

From: [REDACTED]
Sent: 15 April 2020 13:36
To: Planning Policy
Subject: Ryburgh Submission Neighbourhood Plan

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Sir/Madam,

Thank you for the opportunity to comment on the Ryburgh Submission Neighbourhood Plan consultation. The following comments are submitted on behalf of Anglian Water.

I would be grateful if you could confirm that you have received this response.

Policy 3 - Infill Housing in Ryburgh

We note that Policy 3 has been amended following the previous consultation to include reference to all proposals for infill housing within the neighbourhood plan area considering the risk of flooding from all sources which is supported.

Notifications

We would wish to be notified of the outcome of the examination and any subsequent decision made by the Council relating to the Neighbourhood Plan.

Should you have any queries relating to this response please let me know.

Regards,

[REDACTED]
Spatial Planning Manager
[REDACTED]

Anglian Water Services Limited

Anglian Water, Thorpe Wood House, Thorpe Wood, Peterborough, Cambridgeshire. PE3 6WT





NORTH NORFOLK D.C.

28 APR 2020

POSTAL SERVICES

Ryburgh Draft Neighbourhood Plan Submission Version Consultation (Regulation 16)

Consultation Response Form

Ryburgh Parish Council have submitted a Draft Neighbourhood Development Plan to North Norfolk District Council under Regulation 15 of the Neighbourhood Planning (General) Regulations 2012 (as amended). In accordance with Regulation 16, North Norfolk District Council is now inviting representations on the Draft Plan, supporting documents and the evidence base.

Personal Details

In order for your representations (comments) to be taken into account when the Neighbourhood Plan is submitted for Examination, and also to keep you informed of the future progress of the Neighbourhood Plan, your contact details are needed.

Please fill in your contact details below:

Personal Details			
Title: Mrs	Name: [REDACTED]		
Please tell us the capacity in which you are commenting on the Plan:			
I am a resident in the Neighbourhood Area (the parish)	<input type="checkbox"/>	I am a Statutory Consultee	<input type="checkbox"/>
I work in the Neighbourhood Area (the parish)	<input type="checkbox"/>	Other (please specify)	<input checked="" type="checkbox"/>
I represent a Resident's Association	<input type="checkbox"/>	[REDACTED]	
Organisation Name (if responding on behalf of your organisation)			
Address: [REDACTED]			
Postcode: [REDACTED]			
Telephone: [REDACTED]		Email:	

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No, I do not wish to participate at an oral examination

Yes, I wish to participate at an oral examination

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Please notify me

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Signature:

Print Name:

Date: 26 Apr 20

For official use only

Date received:

Ref No:

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Representation Details

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Document / Page Number / Policy / Objective / Paragraph Number	Object / Support / Neutral	Comments	Suggested Change
All	Support	<p>I fully support the Ryburgh Neighbourhood Development Plan as proposed.</p> <p>I wish to take the opportunity to thank those who have given freely of their time to put this together for the benefit of the environment and people of Ryburgh now and in the future.</p>	None

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From: [REDACTED]
Sent: 07 June 2020 13:52
To: Planning Policy
Subject: Ryburgh Submission Version Neighbourhood plan, Crisp Response

Follow Up Flag: Follow up
Flag Status: Flagged

Sir,

I wish to comment on the report submitted on behalf of Crisp Maltings which states that the Ryburgh draft development plan fails to take account of basic conditions. This is clearly inaccurate particularly in respect of sustainable housing development and traffic safety. A proper reading of the basic conditions section of the plan will show that all conditions are properly met.

Crisp had a representative on the working group of the plan all the time it met, and at no time shared their thoughts on the planning applications which were in development, so it is disingenuous to suggest that the neighbourhood plan should have taken their plans into account before it was submitted.

The report seeks to compare the Ryburgh plan against the Crisp proposals as if the latter were already agreed upon and the Ryburgh plan is ignoring them - that gives rise to the suspicion that this report is being used as an opportunity to strengthen the validity of their planning proposals which have yet to be considered.

It is of enormous importance to the village, and the evidence in the submitted plan is clear on this point, that HGV movements through the village street are not increased. I therefore object to the proposal to reword Policy I - (4.16 in the Crisp report). There is no technical evidence which can demonstrate that additional HGV movements can occur without further impacting on the quality of lives of the people who live in and walk around, the village. They may be able to demonstrate that the highway network is not affected, (although I would remain to be convinced of that), but that is not the same as the quality of life of those who live adjacent to the highway network.

I would be grateful if these comments could be considered.

As I said when I submitted my comments on the Ryburgh plan, I offer my support to all the policies of the NDP which I believe fairly represent the principal concerns of the community.

Yours

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Document / Page Number / Policy / Objective / Paragraph Number	Object / Support / Neutral	Comments	Suggested Change



Historic England

By e-mail to:
North Norfolk Planning Policy Team

Our ref: PL00607388
Your ref:
Date: 05/05/2020

Direct Dial:
Mobile:
[REDACTED]

Dear Sir/Madam,

Ref: Ryburgh Neighbourhood Plan Regulation 16 Consultation

Thank you for inviting Historic England to comment on the Regulation 16 Submission Draft of the Ryburgh Neighbourhood Plan.

We welcome the consideration given in the plan to Ryburgh's archaeological significance, and the inclusion of Policy 11. Given that the policy requires all applicants to consult the HER in order to understand whether a site is within 250m of an existing record, we would suggest that this policy could be refined to simply require that, as a minimum, a proportionate Archaeological Desk Based Assessment is undertaken for any proposals for development within the neighbourhood plan area. This is in line with NPPF paragraph 189, and would strengthen the Ryburgh neighbourhood plan's positive strategy further in line with paragraph 185, owing to the that it would automatically invoke the requirement for consultation with Norfolk County Council's archaeological service regarding the requirement for any further investigation and mitigation.

We would refer you also to any comments made at Regulation 14 stage, as well for general advice to our detailed guidance on successfully incorporating historic environment considerations into a neighbourhood plan, which can be found here: <https://historicengland.org.uk/advice/planning/plan-making/improve-your-neighbourhood/>.

To avoid any doubt, this letter does not reflect our obligation to provide further advice on or, potentially, object to specific proposals which may subsequently arise as a result of the proposed plan, where we consider these would have an adverse effect on the historic environment.

Please do contact me, either via email or the number above, if you have any queries.

Yours faithfully,



Historic England, Brooklands, 24 Brooklands Avenue, Cambridge CB2 8BU
Telephone 01223 58 2749 HistoricEngland.org.uk

Please note that Historic England operates an access to information policy.

Correspondence or information which you send us may therefore become publicly available.



[REDACTED]

[REDACTED]

Historic Places Advisor, East of England

[REDACTED]



Historic England, Brooklands, 24 Brooklands Avenue, Cambridge CB2 8BU
Telephone 01223 58 2749 HistoricEngland.org.uk

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**Ryburgh Draft Neighbourhood Plan
Submission Version Consultation (Regulation 16)**



Consultation Response Form

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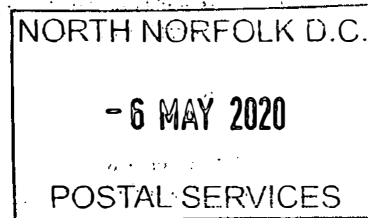
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BECAUSE I AM A RESIDENT AND MY FAMILY LIVE IN THE VILLAGE AND I OWN A PROPERTY THAT IS PRIVATELY LET (RESIDENTIAL) IN THE VILLAGE AND I CARE ABOUT MY COMMUNITY

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Document / Page Number / Policy / Objective / Paragraph Number	Object / Support / Neutral	Comments	Suggested Change
1.4.1	Support	The emerging Local Plan allows for a greater degree of genuine local autonomy where there is a strong NDP	
2.1.5	Support	The NDP emphasises the need for residents to see less HGV traffic, this is a very strongly held opinion	

Document / Page Number / Policy / Objective / Paragraph Number	Object / Support / Neutral	Comments	Suggested Change
4.2.1	Support	The village would benefit from a cycle path along dismantled railway to Fakenham. Fakenham residents also benefit	
4.3.1	Support	Sustainable housing developments and "cradle to grave" notion allow village to grow organically.	

