areas;
  - always seeking to secure high quality design and good standards of amenity for all future occupants of land and buildings; and
  - conserving heritage assets in a manner appropriate to their significance.
- 6.5 Neighbourhood plans sit within this wider context both generally, and within the more specific presumption in favour of sustainable development, which is identified as a golden thread running through the planning system. Paragraph 16 of the NPPF indicates that neighbourhoods should both develop plans that support the strategic needs set out in local plans and plan positively to support local development that is outside the strategic elements of the development plan.
- 6.6 In addition to the NPPF I have also taken account of other elements of national planning policy including Planning Practice Guidance and the recent ministerial statements.
- 6.7 Having considered all the evidence and representations available as part of the examination I am satisfied that the submitted Plan has had regard to national planning policies and guidance in general terms. It sets out a vision for the future of the

neighbourhood area within the context of its position in the settlement hierarchy. It includes a series of policies that seek to address its demographic imbalances. It identifies three priority areas for development. It designates two local green spaces. The Basic Conditions Statement maps the policies in the Plan against the appropriate sections of the NPPF. Some elements of the Plan need to be modified to achieve the necessary clarity. I address this matter in the following two paragraphs.

- 6.8 At a more practical level the NPPF indicates that plans should provide a clear framework within which decisions on planning applications can be made and that they should give a clear indication of how a decision-maker should react to a development proposal (paragraphs 17 and 154). This was reinforced with the publication of Planning Practice Guidance in March 2014. Its paragraph 41 (41-041-20140306) indicates that policies in neighbourhood plans should be drafted with sufficient clarity so that a decision-maker can apply them consistently and with confidence when determining planning applications. Policies should also be concise, precise and supported by appropriate evidence.
- 6.9 As submitted the Plan does not fully accord with this range of practical issues. The majority of my recommended modifications in Section 7 relate to matters of clarity and precision. They are designed to ensure that the Plan fully accords with national policy.

*Contributing to sustainable development*

- 6.10 There are clear overlaps between national policy and the contribution that the submitted Plan makes to achieving sustainable development. Sustainable development has three principal dimensions – economic, social and environmental. It is clear to me that the submitted Plan has set out to achieve sustainable development in the neighbourhood area. In the economic dimension the Plan includes policies for development in three priority areas (Overarching 1-3), for an extended settlement boundary (Overarching 1) and to support small businesses (B1). In the social role, it includes a policy for St Andrew's Church (W&F1), to support footpaths and rights of way (W&F2) and for allotments (W&F3). In the environmental dimension the Plan positively seeks to protect its natural, built and historic environment. It has specific policies on the River Bure (E1), on biodiversity (E3) and on design and character (DC1). It also proposes two local green spaces. The Parish Council's assessment of sustainable development is set out in the submitted Basic Conditions Statement.

*General conformity with the strategic policies in the development plan*

- 6.11 I have already commented in detail on the development plan context in the wider North Norfolk District area in paragraphs 5.4 to 5.8 of this report.
- 6.12 I consider that the submitted Plan delivers a local dimension to this strategic context and supplements the detail already included in the adopted Core Strategy. The Basic Conditions Statement helpfully relates the Plan's policies to policies in the Core Strategy. I am satisfied that the submitted Plan is in general conformity with the strategic policies in the development plan.

## 7 The Neighbourhood Plan policies

- 7.1 This section of the report comments on the policies in the Plan. In particular, it makes a series of recommended modifications to ensure that the various policies have the necessary precision to meet the basic conditions.
- 7.2 My recommendations focus on the policies themselves given that the basic conditions relate primarily to this aspect of neighbourhood plans. In some cases, I have also recommended changes to the associated supporting text.
- 7.3 I am satisfied that the content and the form of the Plan is fit for purpose. It is distinctive and proportionate to the Plan area. The wider community and the Parish Council have spent time and energy in identifying the issues and objectives that they wish to be included in their Plan. This sits at the heart of the localism agenda.
- 7.4 I have addressed the policies in the order that they appear in the submitted plan. Its community aspirations (see paragraph 7.7 below) are addressed after the policies.
- 7.5 For clarity this section of the report comments on all policies whether or not I have recommended modifications in order to ensure that the Plan meets the basic conditions.
- 7.6 Where modifications are recommended to policies they are highlighted in bold print. Any associated or free-standing changes to the text of the Plan are set out in italic print.
- 7.7 The Plan has been designed to reflect Planning Practice Guidance (41-004-20170728) which indicates that neighbourhood plans must address the development and use of land. The Plan identifies a range of other, non-land use matters (referred to as community aspirations). Taken as a whole there are twenty-five land use (spatial) policies and seven non-land use (community) aspirations in the Plan. The community aspirations are included within the main body of the Plan rather than in a separate section as recommended by Planning Practice Guidance. However, as they sit within a natural order in the Plan I am satisfied that the arrangements are satisfactory and well-considered. In addition, the community aspirations (in blue text boxes) are differentiated clearly from the spatial policies (in yellow text boxes). This distinction is properly detailed in Section 6.1 of the Plan. However, I recommend that it includes reference to the different text box colours for absolute clarity.