Please use additional rows / additional sheets of paper to add further comments.

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No, I do not wish to participate at an oral examination

Yes, I wish to participate at an oral examination

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I have lived in the village for 20 years and have first experience of the issues with HGVs in the village and the poor footpaths.

Future Notification & Next Stages

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Print Name:

Date:

10/5/2020

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Document / Page Number / Policy / Objective / Paragraph Number	Object / Support / Neutral	Comments	Suggested Change
Ryburgh Neighbourhood Plan Submission Page 12 Policy 1	Support	In my opinion no developments should be considered that would increase the number of HGV movements in the village. Crisp Maltings is a part of the village but they should not take over the village for their financial gain. Especially as none of the management of shareholders of the company live in the village.	
Ryburgh Neighbourhood Plan Submission Page 15 Policy 3	Support	I strongly support the plan in its proposal that any new housing should be only small scale on small undeveloped plots or on brown-field sites.	

Document / Page Number / Policy / Objective / Paragraph Number	Object / Support / Neutral	Comments	Suggested Change
Ryburgh Neighbourhood Plan Submission Page 17 Policy 8	Support	I fully support all sections of this policy	

Please use additional rows / additional sheets of paper to add further comments.

Ryburgh Draft Neighbourhood Plan
Submission Version Consultation (Regulation 16)



Consultation Response Form

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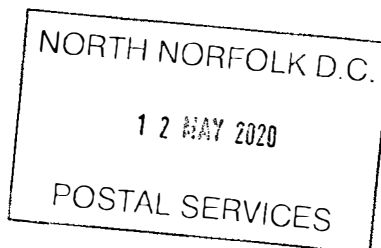
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Signature:

Print Name:

Date:

7 / 05 / 20

For official use only

Date received:

Ref No:

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Document / Page Number / Policy / Objective / Paragraph Number	Object / Support / Neutral	Comments	Suggested Change
ENTIRE PLAN	SUPPORT	I am a Ryburgh resident, lived in North Norfolk all my life. I wholly support the plan.	

Ryburgh Draft Neighbourhood Plan Submission Version Consultation (Regulation 16)



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Signature: [REDACTED]

Print Name: [REDACTED]

Date: 12 may 2020

For official use only

Date received:

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Document / Page Number / Policy / Objective / Paragraph Number	Object / Support / Neutral	Comments	Suggested Change
submission version,page7 2.1	support	the building of so many houses in 1 development is detrimental to the size of the village and should not be allowed to happen.	planning of up to 5 houses at any one time no more development which increases traffic through the village. a new road from the ryburgh maltings to langor bridge.
page 11 4.1	support	there is a lot of traffic for a small village with very small paths in some areas. this needs to be kept to a minimum	no more development which increases traffic through the village. a new road from the ryburgh maltings to langor bridge.

Document / Page Number / Policy / Objective / Paragraph Number	Object / Support / Neutral	Comments	Suggested Change
page 12 4.2	support	Footpath/Cycleways	look at a route around the maltings to get back onto the railway line to fakenham.
page 13 4.3	support	new housing, this policy is perfect in keeping with the village especially keeping within the settlement boundary	
	support	the rest of the plan looks very good and i support it	

Please use additional rows / additional sheets of paper to add further comments.

Ryburgh Draft Neighbourhood Plan Submission Version Consultation (Regulation 16)



Consultation Response Form

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Address: <input style="width: 80%;" type="text"/>	
Postcode: <input style="width: 80%;" type="text"/>	
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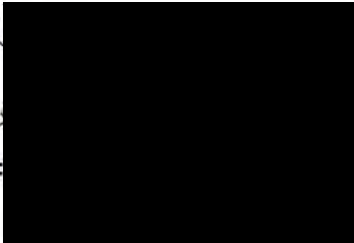
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Document / Page Number / Policy / Objective / Paragraph Number	Object / Support / Neutral	Comments	Suggested Change
<p>Page 7</p> <p>2.1.4</p> <p>2.1.5</p>	<p>support</p> <p>support</p>	<p>Agree that environmental quality for the residents is being damaged and that the village should remain as its existing designation as open countryside.</p> <p>Top priority is for less HGV traffic passing through High street.</p>	
<p>2.1.6 / 7</p>	<p>support</p>	<p>Any new housing should be through the process of infill housing. The Maltings proposal to build 50-75 new houses on one site would be both out of character and out of scale to the existing community and village construction.</p> <p>Any increase of activity and new developments only after new road in place.</p>	

Document / Page Number / Policy / Objective / Paragraph Number	Object / Support / Neutral	Comments	Suggested Change
Page 11 4.1 - 4.5	support	The roads and pavements in the village are being damaged and put at risk by the size of HGV vehicles visiting the Maltings which in turn puts lives at risk.	
Page 14 Policy 3	support	Fully support that any new dwellings should be within the defined settlement boundary and through infilling.	
Policy 4 - 10	support	Fully supportive of the policies that maintain the key characteristics, conservation and environmental features of the Wansum Valley, wildlife and night skies that are synonymous with the wonderful area in which we live.	

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Ryburgh Draft Neighbourhood Plan Submission Version Consultation (Regulation 16)



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Document / Page Number / Policy / Objective / Paragraph Number	Object / Support / Neutral	Comments	Suggested Change
Submission Version Page 7 2.1.6 Submission version Page 14 Policy 3	Support Support	I strongly agree that there should be a restriction on the number of houses that can be built on one plot within the village. The building of 50-75 houses on one site is definitely out of character with the existing village structure. The number of new residents would be significant and potentially increase the population of the village by almost one third which is disproportionate. Completely agree that the village may need new dwellings and these should be considered as long as they are within the defined Settlement Boundary	
Submission version Page 12 Policy 1 Submission version Page 12 Policy 2	Support Support	Strongly agree that no further additional traffic should be encouraged to enter the village. If the new road is to be built this should be combined with a blanket ban on HGV's in the heart of the village The footpaths struggle to be safe at the moment and any further impingement on these would potentially prove to be very dangerous to those using these. With the number of new houses proposed the vehicle traffic associated with the new properties could lead to a lot more movements through the main heart of the village, along with the number of children wanting to access the park along a very narrow footpath.	

Document / Page Number / Policy / Objective / Paragraph Number	Object / Support / Neutral	Comments	Suggested Change
Submission Version Page 14 Policy 3	Support	<p>Flooding is very great concern. The village as it stands now has struggled regarding drainage etc. Many parts of the village are prone to flooding, even with moderate rainfall.</p> <p>Any additional housing approved could result in added pressure to an already struggling system.</p>	
Overall	Support	Overall i fully support the plan as it stands.	

Please use additional rows / additional sheets of paper to add further comments.

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NORTH NORFOLK D.C.

15 MAY 2020

POSTAL SERVICES

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2.1.5		<p>I support the proposal for less traffic to the village, in particular HGV's.</p> <p>In order to access our property from Station Road when coming from the direction of the church we have to turn right into The Loke which runs between the Little Chippy and the cottages.</p> <p>Frequently lories and at certain times of the day a large volume of cars from workers at the Maltings approach this bend at speed and in the case of HGV's often on the wrong side of the road due to its narrowness.</p> <p>Coupled with parked cars and the nursery on the opposite side of the road the size and volume of traffic is disproportionate to the size of the road.</p>	<p>An alternative road / entrance / exit to The Maltings which does not run through the village centre.</p> <p>Further white lines / yellow lines preventing parking so close to this bend.</p>
2.1.6		<p>I support the growth of the village with infill planning.</p> <p>A development of 50-75 new homes would be considered an overdevelopment and permanently alter the nature, character and community in the village.</p> <p>The village does not have the infrastructure to accommodate this size development.</p>	<p>Permitted development by infill planning only</p>

Document / Page Number / Policy / Objective/ Paragraph Number	Object / Support / Neutral	Comments	Suggested Change
2.1.8		<p>The Saxon Church and burial grounds, the fact that for thousands of years pilgrims have followed the path of the River Wensum to Great Walsingham. The River itself with flora and fauna is an area of natural beauty.</p> <p>We have seen during the lockdown of Covid 19 an increase in birds and wildlife who previously have been affected by man and his machines, it has been acknowledged all over the world without man interfering causing noise and pollution breeding for many endangered species has increased and mammals and fish have been sighted in places where there were previously none.</p> <p>Overdevelopment would potentially destroy habitat breeding grounds.</p>	<p>Leave the village centre as it is.</p> <p>Expand the site and create a new entrance / exit for the meetings</p> <p>Planning permission only as infill.</p>

Please use additional rows / additional sheets of paper to add further comments.

**Ryburgh Draft Neighbourhood Plan
Submission Version Consultation (Regulation 16)**



Consultation Response Form

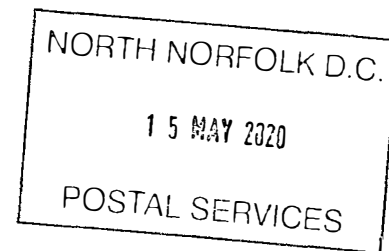
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Please notify me

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Signature:


Print Name: Date:

For official use only

Date received:

Ref No:

Document / Page Number / Policy / Objective / Paragraph Number	Object / Support / Neutral	Comments	Suggested Change
		<p>I am in full agreement with the Aims and Vision Statement of the Ryburgh Neighbourhood Plan (2019-2036) and all the Policy Statements contained therein.</p>	<p>[REDACTED]</p> <p>14.5.20</p>
		<p>PLEASE SEE ATTACHED LETTER. (Dated 14.05.2020)</p>	<p>[REDACTED]</p> <p>14.5.20.</p>



14 May 2020

Planning Policy Team
North Norfolk District Council
Holt Road, Cromer
NR27 9EN

Dear Sirs

Ryburgh Neighbourhood Plan

Planning Applications by Crisp Malting 2020

Six years ago I chose to move to Great Ryburgh, the reasons being:

1. Village Life
2. Village Shop
3. Bus Route
4. To live in a farming community

I accepted the industrial site of Crisp Maltings which at that time seemed to be just on the limit of what was acceptable in a village situation.

I accepted the lorries which trundle up and down Fakenham Road/ Station Road (the C355) – I have however wondered whether the excessive loads are responsible for the numerous water leaks experienced along that road. I have marvelled that such heavy goods lorries could continuously drive back and forth over a Saxon bridge which was built primarily for horse and cart and maybe a stage coach or two in later life.

Now we are threatened with a considerable expansion of the industrial site and a development which plans 50 new houses, with the consequent traffic of say an extra 150 cars and of delivery and maintenance vehicles all using the C355. How on earth will the village manage? At our peak times e.g. the school run, parents out to work, it will be chaos in our village. Why should one even consider this dreadful existence for present residents. Not only is it insulting to the people of Great Ryburgh, it is also unnecessary since even I, a lay man, can appreciate that Crisp Maltings have outgrown the village site and morally should look for alternative premises.

My conclusion is a plea to you: Please do not sacrifice our delightful village; please let us continue to enjoy what we chose to inhabit, away from further industrial and traffic noise pollution and light pollution – all the things which you as a ruling council wish to eliminate or at least strive to keep to a minimum.

Should any consideration be given to changing the status of our village it will sign an open document for the village to become unrecognisable and in every respect devalued.

Yours sincerely

A solid black rectangular redaction box covering the signature of the sender.A solid black rectangular redaction box covering the name of the sender.

Ryburgh Draft Neighbourhood Plan Submission Version Consultation (Regulation 16)



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Ryburgh Neighbourhood Plan Consultation: response from [REDACTED]

Document/Page/ Policy/Objective/ Paragraph	Object / Support / Neutral	Comment	Suggested change
Para 2.1.4	Support	I thoroughly support the view that Ryburgh should retain its current 'open countryside' status, rather than be reclassified as a small or large growth village. Ryburgh is a village with few amenities and little room for expansion without the landscape and environmental quality being put under significant threat.	
Policy 1	Support	I wholeheartedly support the policy that developments leading to sustained additional HGV traffic on existing roads in Ryburgh should not be permitted. We already have to live with high levels of lorry traffic all year round and any increase in such traffic poses a serious risk for other road-users, including children, cyclists, elderly people, parents with pushchairs, people using disability buggies etc.	If possible, I would prefer that the policy be extended (or a separate one added) to restrict developments leading to sustained additional general vehicular traffic (cars, vans etc). For example, the current new housing development and access road proposed by the Crisp Maltings Group could potentially lead to another 100 or so cars using what is already an over-used minor road with narrow pavements on a 24/7 basis. This potentially poses as great a hazard to other road users as additional HGV traffic and would have a significant environmental impact. Overall it would have a detrimental impact on the wellbeing and quality of life of those of us who live in Ryburgh, and on the landscape.
Policy 2	Support	I fully support this policy to protect the old railway line for potential future use as a footpath or cycleway. It is currently too dangerous for me to walk to Fakenham because of the amount of fast-moving traffic on the existing roads, as well as the distance, so a (direct) footpath would be hugely welcome. The railway line is also a haven for wildlife and should therefore be protected.	

Policy 3	Support	I strongly support the proposed policy and accompanying provisions for housing development to be restricted to small-scale infill housing and agree with the rationale behind the policy and the promotion of sustainable development within the community.	
Policy 4	Support	I strongly support this policy.	
Policy 5	Support	I strongly support this policy because it is vital that our ecologically important local habitats and landscape be protected.	
Policy 6	Support	I strongly support this policy on dark night skies. I have noticed some increase in light pollution in the five years that I've lived in Ryburgh. I used to be able to see the Milky Way from my back garden most clear nights, but am rarely able to do so now. It is important that dark skies are preserved because of their importance for wildlife as well as for residents.	I would welcome a similar policy on how noise pollution would be addressed in the event of any planning proposals which could lead to a sustained increase in noise levels. We already have to live with a considerable amount of noise pollution from the Maltings on a 24/7 basis.
Policy 7	Support	I strongly support this policy because we should be awarding the highest level of protection for the aquatic and terrestrial ecology of the Wensum and its tributaries.	
Policy 8	Support	I strongly support this policy.	
Policy 9	Support	I strongly support this policy. As well as the ecological importance of the River Wensum corridor, the local landscape also has a network of historic hedgerows which support UK priority species. The old railway line and nearby wetland habitats also provide important connective habitats for wildlife which should be protected and enhanced.	
Policy 10	Support	I strongly support this policy because of the need to protect and preserve open land areas because of their ecological and visual importance.	
Policy 11	Support	I strongly support this policy relating to archaeology because of the potential for further historically significant sites yet to be discovered in our ancient landscape.	