*In the first paragraph of Section 6.1 add '(as shown in yellow text boxes)' after the Policies bullet point and '(as shown in blue text boxes)' after the Community Aspirations bullet point.*

The initial sections of the Plan (Sections 1-5)

- 7.8 The Plan as a whole has been prepared to a reasonable standard. It includes effective maps and photographs that give depth and purpose to the Plan. It makes an appropriate distinction between the policies and their supporting text. It also ensures that the vision and the objectives for the Plan set the scene for the various policies. In undertaking the recommended modifications in this report there is also an opportunity

to reformat the Plan. This will ensure that it takes the appearance and layout of a development plan document. This will help in its effective use by local residents, NNDC and landowners and developers. This process could usefully include the format and the positioning of its various maps.

- 7.9 The initial elements of the Plan set the scene for the policies. They are proportionate to the Plan area and the subsequent policies. Section 1 summarises the preparation of a neighbourhood plan. It also provides an interesting and comprehensive timeline on the preparation of the Plan. Section 1.2 comments that the Plan period runs to ‘2036 and beyond’. It may well be the case that the Plan is refreshed and reviewed. Nevertheless, for consistency purposes I recommend that this statement is modified so that it simply refers to 2036. This would correspond with the information on the cover of the Plan. It would also meet the statutory requirements set out in paragraph 2.13 of this report.

*In the first paragraph of Section 1.2 replace ‘the year 2036 and beyond’ with ‘2036’*

- 7.10 Section 2 sets out very helpful background information on Place Setting. It provides a useful context to the designated neighbourhood area.
- 7.11 Section 3 sets out the relationship between national, local and neighbourhood plan policies. The tabular format of Figure 2 is particularly effective.
- 7.12 Section 4 then sets out a Vision Statement for the neighbourhood area. At its heart is that the two villages will move positively into the twenty-first century whilst preserving their agricultural, historic and industrial character.
- 7.13 Section 5 sets out the aims and objectives of the Plan. Its aims are as follows:
- to engender a vibrant, inclusive and caring community;
  - to enhance its architectural and landscape character and improve the quality of its housing;
  - to increase the number of young families; and
  - to improve and support services for the elderly.
- 7.14 The policies are then set out in Section 6. The remainder of this section of the report addresses each policy in turn in the context set out in paragraphs 7.5 to 7.7 of this report. The Parish Council agreed with my suggestion that I modified several policies so that there was a consistent approach towards policies with supported development and those which did not support development. As submitted, the Plan uses overlapping wording in several policies. Where it takes a positive approach to development it uses either ‘permitted, supported or encouraged’. Where it takes a more negative approach to development it uses ‘resisted’ or ‘not be permitted’. This is potentially confusing to all concerned and to NNDC in particular as it would implement a ‘made’ Plan up to 2036. On this basis I have recommended modifications to all affected policies so that they include either ‘support’ or ‘not support’ as appropriate. This justification for the recommended modification should be applied to all the affected policies.



## *Planning Policies*

### General

- 7.15 As part of the clarification note process I raised with the Parish Council my intention to recommend structural changes to the composition of Overarching Policies 1-3 and Policies H1 and H4. Whilst the submitted Plan contains a series of strategic policies they overlap one with the other. In addition, the structure of the policies in the Plan results in the importance of the three proposed priority areas for development being lost in the details of the policies. The Parish Council agreed with my suggested approach. In the case of these policies, I have addressed them jointly.
- 7.16 In simple terms the five submitted policies propose the following approach towards new development and growth in the neighbourhood area:
- the identification of an extended settlement boundary (from that shown in the North Norfolk Core Strategy);
  - the promotion of new development within the settlement boundary and the promotion of a restrictive approach to new development outside the settlement boundary;
  - the identification of three priority areas for new development within the settlement boundary;
  - the identification of detailed criteria for all new residential development and for infill development in particular;
  - the identification of density/design and layout criteria; and
  - the designation of two proposed local green spaces.
- 7.17 I recommend that the five policies are consolidated into three overarching policies as follows:
- A modified Overarching Policy 1 to address:
- the settlement boundary;
  - the three priority areas; and
  - development within and without the settlement boundary.
- A modified Overarching Policy 2 to address:
- general expectations for new residential development;
  - particular expectations for development within the priority areas; and
  - particular expectations for infill development.
- A modified Overarching Policy 3 to address:
- density issues; and
  - design and layout issues.
- 7.18 I also recommended that the issue of the designation of Local Green Spaces (captured in Overarching Policy 2 in the submitted Plan) is repositioned into the Natural Environment chapter. This is not intended to undermine the importance of these

designations. Nevertheless, it recognises that the identification and designation of local green spaces is largely a free-standing matter which can be addressed indirectly (as a criterion) in the recommended (revised) Overarching Policy 2.

- 7.19 In process terms this approach will require the deletion of the five submitted policies and their replacement with four modified policies. I set out the first three below. The modified policy on local green spaces appears later in this report.