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Document / Page Number / Policy / Objective / Paragraph Number	Object / Support / Neutral	Comments	Suggested Change
Aims Vision Statement Policy 1 Policy 2 Policy 3 Policy 4 Policy 5 Policy 6 Policy 7 Policy 8 Policy 9 Policy 10 Policy 11	Support Support Support Support Support Support Support Support Support Support Support	<p>I am in full agreement with the Aims, Vision Statement and all policy statements in the Ryburgh Neighbourhood Plan (2019 to 2036) Submission Version April 2020.</p> <p>I want the NNDC to take full account of this plan in making any decisions on planning applications in the neighbourhood and thereby strive to protect and promote the physical health and well being of all residents now and in the future. In particular to ensure a balance is maintained between appropriate sustainable growth of the Maltings as part of the village and the environmental and amenity value of the village as a whole.</p>	

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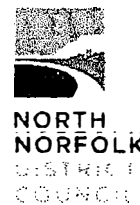
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NORTH NORFOLK D.C.

18 MAY 2020

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AS A PARISH COUNCILLOR, I HAVE MADE MYSELF
AWARE OF THE VIEWS EXPRESSED IN THE VILLAGE
AND I WOULD BE PLEASED TO ARTICULATE SAME IN
A PUBLIC HEARING.

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1	SUPPORT	<p>PEDESTRIANS, YOUNG + OLD HAVE DIFFICULTIES WITH THE NARROW, UNSAFE FOOTPATHS ALONG STATION + FAIRFHAM ROAD AND HQV VEHICLES INCREASE THE RISK.</p>	
2	SUPPORT	<p>THE GREEN ENVIRONMENT DEMANDS OUR POSITIVE SUPPORT FOR THE WELFARE OF RESIDENTS AND VISITORS TO THE VILLAGE.</p> <p>LOCAL WILDLIFE, PARTICULARLY WITHIN OUR RIVER WENSUM VALLEY IS A PRECIOUS ASSET NOT TO BE DAMAGED</p>	

Please use additional rows / additional sheets of paper to add further comments.

Document / Page Number / Policy / Objective / Paragraph Number	Object / Support / Neutral	Comments	Suggested Change
3	SUPPORT	IN ORDER TO PROTECT THE UNIQUE ASPECTS OF THE VILLAGE CURRENT INFRASTRUCTURE I WOULD WELCOME INFIL + BROWNFIELD SUITABLE DEVELOPMENTS.	
4	SUPPORT	AS POLICY 2+3 COMMENTS	

Document / Page Number / Policy / Objective / Paragraph Number	Object / Support / Neutral	Comments	Suggested Change
5	SUPPORT	AS POLICY 2 COMMENTS.	
6	SUPPORT	<p style="text-align: center;">FROM CRISP FACTORY</p> <p>UNPLANNED FLOOD LIGHT LEAKAGE IS AN ISSUE NOTED BY NUMEROUS RESIDENTS LIVING ON STATION AND FAKENHAM ROAD</p>	

Please use additional rows / additional sheets of paper to add further comments.

Document / Page Number / Policy / Objective / Paragraph Number	Object / Support / Neutral	Comments	Suggested Change
7	SUPPORT	AS POLICY 2 COMMENTS " " 3 "	
8	SUPPORT	AS POLICY 2 COMMENTS " " 3 "	

Please use additional rows / additional sheets of paper to add further comments.

Document / Page Number / Policy / Objective / Paragraph Number	Object / Support / Neutral	Comments	Suggested Change
9	SUPPORT	As Policy 2 COMMENTS	
10 † 11	SUPPORT SUPPORT	As Policy 2 COMMENTS DITTO.	

Please use additional rows / additional sheets of paper to add further comments.

Ryburgh Draft Neighbourhood Plan Submission Version Consultation (Regulation 16)



Consultation Response Form

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NORTH NORFOLK D.C.

18 MAY 2020

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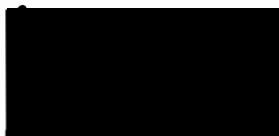
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Document / Page Number / Policy / Objective / Paragraph Number	Object / Support / Neutral	Comments	Suggested Change
POLICY 1 TRAFFIC SAFETY	SUPPORT	<p>THE TRAFFIC IN GREAT RYBURGH IS ALREADY VERY HEAVY WITH THE NUMBER OF LORRIES AND HGVs GOING THROUGH THE VILLAGE</p> <p>FOOTPATHS ARE VERY NARROW & UNEVEN IN PLACES CAUSING HAZZARDS.</p>	
POLICY 2 LAND SAFEGUARD FOR PUBLIC ACCESS		<p>WE HAVE BEAUTIFUL COUNTRY SIDE THAT NEEDS TO BE PROTECTED AND AVAILABLE FOR WALKERS AND WILDLIFE SUPPORTERS</p>	

Document / Page Number / Policy / Objective / Paragraph Number	Object / Support / Neutral	Comments	Suggested Change
<p>POLICY 3</p> <p>INFILL HOUSING</p>	<p>SUPPORT</p>	<p>THE PERSONALITY AND APPEARANCE OF OUR VILLAGE NEEDS TO BE PROTECTED AND CAN BE ACHIEVED BY USING INFILL AND BROWNFIELD SITES TO MEET LOCAL DEMAND</p>	
<p>POLICY 4</p> <p>LANDSCAPE CHARACTER</p>	<p>SUPPORT</p>	<p>THE LANDSCAPE IS BEAUTIFUL AND NEEDS TO BE PROTECTED</p>	

Please use additional rows / additional sheets of paper to add further comments.

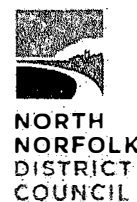
Document / Page Number / Policy / Objective / Paragraph Number	Object / Support / Neutral	Comments	Suggested Change
Policy 5 PROTECTION OF LOCAL HABITATS ETC	SUPPORT	AS PER POLICIES 3+4	
Policy 6 DARK NIGHT SKIES	SUPPORT	THE DARK SKIES PROVIDE US WITH WONDERFUL STARGAZING OPPORTUNITIES	

Please use additional rows / additional sheets of paper to add further comments.

Document / Page Number / Policy / Objective / Paragraph Number	Object / Support / Neutral	Comments	Suggested Change
Policy 7 & 8 & 9 PROTECTION OF LOCAL HABITATS ETC.	SUPPORT	AS PER 2 AND 3	
Policy 10 & 11 OPEN LAND & ARCHAEOLOGY	SUPPORT	RYBURGH IS A UNIQUE VILLAGE AND SHOULD BE PROTECTED AND ENHANCED FOR FUTURE GENERATIONS. TO ENJOY.	

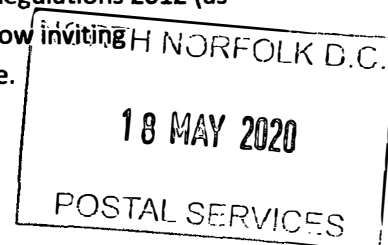
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Future development will impact on my life as I back onto an open space that is earmarked for development.

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Document / Page Number / Policy / Objective / Paragraph Number	Object / Support / Neutral	Comments	Suggested Change
2-1.3 Page 2-1.7 7. Note 1	Support.	With an increase of productivity at Crisps maltings a new access road is a necessity. I agree there should be plenty of room between the road and the last house in the village.	New access road.
2-1.16. Page 9.	Neutral	Although infill housing is being promoted a small development of up to 50	
Page 13 4-1.	Support.	houses could enhance the village and make the local amenities viable. The safety of the residence ^{residents} is paramount and if more housing is planned an increase in village population therefore a weight limit	Bridge weight limit.

Document / Page Number / Policy / Objective / Paragraph Number	Object / Support / Neutral	Comments	Suggested Change
Page 17 Policy 4	Support.	Should be put on our tiny village bridge to stop all over 7.5 tonne vehicles coming through the village. The road widths are not designed for such large vehicles and the tight corners are making the lorries a hazard. All proposed developments should be sympathetic to	
Policy 5.		the habitats they are building on by putting trees, hedges and swathes of grass to protect the wildlife and fauna that are growing in and around our village.	Planting trees and other sympathetic flowers and grass swathes to obscure ugly buildings.

Please use additional rows / additional sheets of paper to add further comments.

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Ryburgh Neighbourhood Plan consultation

Great Ryburgh Memorial Hall and Playing Field Committee response (continued)

Policy 5 Protection and Enhancement of Local Habitats, Landscape and Amenity

Support

We support this policy for the same overall reasons as Policy 4. We are further developing the habitat diversity of our community woodland and other areas of the playing field at the request of residents and their feedback confirms that these aspects are greatly valued in Ryburgh.

Policy 6 Dark Night Skies

We are neutral with respect to this policy.

Policy 7 and Policy 8 Protection & Enhancement of Local Habitats, and Policy 9 Ecological Network

Support

We strongly support these policies. We have created a well-used community woodland on part of our village playing field and we are developing further habitat enhancement / outdoor play and learning areas for public benefit. The habitat value of these areas is definitely enhanced by being directly linked to existing good hedgerow corridors and close proximity to the good quality wildlife habitat along the old railway line. Protection of the whole network will increase both the ecological and amenity values of the playing field, directly benefitting users.

Policy 10 Open Land & Policy 11 Archaeology

Support

We support both these policies in general since they are concerned with protecting the visual and cultural amenities of the village and play an important role in providing quality of life for residents.

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Organisation Name (if responding on behalf of your organisation) Ryburgh Village Amenity Group (RVAG)			
Address: Postcode: [REDACTED]			
Telephone: [REDACTED]		Email: ryburghvillageamenitygroup@gmail.com	

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Print Name: [REDACTED]

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Document / Page Number / Policy / Objective / Paragraph Number	Object / Support / Neutral	Comment	Suggested change
Para 2.1.4	Support	RVAG strongly agrees that Ryburgh's current 'open countryside' status must be maintained for the reasons stated so clearly in the draft plan. Whilst the village is a thriving community, it simply does not have enough space or amenities (eg school or medical practice, etc) to be re-designated as a small or large growth village without significant threats to the landscape and environmental quality for residents.	
Para 3.2	Support	RVAG supports the Vision Statement and is satisfied that it reflects the wishes of the majority of Ryburgh residents. We commend and thank the Neighbourhood Plan Steering Committee for the huge effort it has made with the Ryburgh residents and businesses over the development of the plan, and that the emerging document takes full account of the community's wishes and aspirations.	
Policy 1	Support	RVAG strongly supports the policy that developments leading to sustained additional HGV traffic on existing roads in Ryburgh should not be permitted. Residents already face issues relating to heavy levels of HGV traffic on a daily basis, as evidenced in the draft plan, and any increase in such traffic poses a potential hazard to the safety of other road-users, in particular children, cyclists, people with pushchairs, horse riders and people using disability buggies.	
Policy 2	Support	RVAG strongly supports the protection of the old railway line for potential use as a sustainable off-road footpath or cycleway as this would offer a pleasant and safe route connecting the village to Fakenham without having to use the existing roads which are dangerous for walkers and cyclists because of the traffic levels (particularly HGV's and other vehicles going faster than these roads should permit). The potential health and well-being benefits for residents are significant and evidence from the consultation suggest that such routes would be welcomed and widely used. The railway line also forms part of an important ecological network with neighbouring hedgerows, fields and wetland habitats.	

Policy 3	Support	RVAG supports the proposed policy and accompanying provisions for housing development to be restricted to small-scale infill housing and agrees with the rationale behind the policy and the promotion of sustainable development within the community.	
Policy 4	Support	RVAG strongly supports the policy on landscape character and welcomes C Yardley's report for providing thorough and authoritative evidence supporting this and the other policies relating to the protection of the landscape.	
Policy 5	Support	RVAG strongly supports the policy on protection and enhancement of local habitats, landscapes and amenity and welcomes C Yardley's report for providing thorough and authoritative evidence supporting this and the other policies relating to the protection of the landscape.	
Policy 6	Support	RVAG strongly supports the policy on dark night skies because of its importance to wildlife (such as several species of bat and a significant population of tawny owls) and to residents. We welcome C Yardley's report for providing thorough and authoritative evidence supporting this and the other policies relating to the protection of the landscape.	
Policy 7	Support	RVAG strongly supports policies which protect and enhance the local habitat and which offer the highest level of protection for the aquatic and terrestrial ecology of the Wensum and its tributaries.	
Policy 8	Support	RVAG strongly supports policies which protect and enhance the local habitat and which offer the highest level of protection for the aquatic and terrestrial ecology of the Wensum and its tributaries.	
Policy 9	Support	RVAG strongly supports this policy relating to enhancement of the ecological network. This is particularly significant with respect to the River Wensum corridor, but also applies to the connecting network of large, historic hedgerows in the village, which relate to the high numbers of UK Biodiversity Action Plan (BAP) priority species, including birds and bats. Another ecological network relates to the old railway line and adjacent hedgerows and wetland habitats. Identifying and strengthening these networks will give the greatest benefits in terms of larger, more sustainable and connective habitats for wildlife, as opposed to smaller, more isolated habitat areas which are more vulnerable within an area of intensive agriculture.	

Policy 10	Support	RVAG strongly supports the policy on the preservation of open land areas because of their ecological and visual importance, though this should not preclude the creation of vital habitats such as native scrub, woodland or the planting of new hedgerows.	
Policy 11	Support	RVAG strongly supports the policy relating to archaeology, given the potential historical significance of as yet undiscovered sites.	

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POSTAL SERVICES

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ALL	SUPPORT	I FULLY SUPPORT THE PLAN IN ITS ENTIRETY.	

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NORTH
NORFOLK
DISTRICT
COUNCIL

Consultation Response Form

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19 MAY 2020

PORTAL SERVICES

Personal Details

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Print Name: 

Date: 16/05/2020

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All	Support	I support the plan in its entirety.	