**Delete Overarching Policies 1-3 and Policies H1 and H4.**

**Replace them with the following consolidated policies:**

**‘Overarching Policy 1 Settlement Boundary**

**The Neighbourhood Plan defines the Corpusty and Saxthorpe settlement boundary as shown on Map 15.**

**Proposals for infill development within the settlement boundary in general, and on the three priority sites (as shown on Maps 16 and 17) in particular will be supported where they accord with the development management policies of the development plan, with other policies of this neighbourhood plan and with Overarching Policies 2 and 3 in particular.**

**Proposals for development outside the settlement boundary will only be supported where they are appropriate to a countryside location and are consistent with local development plan policies.’**

**‘Overarching Policy 2 New Residential Development**

**All new residential development should:**

- **respect the character of the immediate locality within which it is located;**
- **respect the rich archaeological heritage of the neighbourhood area;**
- **provide for safe vehicular access;**
- **provide for cycle storage and pedestrian access;**
- **safeguard and respect identified local green spaces designated in Policy E [insert new number] of this Plan; and**
- **make appropriate provision for the disposal of waste and surface water.**

**Development proposals on the three priority sites as identified on Figures 17 and 18 should:**

- **safeguard existing hedges or replace them to an appropriate standard by alternative planting (Sites 1 and 2);**
- **provide an area of public open space of 0.15 hectares in the northern part of the Site 1 (as shown on Figure 17);**
- **provide public access through open spaces provided on the three sites; and**

- provide appropriate natural landscaping along the north-eastern boundary of Site 3.

Proposals for infill development within the settlement boundary should:

- sit comfortably with existing adjacent dwellings in terms of scale, height, mass and orientation; and
- where appropriate respect the relationship between the built-up extent of the village concerned and the surrounding countryside.’

**‘Overarching Policy 3 New Residential Development – Density and Design**

**All new residential development should complement, reinforce and enhance the local distinctiveness of the neighbourhood area. Proposals should demonstrate how the scale, mass, layout and design of the site, building or the extension fits in with the character of the immediate area and the wider setting of the villages.**

**Development proposals will be supported where they have regard to the principles contained within the North Norfolk Design Guide. Proposals will also be supported where they provide a distinctive local solution to other local design guides which would result in high quality design and development.**

**All new residential development should deliver a minimum density of 30 dwellings per hectare. Within the three priority areas proposed developments of a higher density will be particularly supported where they result in high quality development that respects the sites concerned.’**

*Overarching Policies 1-3 should be supported by the following elements of new supporting text and existing text in the submitted plan as follows:*

*‘This part of the Plan includes three overarching policies. They set the scene for the remainder of the Plan and its other policies. Whilst they operate in a complementary fashion they have the following key areas of focus:*

*Overarching Policy 1 addresses:*

- *the settlement boundary;*
- *the three priority areas; and*
- *development within and outside of the settlement boundary*

*Overarching Policy 2 addresses:*

- *general expectations for new residential development;*
- *particular expectations for development within the priority areas; and*
- *particular expectations for infill development*

*Overarching Policy 3 addresses:*

- *density issues; and*
- *design and layout issues’*

*Insert at this point the following from the submitted Plan:*

*Section 6.3 first paragraph (The Overarching Policy.... within its rural setting). Do so in normal text not bold text.*

*Section 6.3 second paragraph (After consultation...development boundary).*

*Section 6.3 third paragraph (There was overwhelming...built edge of the village).*

*Section 6.3.1 first paragraph (After consultation.... business use).*

*Figure 16.*

*Within the key to Figure 16 delete 'Proposed Additions to Residential Areas' and incorporate the relevant areas into the Settlement Boundary identified in the Plan.*

*Figures 17 and 18.*

*'Overarching Policy 2 provides a specific context for new residential development within the Plan period. It includes a general section, one on the three priority sites and one on general infill development. Overarching Policy 3 sets out general design and density requirements for new development. In all cases new development should respect the character of the immediate environment within which the site concerned is located. Within the three priority sites there is greater potential to develop at higher densities. This will assist in the delivery of new housing to address the demographic imbalances identified in the neighbourhood area. It also has the ability to deliver one of the aims of the neighbourhood plan to 'increase the number of young families in the village'.*

## Policy H2: Housing and Planning Obligations

- 7.20 This policy seeks to provide additional detail to underpin new housing developments which may come forward in general and on the priority sites for development in particular. Its focus is on affordable housing. It also addresses accessible and adaptable buildings.
- 7.21 To a great extent the policy repeats existing local guidance. I sought advice from the Parish Council on its approach to this matter in the Clarification Note. I was advised about its importance to local people. I was also advised that this policy was the principal opportunity within the submitted Plan to reinforce the various important points.
- 7.22 I have some sympathy with the Parish Council's approach. However national legislation is clear that there is no need for a neighbourhood plan to repeat and/or reinforce local planning policies. In addition, other elements of the policy propose deviations or variations of local policies without any evidence to support such an approach.
- 7.23 Taking account of all the information available to me I recommend that the policy is replaced by a community aspiration. In addition, I recommend that as part of this process that the approach is modified so that it remains consistent with adopted local policy.