Ryburgh Draft Neighbourhood Plan Submission Version Consultation (Regulation 16)



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Additional LLFA comments

- Our comments from previous consultations do not appear to have been incorporated into the Plan. It is strongly recommended these are addressed.
- We note that there is one reference to flooding as a whole within the Plan document, which includes surface water flooding. No references have been made to drainage and SuDS implementation. The LLFA recommend that a full review of flooding within Ryburgh is undertaken to assess surface water flood risk in the area.
- The LLFA have 2 records of external flooding in the Parish of Ryburgh dating from 2013. The LLFA have no records of internal flooding in the Parish of Ryburgh. The LLFA highlight the importance of considering surface water within the Plan in the best interest of further development in the area.
- The LLFA recommend reference to our [Norfolk County Council \(NCC\) – Lead Local Flood Authority \(LLFA\) Statutory Consultee for Planning: Guidance Document](#) regarding surface water risk and drainage for any allocated sites or areas of proposed development.
- According to Environment Agency datasets, there are areas of surface water ponding and major surface water flowpaths present within the Parish of Ryburgh. It is recommended these are identified and acknowledged within the plan.
- The LLFA recommend inclusion of a separate surface water flooding map within the Plan for Ryburgh. Information on this and associated tools /reference documents can be found at:
 - [GOV.UK - Long Term Flood Information – Online EA Surface Water Flood Map](#)
 - [Norfolk County Council \(NCC\) – Flood and Water Management Policies](#)
 - [Norfolk County Council \(NCC\) – Lead Local Flood Authority \(LLFA\) Statutory Consultee for Planning: Guidance Document](#)

The LLFA would recommend the following to be included with regards to surface water flood risk:

The Plan requires that any future development (or redevelopment) proposals show there is no increased risk of flooding from an existing flood source and mitigation measures are implemented to address surface water arising within the development site.

Any new development or significant alteration to an existing building within the Parish of Ryburgh should be accompanied by an appropriate assessment which gives adequate and appropriate consideration to all sources of flooding and proposed surface water drainage. Any application made to a local planning authority will be required to demonstrate that it would:

- Not increase the flood risk to the site or wider area from fluvial, surface water, groundwater, sewers or artificial sources.
- Have a neutral or positive impact on surface water drainage.
- Proposals must demonstrate engagement with relevant agencies and seek to incorporate appropriate mitigation measures manage flood risk and to reduce surface water run-off to the development and wider area such as:
 - Inclusion of appropriate measures to address any identified risk of flooding (in the following order or priority: assess, avoid, manage and mitigate flood risk).
 - Where appropriate undertake sequential and /or exception tests.
 - Locate only compatible development in areas at risk of flooding, considering the proposed vulnerability of land use.
 - Inclusion of appropriate allowances for climate change.

- Inclusion of Sustainable Drainage proposals (SuDS) with an appropriate discharge location.
- Priority use of source control SuDS such as permeable surfaces, rainwater harvesting and storage or green roofs and walls. Other SuDS components which convey or store surface water can also be considered.
- To mitigate against the creation of additional impermeable surfaces, attenuation of greenfield (or for redevelopment sites as close to greenfield as possible) surface water runoff rates and runoff volumes within the development site boundary.
- Provide clear maintenance and management proposals of structures within the development, including SuDS elements, riparian ownership of ordinary watercourses or culverts, and their associated funding mechanisms.

Comments from Cllr Aquarone: I am delighted to see this plan come to fruit after a huge amount of effort from those who have contributed to it. It is right and proper that local communities have a strong voice in determining the future of their local areas and this plan is both specific in detail and open-minded in tone to future opportunities in these changing times.

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Please use additional rows / additional sheets of paper to add further comments.



**RYBURGH SUBMISSION
VERSION NEIGHBOURHOOD
PLAN
REPRESENTATION ON
BEHALF OF
CRISP MALTING GROUP**

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Appendix 1

POLICY 2 – CORPUSTY AND SAXTHORPE NEIGHBOURHOOD PLAN

1.0 Introduction

- 1.1 On behalf of Crisp Malting Group (thereafter referred to as Crisp), this representation provides comment on the submission draft of the Ryburgh Neighbourhood Development Plan (NDP), and its associated evidence base, including the Basic Conditions Statement.
- 1.2 The Representation makes suggestions for alterations to policy wording, to ensure the NDP passes the necessary tests of soundness, and provides sufficient flexibility to assist in promoting the continued prosperity of Crisp and its Great Ryburgh facility.

2.0 Role of Crisp in the Norfolk Economy

- 2.1 Crisp was established in Norfolk in 1870 and is now a leading privately-owned maltster in the UK, supplying malted cereals to breweries, distilleries and food producers around the world.
- 2.2 Crisp are a major economic driver for North Norfolk. Over 280 local farmers produce barley, wheat and rye for Crisp in Norfolk. In addition, 200 businesses across East Anglia supply goods and services to Crisp, 80 of which are within the NR postcode. The facility has 115 workers working on or from this site and it is the headquarters of an international business with turnover of approximately £200 million, 40% of which is generated through exports.
- 2.3 Crisp is part of Anglia Maltings (Holdings) Limited, which employs over 340 people in the UK, Germany and Poland.
- 2.4 There has been a Maltings in Great Ryburgh since 1870. Over the intervening 150 years, the Maltings facility has been developed, improved and expanded. In view of the significant economic and social contribution Crisp makes to the village, North Norfolk and UK economies, the Ryburgh Neighbourhood Plan should have clear regard to the need for the Ryburgh facility to continue to develop and expand within the village, to sustain its significant employment generation both directly and indirectly.

3.0 Proposed Expansion of the Gt Ryburgh Site

- 3.1 In March 2020, Crisp submitted three planning applications to North Norfolk District Council, as part of a comprehensive development plan for their Ryburgh site. In 2016, it was agreed with the Parish Council that a comprehensive masterplan for the full extent of Crisp's landholdings in Ryburgh should be developed, as opposed to a less co-ordinated, piecemeal expansion of the Ryburgh site.
- 3.2 The proposed development, which was consulted upon with the Parish Council and the local community since 2017, entails the following:
- **Planning Application 1 (ref: PF/20/0523):** Construction of 15 no. grain silos and 1 no. 5,574 sqm (60,000sqft) warehouse with associated drainage, access and external lighting;
 - **Planning Application 2 (ref: PF/20/0524):** Hybrid application for creation of HGV access road to serve an expanded Crisp Maltings Group site (Full Planning permission) and construction of buildings and structures required to increase the maximum output tonnage of malt of the Maltings site in any one calendar year to 175,000 tonnes (currently 115,000 tonnes) (Outline application with all matters reserved except for access); and
 - **Planning Application 3 (ref: PF/20/0525):** Erection of up to 50 dwellings and associated development including garages and vehicular parking, provision of vehicular access onto Fakenham Road, creation of public open space and erection of a new community centre (Outline application with all matters reserved except access)

Planning Application 1 (ref: PF/20/0523)

- 3.3 Crisp have identified an immediate operational need to create additional storage space at the Ryburgh site. This need has been generated by the rapid growth of Crisp's craft malt range.
- 3.4 This detailed element of the proposal should be read as the first phase of the Maltings Expansion. While this first phase will not generate any increase in output produced at the site, it will increase storage on site, which will reduce double-handling of material by reducing reliance on off-site storage facilities. By centralising storage in this manner, HGV movements through Ryburgh will decrease in the short term.

Planning Application 2 (ref: PF/20/0524)

- 3.5 This proposed designated HGV access road connects to Fakenham Road to the West of the village. The path of the HGV access road is proposed to wrap north and east around the existing village, to connect with the proposed expanded area of the Maltings site.
- 3.6 The road would be a 7.3m wide carriageway with 2m wide verges adjacent, built to adoptable standards. This standard of carriageway will be able to accommodate two-way HGV traffic.
- 3.7 The proposed development would include the expansion of the existing maltings facility to increase the annual throughput to 175,000 tonnes per annum.