### **Delete the policy**

*Replace it as a community aspiration with the following modifications:*

- *replace part 1 with 'affordable housing to District Council standards will be required for schemes involving over 10 dwellings.*
- *delete part 3.*
- *in part 4 delete d).*
- *delete part 5.*

Policy E1: The River Bure and Valley

- 7.24 This policy addresses the River Bure. I saw its importance when I visited the neighbourhood area. Its ecological importance is highlighted in the opening part of the policy.
- 7.25 The policy takes an appropriate approach towards restricting development in this part of the neighbourhood area. It identifies two limited circumstances where development in the river and its valley would be supported. The first is where the primary objective is to achieve nature conservation. The second is where the benefits of the development clearly outweigh the negative effects.
- 7.26 I recommend modifications to the policy in general, and to the two circumstances where development would be supported in particular. In the first instance I recommend that the opening part of the policy becomes supporting text. It sets the scene for the policy rather than acts as a policy in its own right. I recommend the same modification for the final part of the policy. In this case it is a procedural matter relating to the need for an ecological assessment and the potential application of planning conditions and/or planning obligations.
- 7.27 In addition I recommend modifications to the two circumstances identified in the policy where development may be acceptable. Finally, I recommend that the River Bure and its valley (as highlighted in the submitted first part of the policy) is shown on a Map in the Plan. Without this detail the implementation of the policy will be uncertain within the Plan period.

**Delete 'The River Bure.... Act 2006'**

**In the third sentence replace 'to this important...habitat area' with 'to the River Bure and its surrounding valley as shown on Figure [insert number]' and 'permitted' with 'supported'.**

**In the first bullet point replace 'the habitat' with 'the wider river valley and its habitats or any protected species in particular'**

**In the second bullet point replace 'the loss' with 'the adverse impact on the integrity of the River Bure and its river valley'**

**Delete the final paragraph of the policy.**

*At the end of the first paragraph of the supporting text on page 49 insert the two deleted sections from the policy (as above).*

*Show the River Bure and its valley (as described in the submitted first paragraph of the policy) on a separate Map.*

Policy E2: Agricultural Land

- 7.28 The policy recognises the importance of the agricultural setting and context of the neighbourhood area. It proposes a sequential approach based on safeguarding the best and most versatile agricultural land.
- 7.29 The first part of the policy directly refers to local planning policy. The second does likewise to national planning policy. Paragraph 112 of the NPPF addresses agricultural land. It comments that where significant development of agricultural land is demonstrated to be necessary poorer quality land should be used in preference to higher quality land.
- 7.30 In all the circumstances I am not satisfied that the policy meets the basic conditions. It adds no distinctive value either to national or to local planning policy. In any event the Plan proposes a well-considered settlement boundary and does not propose a significant development of agricultural land. On this basis I recommend that the policy is deleted.

**Delete the policy.**

Policy E3: Protection and Enhancement of Local Biodiversity

- 7.31 This policy addresses the protection and enhancement of local biodiversity. It demonstrates similar issues to those raised in Policies E1 and E2. In this case there is a significant element of supporting text within the policy itself, and an overlap with national and local policies. I recommend a similar approach on these matters as I have with the two previous policies.
- 7.32 However the heart of the policy is its third paragraph. It offers support to proposals which would enhance the local ecological network in general, and certain sites in particular. This part of the policy is appropriately distinctive. Nevertheless, I recommend that 'encouraged' is replaced by 'supported'.

**Delete the first, second and fourth paragraphs of the policy**

**In the third paragraph replace 'encouraged' with 'supported'**

*At the end of the second paragraph of the supporting text on page 49 insert the three deleted sections from the policy (as above). Thereafter add:*

*'Policy E3 offers support to proposals that will enhance the local ecological network'.*

Policy E4: Renewable Energy

- 7.33 This policy offers support to renewable energy schemes. It includes appropriate environmental safeguards.
- 7.34 The general approach taken meets the basic conditions. I recommend several minor modifications to ensure that the policy has the necessary clarity and to correct an error.

**In the first and second paragraphs replaced ‘encouraged’ with ‘supported’.  
In the second paragraph replaced ‘he’ with ‘be’.**

Policy E5: Schemes for Low Carbon Development

- 7.35 This policy continues the approach taken in Policy E4. Its focus is on Low Carbon development.
- 7.36 I recommend the deletion of the first paragraph. It simply comments that new buildings should comply with national guidelines for energy efficiency. There is no need for a neighbourhood plan to repeat national policy or to remind developers of national policy.
- 7.37 I recommend modifications to the second paragraph so that it offers its support to carbon neutral or zero carbon buildings subject to the caveats identified in the policy. The recommended modification also deletes any reference to compliance with the Building Regulations for the same reason as set out in paragraph 7.36.
- 7.38 The third paragraph meets the basic conditions.

**Delete the first paragraph.**

**Replace the second paragraph with:**

**‘Development proposals for carbon neutral or zero-carbon buildings will be supported where they comply with development plan design policies.’**

Policy [E Insert number]: Local Green Spaces

- 7.39 A policy on local green spaces featured in the submitted Plan as Overarching Policy 2. I have recommended modifications to the structure of the policies in paragraph 7.19 of this report. This section of the report reintroduces the local green space policy in this part of the Plan.
- 7.40 The submitted Plan proposes the designation of two local green spaces (LGSs). The first is the green space around the Village Hall. The second is the village green including the play area adjacent to the River Bure. Section 6.4 of the Plan identifies the national context to LGS designation and the criteria set out in the NPPF.
- 7.41 I am satisfied that the two areas concerned comfortably meet the criteria for LGS designation.

- 7.42 The policy as originally set out as Overarching Policy 2 identifies the two proposed LGSs. However, it fails to identify and apply the policy implications of LGS designation as set out in paragraph 78 of the NPPF. I recommend accordingly.

**Insert new policy to read:**

**‘The following areas as shown on Figure 16 are designated as Local Green Spaces**

**[List the two sites]**

**New development will not be supported on land designated as local green space except in very special circumstances.’**

*Insert the following supporting text:*

*Section 6.4 of the submitted Plan (This applies.....play areas within the village).*

*In both relevant paragraphs replace the bold text with normal text.*

*Modify ‘Appendix 17’ to read ‘Appendix 15’.*

Policy HE1: Archaeology

- 7.43 This policy highlights the community’s view that developers of sites within 250 metres of sites of archaeological importance should consult with the Norfolk Historic Environment Service. Plainly it would be good practice for developers to do so.
- 7.44 Nevertheless the policy reads more as a technical working procedure rather than as a policy. I sought comments from the Parish Council on this matter and whether the policy should more effectively be cast as a community aspiration. This suggestion was agreed by the Parish Council. I recommend accordingly.

**Delete the policy**

*Replace the policy with a Community Aspiration (shown in blue) on a like-for-like basis.*

Policy HE2: Views of the Churches

- 7.45 This policy recognises the significance of the views of St Andrew’s and St Peter’s churches in the neighbourhood area. I saw their significance when I visited the neighbourhood area. The policy helpfully relates both to views of and the settings of the two churches.
- 7.46 The first part of the policy is supporting text rather than policy. I recommend that it is incorporated into the supporting text already included at paragraph 6.8. Subject to minor modifications the other two paragraphs of the policy meet the basic conditions.

**Delete the first paragraph.**

**Reverse the order of the remaining paragraphs of the policy.**

**In the submitted second paragraph replace ‘might’ with ‘would’.**

**In the submitted third paragraph replace ‘permitted’ with ‘supported’.**



*Insert the deleted first paragraph of the policy immediately after the third sentence in section 6.8 of the Plan.*

#### Policy DC1: Overall Character

- 7.47 This policy sets an overarching approach to the design of new development in the Plan period. At its heart is an ambition to ensure that new development is of a high quality and either conforms to the character, design and scale of its surroundings or enhances that setting. It helpfully references the North Norfolk Design Guide. That Guide forms part of the development plan. Figure 19 shows examples of characteristic buildings in the village.
- 7.48 The policy has four components. The first draws a relationship to the North Norfolk Design Guide and to the various buildings shown in Figure 19. The second sets out the Plan's expectations for high quality design. The third refers to density. The fourth offers appropriate support for well-designed modern buildings.
- 7.49 The approach taken generally meets the basic conditions. I recommend a series of modifications to bring complete clarity and consistency to the policy as required by the NPPF. They fall under the following points:
- the removal of slide 12 from Figure 19. This is not to detract from the integrity of the houses concerned. Nevertheless, they are not the type of development that would now necessarily be acceptable within the villages and/or comply with the North Norfolk Design Guide;
  - a reconfiguration of the third component so that it is in general conformity with the densities required in the Core Strategy;
  - providing an accurate link to the NNDC website in the footnote to the policy.
- 7.50 As recommended to be modified the policy will represent a locally-distinctive and robust approach to design and development in the neighbourhood area. One of the 12 core planning principles in the NPPF (paragraph 17) is '(always seek) to secure high-quality design and a good standard of amenity for all existing and future occupants of land and buildings.' Furthermore, the approach adopted in the policy has regard to the more detailed design elements of the NPPF. In particular, it plans positively for high quality and inclusive design (paragraph 57), it has developed a robust and comprehensive policy (paragraph 58), it proposes outlines of design principles (paragraph 59) and does so in a locally distinctive yet non-prescriptive way (paragraph 60).

*In figure 19 remove location/slide 12.*

**In the third component of the policy replace 'up to 25' with '30'. In the same component (second sentence) delete 'only' and add 'or a design opportunity' after 'need to'.**

*Reconfigure the footnote to the policy so that it links directly to the NNDC website.*

### Policy DC2: Open Space

- 7.51 This policy comments that the provision of open spaces in relation to new development should be in line with national and local guidelines.
- 7.52 Through the clarification note process the Parish Council agreed with my suggestion that the policy should be deleted as it did not add any additional dimension to either national or local policy. There is no need for a neighbourhood plan to repeat either national or local policies. I recommend accordingly.

#### **Delete the policy.**

### Policy DC3: Safety

- 7.53 This policy supports the Norfolk Fire and Rescue Service in promoting the installation of sprinklers in all new developments. Plainly this is excellent advice. However, the legislative requirements on this matter are addressed in the Building Regulations. They are not directly a land-use matter.
- 7.54 The Parish Council has agreed to my suggestion that the policy becomes a Community Aspiration. I recommend accordingly.