Planning Application 3 (ref: PF/20/0525)

3.8 In addition to the expansion of the existing Maltings facility, residential development is also proposed on part of the site, consisting of a mixture of 2-bed, 3-bed and 4-bed houses to assist in meeting the local and district housing need.

- Public Open Space to the north of the development site;
- A minimum of a 5-metre enhanced and proposed vegetative buffer between the proposed development and existing residences;
- Minimum distance between proposed dwellings and the rear elevation of dwellings located along Fakenham Road to be 35 metres; and
- The potential for provision of land for a new community facility, to be determined at reserved matters stages.

3.9 The dwellings will be accessed via a new access road located adjacent to 62 Fakenham Road, which if necessary will include demolition of property within the control of Crisp to facilitate the delivery of a vehicular access to the required highway standards.

4.0 Review of the NDP against the Basic Conditions

- 4.1 This section reviews the draft NDP policies against the “basic conditions” at paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990, as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004. This section also suggests alterations to the draft NDP policies where necessary to ensure their compliance with the basic conditions.
- 4.2 In its current form, we do not consider that the Submission Version of the Ryburgh NDP fulfils the basic conditions. Numerous policies within the NDP are not in conformity with national guidance or adopted/emerging development plan policy, meaning that the NDP is not in conformity with the strategic policies when assessed as a whole. Many of the NDP policies seek to undermine national and local strategic planning objectives and policies, and the NDP therefore risks becoming an obstacle to the achievement of sustainable development in Ryburgh.
- 4.3 However, with the appropriate amendments as outlined in this Section of our Representation, we feel that the NDP could be revised to fulfil the basic conditions. Accordingly, this Section assesses the NDP policies against each aspect of the basic conditions.
- 4.4 Crisp has taken an active role in the preparation of the NDP, through participation in the Working Group, and has previously suggested alterations to the draft policies to ensure that they meet the basic conditions. It is therefore disappointing that these points have not been fully acknowledged in the Submission Version of the NDP, though it is felt that the recommendations made within this Section will ensure the NDP’s compliance with the basic conditions.

a. having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the order (or neighbourhood plan) and; e. the making of the order (or neighbourhood plan) is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area)

Policy 1: Traffic Safety

Synopsis of Policy

- 4.5 It is recognised that traffic safety has been identified as the most significant local issue in responses from the community (63.41% of responses). In response to this, Policy 1 seeks to discourage proposals for development within the Neighbourhood Area which will result in sustained additional HGV movements on Bridge Road, Station Road and/or Fakenham Road.

Regard to National Guidance and Conformity with Strategic Policies

- 4.6 The Basic Conditions Statement (BSC) considers that this policy will comply with the social objective of sustainable development, described in Paragraph 8(b) of the NPPF, by ensuring that the NDP fosters ‘a well-designed and safe built environment’.

- 4.7 Paragraph 8 of the NPPF is explicit in demonstrating that sustainable development comprises three objectives, which must be pursued in mutually supportive ways. It is considered that Policy 1, in its current form, fails to achieve the economic or environmental objectives of sustainable development.
- 4.8 It is acknowledged that the wording of the Policy has been altered since the Pre-Submission Draft of the NDP (August 2019). At this stage, the policy sought to ensure that any development that would result in sustained additional HGV movements through the village would be refused. The Submission Version Draft of the NDP (April 2020) now states that such development ‘will not be supported’. While the language has been assuaged, the effect remains the same from previous iterations. It is therefore still considered that the Policy still fails to achieve the economic and environmental objectives of sustainable development, and conflicts with Paragraphs 83 and 84 of the NPPF.
- 4.9 The proposed HGV access road, which forms a part of Crisp’s expansion proposals, will have a transformative impact upon traffic safety in Great Ryburgh, by rediverting vehicles away from the centre of the village as they approach Ryburgh from the west. This is anticipated to remove 66 daily HGV vehicle movements from the heart of the village (Fakenham Road between the new HGV access & Gate 1 of Crisp’s site). Some HGVs will continue to access the site from the east, via Bridge Road (8 additional daily HGV trips).¹
- 4.10 As mentioned above, traffic safety in Great Ryburgh has been identified as the key local issue for residents. Paragraph 4.1.2 of the draft NDP acknowledges that this was the ‘overwhelming concern’ of residents taking part in the consultation process. As such, ensuring development proposals seek to address this issue should be seen as the overriding objective of the NDP.
- 4.11 In its current form, Policy 1 threatens to jeopardise this objective, by implementing a policy which seeks to prohibit the increase of HGV traffic on Bridge Road. This undermines Crisp’s development proposals which, as demonstrated above, will have a transformative impact upon traffic safety, by removing HGV movements from the heart of the village. This also undermines one of the desired aims of the NDP in enabling the sustainable expansion of the Maltings².
- 4.12 The BCS states that Policy 1 is in accordance with Policies EC3 and CT5 of the adopted development plan. This is because Policy 1 seeks to ensure that the expansion of rural businesses would not have a detrimental effect on the character of the area or highway safety.
- 4.13 While the NPPF and Core Strategy both support the growth of the rural economy, it is apparent that the NPPF apports more weight to securing the prosperity of the rural economy than the adopted Core Strategy, by recognising that expanding existing rural businesses may require land beyond settlement boundaries, in areas that are not well served by public transport (Paragraphs 83 & 84).

¹ HGV movement data generated as part of the Transport Assessment submitted with all three planning applications.

² See for example NDP paragraph 2.1.5.

- 4.14 Due to the age of the Core Strategy (adopted 2008), and its misalignment with the direction of the NPPF on this aspect, it is considered that the policy direction of the NPPF outweighs Core Strategy policies EC3 and CT5 when considering the soundness of Policy 1.
- 4.15 From this, it is apparent that Policy 1 should be sufficiently flexible to facilitate the expansion of Crisp's Ryburgh site, to align with Paragraphs 83 and 84 of the NPPF. Moreover, the delivery of the HGV access road, as part of the expansion proposals, is the only way to realise the core aim of the NDP (improving traffic safety in Ryburgh), given the current well established existence of the maltings facility within the centre of the village.
- 4.16 The following revision to Policy 1 is therefore proposed:

Policy 1: Traffic Safety *Proposals for development within the Neighbourhood Area should seek to minimise HGV movements* ~~would result in sustained additional HGV movements in on Bridge Road, Station Road and/or Fakenham Road wherever possible. Development proposals will be supported if technical evidence demonstrates that any additional HGV movements would not lead to an unacceptable impact upon the highway network in Ryburgh will not be supported. For the purposes of this policy, 'HGV' shall mean any truck with a gross combination mass of over 3,5000 kilograms (7,716 lbs) and 'sustained' shall mean continuing or likely to continue for a period in excess of six months. (save that a building project generating HGV movements shall not be regarded as generating "sustained" HGV movements for the purpose of this policy if the duration of the building project from commencement to completion is the cause of the movements continuing beyond the said six-month period).~~

Policy 2: Safeguarded Land for Public Access

- 4.17 No comments.

Policy 3: Infill Housing

Synopsis of Policy

- 4.18 At present, Policy 3 seeks to limit housing growth in Ryburgh to infill sites of between one to five dwellings only.