#### **Delete the policy**

*Replace the policy with a Community Aspiration (shown in blue) on a like-for-like basis.*

### Policy B1: Small Business and Light Industry

- 7.55 This policy supports the development of business uses on Priority Area 3 to the north of Saxthorpe village. It specifies A2/B1/B2/B8 uses. I recommend that the policy is explicit about its relationship to the Priority Site concerned. This is not immediately clear when reading the policy.
- 7.56 The policy loosely indicates an overriding preference for agricultural and horticultural uses. Nevertheless, it is clear that other uses that are appropriate to a rural area will also be supported. The policy also comments about design. It indicates, somewhat loosely, that they will be similar to those for housing development. I recommend modifications to these elements of the policy so that they define the type of development that will be supported both generally and for particular proposals and to define specific design standards.
- 7.57 The second part of the policy sets out design criteria for new buildings on the site. Most meet the basic conditions. Others become redundant as a result of other recommended modifications to the policy. I recommend accordingly.

#### **At the end of the title of the policy add ‘on Priority Site 3’**

**In the first sentence of the policy:**

- replace ‘encouraged’ with ‘supported’;
- replace ‘in the specific area.... Figure 17’ with ‘on Priority Site 3’

**Replace the second sentence with ‘Proposals for the development of agricultural and horticultural businesses will be particularly supported’**

**Replace the third and fourth sentences of the policy with:**

**‘All new development should complement, reinforce and enhance the location of the site on the northern edge of Saxthorpe. Proposals should demonstrate how the scale, mass, layout and design of new buildings relates to the rural character of the immediate area and the wider setting of Saxthorpe’.**

**In the second part of the policy delete ‘in principle’.**

**Delete criterion 1 and criterion 2.**

**In criterion 6 replace ‘significant’ with ‘unacceptable’.**

**Delete criterion 7.**

Policy B2: Heavy Goods Vehicles

- 7.58 This policy seeks to regulate and control the impact of HGVs within the neighbourhood area. In its response to my Clarification Note the Parish Council has commented about local concerns on this matter and on the effects of new and planned developments.
- 7.59 The submitted policy overlaps significantly with national and local planning policy. In addition, its effects are more in relation to traffic management and highway restrictions than to land use planning. In this context it attempts to react to unspecified new development rather than to plan for, and then to control directly the resulting traffic from such developments.
- 7.60 On this basis I recommend that the policy is deleted and replaced with a Community Aspiration. This would also more closely reflect the process nature of the approach taken. The retention of the matter within the Plan would nevertheless reflect the community’s concern about this important matter.

**Delete the policy.**

*Replace the policy with a community aspiration on a like-for-like basis but with the deletion of the final sentence of its first paragraph.*

Policy ED1: The Primary School and Education Facilities

- 7.61 This policy recognises the importance of the existing School to the vibrancy and the sustainability of the neighbourhood area.
- 7.62 Its third paragraph offers support to proposals which either provide or enhance existing education facilities. It includes an appropriate and distinctive range of environmental

criteria. I recommend a series of minor modifications so that the policy has the necessary clarity.

- 7.63 The first and second paragraphs of the policy are supporting text rather than policy. As such I recommend that they are deleted. In any event the issues they raise are already addressed in Section 6.11 of the Plan.

**Delete the first and second paragraphs of the policy.**

**In the third paragraph:**

- **replace ‘significant’ with ‘unacceptable’ in the second and fourth criteria;**
- **insert ‘and’ at the end of the fourth criterion.**

Policy ED2: Mobile Library

- 7.64 This policy relates to potential measures which may support the mobile library service and the provision of other sources of information.
- 7.65 Plainly this is a very laudable ambition. Nevertheless, the Parish Council has agreed with my recommended modification that the policy becomes a community aspiration. That approach recognises that the mobile library service is provided under separate legislation. I recommend accordingly.

**Delete the policy**

*Replace the policy with a Community Aspiration (shown in blue) on a like-for-like basis.*

Policy W&F1: St Andrew’s Church

- 7.66 This policy sets out circumstances where development at St Andrew’s Church would be supported. They relate both to the more traditional cultural and spiritual activities (in the first paragraph) and those which would enable greater village participation in the life and activity of the Church (in the second paragraph). In general terms the approach taken meets the basic conditions. I recommend some modifications to the details of the wording.
- 7.67 The second part of the policy identifies that proposals also need to be acceptable to the Diocesan Advisory Committee. Plainly this process will need to be followed. However, it is a parallel process which is unaffected by the planning process. I recommend that this element of the policy is deleted and reproduced in the supporting text.

**In the first and second paragraphs of the policy replace ‘encouraged’ with ‘supported’.**

**In the second paragraph delete ‘and they are.... Committee’.**

*At the end of the second paragraph of Section 6.12 add:*

*'Policy W&F1 provides a supporting context for proposals that would extend the cultural and spiritual activities of St Andrew's Church. In addition to the planning process any such proposals would also need to be authorised by the Diocesan Advisory Committee'.*

Policy W&F2: Footpaths and Public Rights of Way

- 7.68 This policy identifies the importance of the network of footpaths in the neighbourhood area. In particular it encourages any proposals that would achieve a more circular route around the villages.
- 7.69 The approach taken is entirely appropriate. It would assist in achieving the social dimension of sustainable development in the neighbourhood area. I recommend a minor modification to the language used in the second part of the policy.

**In the second part of the policy replace 'encouraged' with 'supported'.**

Policy W&F3: Allotments

- 7.70 This policy sets out to safeguard existing allotments. On this basis it only supports development proposals which would result in a loss of allotments where alternative provision is made.
- 7.71 The approach taken is entirely appropriate. It would assist in achieving the social dimension of sustainable development in the neighbourhood area. I recommend a minor modification to the language used in the second part of the policy.

**Replace 'permitted' with 'supported'.**

Policy T1: Traffic Calming

- 7.72 The policy has two components. The first supports proposals for development promoting highway safety. The second identifies development thresholds above which new development should contribute towards traffic calming measures.
- 7.73 Insofar as planning permission is required I am satisfied that the first part of the policy meets the basic conditions. Many traffic calming schemes are likely to take place within the highway and will therefore be permitted development. I recommend that the second part of the policy becomes a community aspiration. Some schemes may generate the need for traffic calming measures and others will not. This will be a matter for a case-by-case judgement rather than for a direct application of policy. I recommend accordingly. In doing so the recommended modification also recognises that the Parish Council will not be the decision-maker on the need for developer contributions.

**In the first sentence add 'Insofar as planning permission is required' at the start of the policy and replace 'encouraged' with 'supported'.**

### Delete the remainder of the policy.

*Incorporate the deleted elements of the policy into a new community aspiration headed 'Contributions to traffic calming'. Replace 'where the Parish...necessary' with 'where the evidence supports the need for such contributions'.*

#### Policy T2: Public Transport

- 7.74 This policy identifies that new developments should provide improved bus stop facilities. Its second part identifies that the closest bus stops to new development should be brought up to a good standard.
- 7.75 Having considered the Parish Council's responses to my Clarification Note I recommend that the policy becomes a community aspiration. It does not identify any direct relationship between new development and the need for new or improved bus stop facilities.

### Delete the policy

*Replace the policy with a Community Aspiration with the following modifications:*

- *in the first paragraph replace 'should provide' with 'should assess their ability to contribute towards'.*
- *in the second paragraph replace 'there will be an expectation that' with 'developers should assess their ability to contribute towards works that would ensure that'.*

#### Community Aspirations

- 7.76 The Plan includes a series of community aspirations. They have naturally arisen throughout the plan production process. They are not of a land use nature. As such they will not form part of the development plan in the event that the Plan is 'made'. I comment on the series of Aspirations in turn below.

#### CA1: Affordable Housing Local Connections

- 7.77 This aspiration relates to the allocation of affordable housing in the neighbourhood area. It proposes that at least 50% of affordable housing should be offered to people with a local connection. The policy defines a local connection by reference to five criteria.
- 7.78 The aspiration relates more to the powers of NNDC as the housing authority rather than its powers as the local planning authority. Nevertheless, this highlights the judgement of the Parish Council to propose this matter as a community aspiration rather than as a policy.

- 7.79 NNDC raise various objections to the community aspiration in general terms and argue that it conflicts with its statutory duties in particular. The aspiration partially acknowledges the statutory responsibilities of NNDC in its final component.
- 7.80 However I am not satisfied that the aspiration is either appropriate or distinctive to the neighbourhood area. It attempts to implement an allocations policy which runs contrary to the District Council's statutory responsibilities. This tension is captured in the text - the aspiration proposes a local connections approach on the one hand and then highlights its conflicts with legislation in its final criterion on the other hand.
- 7.81 I acknowledge that this aspect of the Plan is a community aspiration and, if included in any 'made' plan would not form part of the development Plan. Nevertheless, the neighbourhood plan process has a reasonable expectation that community aspirations should be capable of being delivered within the Plan period. On this basis I recommend the deletion of this Aspiration.

*Delete the Community Aspiration*

CA2: Renewable Energy and Insulation

- 7.82 This aspiration relates to insulation for new and existing properties.
- 7.83 I am satisfied that the aspiration is both appropriate and distinctive to the neighbourhood area.

CA3: Ultra-Fast Broadband and Mobile Phone Service

- 7.84 This aspiration indicates that the Parish Council will promote schemes that achieve or help to achieve super-fast broadband and improved mobile phone services.
- 7.85 I am satisfied that the aspiration is both appropriate and distinctive to the neighbourhood area. I experienced first-hand the very poor mobile phone reception in the neighbourhood area.

CA4: Promotion of Adult Education and Entertainment

- 7.86 The aspiration encourages adult education and the identification of a suitable accommodation for a film club venue.
- 7.87 I am satisfied that the aspiration is both appropriate and distinctive to the neighbourhood area.

CA5: St Peter's Church

- 7.88 This aspiration supports improvements to the churchyard, its surroundings and the interior of the Church.

- 7.89 I am satisfied that the aspiration is both appropriate and distinctive to the neighbourhood area.

#### CA6: Play Areas

- 7.90 This aspiration seeks to safeguard the two play areas and allocate community resources to their maintenance and upkeep.

- 7.91 I am satisfied that the aspiration is both appropriate and distinctive to the neighbourhood area.

#### CA7: Community and Voluntary Transport

- 7.92 This aspiration relates to running a community transport scheme to provide access to key services. It also encourages volunteer transport schemes.

- 7.93 I am satisfied that the aspiration is both appropriate and distinctive to the neighbourhood area.

#### Other matters

- 7.94 This report has recommended a series of modifications both to the policies and to the supporting text in the submitted Plan. Where consequential changes to the text are required directly as a result of my recommended modification to the policy concerned I have highlighted them in this report. However other changes to the general text may be required elsewhere in the Plan as a result of the recommended modifications to the policies. It will be appropriate for NNDC and the Parish Council to have the flexibility to make any necessary consequential changes to the general text.

- 7.95 NNDC has also raised several comments about the details in the Plan that relate to its preparation rather than to its future role in the event that the Plan is 'made'. Plainly this is a natural outcome of the Plan production process. Factual changes of this nature could be incorporated into the Plan if so desired locally. I recommend accordingly.

*Modification of general text (where necessary) to achieve consistency with the modified policies.*

#### Technical Matters

- 7.96 In its representations NNDC has raised a series of technical matters. They relate to a range of details contained in the Plan. The comments are technically accurate and are very helpful.

- 7.97 I recommend the following series of modifications to the various parts of the Plan insofar as they are necessary to secure clarity and correctness. In certain areas (such as the overlap with the Basic Conditions Statement) modifications are not necessary to ensure that the Plan meets the basic conditions.



*Page 8 fourth paragraph – Replace ‘Priority Area Development Plan’ with ‘Site Allocations Development Plan Document 2011’*

*Page 8 sixth paragraph – Insert correct link to NNDC website*

*Section 5.3.4 (fourth paragraph) – Replace ‘negotiations with.... development’ with ‘Discussion on emerging proposals’*

*Figures 1/3/4/6/7/8/9/15/16 need to be produced to development plan standards and provide the correct and most up to date copyright information.*

## 8 Summary and Conclusions

### *Summary*

- 8.1 The Plan sets out a range of policies to guide and direct development proposals in the period up to 2036. It is distinctive in addressing a specific set of issues that have been identified and refined by the wider community.
- 8.2 Following my independent examination of the Plan I have concluded that the Corpusty and Saxthorpe Neighbourhood Development Plan meets the basic conditions for the preparation of a neighbourhood plan subject to a series of recommended modifications.
- 8.3 This report has recommended modifications to the policies in the Plan. Nevertheless, it remains fundamentally unchanged in its role and purpose.

### *Conclusion*

- 8.4 On the basis of the findings in this report I recommend to North Norfolk District Council that subject to the incorporation of the modifications set out in this report that the Corpusty and Saxthorpe Neighbourhood Plan should proceed to referendum.

### *Referendum Area*

- 8.5 I am required to consider whether the referendum area should be extended beyond the Plan area. In my view, the neighbourhood area is entirely appropriate for this purpose and no evidence has been submitted to suggest that this is not the case. I therefore recommend that the Plan should proceed to referendum based on the neighbourhood area as approved by the District Council on 2 December 2013.
- 8.6 I am grateful to everyone who has helped in any way to ensure that this examination has run in a smooth and efficient manner. The Parish Council's responses to my Clarification Note were very helpful in preparing this report.

**Andrew Ashcroft**  
**Independent Examiner**  
**7 November 2018**

## Appendix A

### Inception Meeting – Corpusty and Saxthorpe Neighbourhood Development Plan

#### The Old Rectory, Saxthorpe

18 September 2018. 14:30

#### *Present*

Imogen Waterson	Parish Council/Steering Committee
Tony Barnett	Parish Council/Steering Committee
Chris Brown	NNDC
Mark Ashwell	NNDC
Andrew Ashcroft	Independent Examiner

#### *Purpose of the meeting*

AA advised that the meeting was of a procedural nature. It would not discuss the details of the policies or the various representations.

#### *Role of the Examiner*

AA set out his role. The testing of the Plan against the basic conditions was highlighted. AA highlighted that it was not within his remit to re-write and/or to improve the Plan.

AA also advised about the potential importance and significance of recommended modifications to ensure that the Plan meets the basic conditions.

#### *The arrangements for the examination*

AA explained the arrangements note as previously circulated. The timing and the significance of the Clarification Note was highlighted.

#### *Initial Observations*

AA shared the emerging issues that would be raised in the Clarification Note. This followed on from the substantive part of the unaccompanied visit that had been completed earlier that day. He explained that the visit would be concluded on the morning of 19 September.

#### *Next Steps*

There was a general discussion about the capacity of the Parish Council to respond to questions raised in the Clarification Note. AA commented that the examination would proceed at a pace with which the Parish Council was content.

AA committed to sending the Clarification Note by Thursday 20 September 2018.

Andrew Ashcroft

Independent Examiner

20 September 2018