Regard to National Guidance and Conformity with Strategic Policies

- 4.19 Paragraph 77 of the National Planning Policy Framework (NPPF) recognises the need for housing in rural areas to enhance and maintain the vitality of rural communities.
- 4.20 In line with the NPPF, planning policies concerning housing in rural settlements like Ryburgh should facilitate the provision of proportionate housing growth, to support and enhance the vitality of rural settlements.

- 4.21 Policies HO3 and SS2 of the Adopted Core Strategy, and Policy SD 4 of the Emerging Local Plan, allows for housing development in the Countryside, where it meets certain criteria. This criterion does not limit housing growth in settlements defined as Countryside, like Ryburgh, to infill sites of between one to five dwellings. Policy 3 of the Ryburgh NP is, therefore, in conflict with Paragraph 29 of the NPPF, by seeking to promote less development than set out in the strategic policies for the area.
- 4.22 Policy SS2 of the adopted development plan sets out criteria to guide development proposals in areas designated as Countryside. The BCS interprets Policy SS2 as follows: *Policy SS2 “Development in the Countryside permits extensions and replacement of dwellings and other (not relevant) exceptions but prohibits all other proposals”.*
- 4.23 This interpretation of Policy SS2 is not appropriate to inform Policy 3. The adopted development plan (2008) is considered outdated, as key elements of the plan fail to comply with relevant parts of the NPPF. For instance, the NPPF does not endeavour to ‘prohibit’ development in the Countryside in the same manner as the Core Strategy. Paragraph 77 of the NPPF recognises that *“in rural areas, planning policies and decisions should be responsive to local circumstances and support housing developments that reflect local needs”.*
- 4.24 From a review of Evidence Document 1 – Housing Report within the Evidence Pack accompanying the Pre-Submission consultation, we understand that infill housing is the preferred form of development within the village. Just 41 residents responded to a housing-specific questionnaire, which has shaped the content of Policy 3.
- 4.25 In addition to the evidence gathered as part of the NDP Housing Report, feedback was received as part of the public consultation with the community in July 2017 concerning the proposed expansion of the Maltings site. During this consultation, local support for some new housing in the settlement, to support local families and the vitality of the village, was identified.
- 4.26 It is therefore considered that Policy 3 should remain sufficiently flexible to comply with the NPPF’s approach to rural housing proposals, and to ensure that Policy 3 does not promote less development than that set out in the strategic policies for the area. We consider Overarching Policy 2 of the recently Adopted (April 2019) Corpusty and Saxthorpe Neighbourhood Plan is a suitable template to follow, which works to shape housing development, whilst refraining from undermining strategic policies (Appendix 1). Using this policy as a guideline, coupled with the feedback received from the local community, we suggest the following revision to Policy 3:

Policy 3: Housing in Great Ryburgh

All new residential development should:

- *Respect the character of the immediate locality;*
- *Provide for safe vehicular access;*
- *The proposed development is similar in scale and height to existing neighbouring dwellings;*
- *Provide for cycle storage and pedestrian access;*
- *Make appropriate provision for the disposal of surface water;*

Proposals for infill development within the settlement boundary in particular will be supported where they

accord with the development management policies of the development plan, with other policies of the NDP, and:

- *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 and the surrounding countryside.*

Policy 4 & 5: Landscape Policies

Synopsis of Policies

- 4.27 Policy 5, at present, closely resembles Policy EN2 of the adopted development plan. Both policies endeavour to require development proposals to “*demonstrate that their location, scale, design and materials will protect, conserve and, where possible, enhance*” the landscape character of the area. The Ryburgh NDP seeks to add another layer of detail to Policy EN2, with Policy 4 requiring development proposals to be informed by the Ryburgh Landscape Character Assessment, prepared by C J Yardley (November 2019).

Regard to National Guidance and Conformity with Strategic Policies

- 4.28 Paragraph 170 of the NPPF encourages the protection and enhancement of valued landscapes, sites of biodiversity or geological value and soils, in line with Policy EN2.
- 4.29 NPPG Guidance Note (ref: 8-036-20190721) adds further detail to Paragraph 170, recognising that: “*plans can also include policies to avoid adverse impacts on landscapes and to set out necessary mitigation measures, such as appropriate design principles and visual screening, where necessary*”.
- 4.30 Policy ENV2 of the emerging development plan incorporates this guidance, by incorporating the following wording:
- “Development should, where possible, be directed to areas where the landscape is either not sensitive to change, or is of a lower landscape sensitivity. Where development is proposed in areas of higher landscape sensitivity, applications will be expected to demonstrate how the impact on the landscape will be minimised by appropriate mitigation. In the case that a development is not able to be made acceptable by mitigation measures, such proposals will be refused.”*
- 4.31 It is therefore considered that Policy 5 of the Ryburgh NDP should be amended to direct development in Ryburgh to the less visually sensitive areas of the village, and to allow for development proposals to demonstrate how the impact on the landscape will be minimised by appropriate mitigation. Through incorporating the suggested amendment to Policy 5 below, it is considered that the Policy will achieve general conformity with the NPPG and the emerging development plan:

Policy 5: Protection, Enhancement of Landscape Character

Proposals for development within the Neighbourhood Area should demonstrate that their location, scale, design and materials will protect, conserve and where possible enhance the local distinctiveness of the area, the settlement character and the key landscape features and characteristics.

Development should, where possible, be directed to areas where the landscape is either not sensitive to change, or is of a lower landscape sensitivity. Where development is proposed in areas of higher landscape sensitivity, applications will be expected to demonstrate how the impact on the landscape will be minimised by appropriate mitigation. In the case that a development is not able to be made acceptable by mitigation measures, such proposals will not be supported.

Policy 6: Dark Night Skies

4.32 No comments.

Policies 7, 8, 9 & 10: Protection & Enhancement of Local Habitats and the Ecological Network & Open Land Area

Synopsis of Policies

4.33 These policies seek to form a framework to guide development proposals within the identified Habitat Area and Open Land Area, and outside of the Settlement Boundary.

Regard to National Guidance and Conformity with Strategic Policies

4.34 It is recognised that the Habitat Areas Map and the Open Land Areas Map are identical. Part of the proposed new HGV access route to serve the expanded maltings site lies within the Habitat and Open Land Areas.

4.35 As previously discussed, the delivery of the proposed HGV access route is imperative in achieving the Ryburgh NDP's primary aim of improving traffic safety in the village. The significant

community benefits associated with the proposed HGV access route, and the expansion of the maltings facility, should be recognised within policies 7, 8 and 10.

- 4.36 Policies 7, 8 and 10, in their current form, are not conducive to the delivery of the HGV access road, or any development outside of Ryburgh's Settlement Boundary, by:
- Seeking to limit development within the Habitat Area to proposals to conserve or enhance habitats only;
 - By discouraging development proposals within the Open Land Area, and;
 - By seeking to prohibit all development proposals beyond the Settlement Boundary, unless the primary objective of the proposal is for nature conservation purposes.
- 4.37 Firstly, Policy 8 is in clear conflict with Paragraph 29 of the NPPF, by seeking to promote less development than set out in the strategic policies for the area.
- 4.38 Secondly, Paragraph 35(b) of the NPPF requires development plan policies to be justified, and based on proportionate evidence. From a review of the Evidence Pack prepared to support the development of the NDP, the inclusion of a Habitat Area and an Open Land Area in the NDP is not based upon robust evidence.
- 4.39 This is because the approach taken with these NDP policies is not reflective of Section 8.3 of the Ecology Report prepared by Wild Frontier, which contains recommendations for the implementation of a biodiversity policy within the NDP. The recommendation sensibly follows the example of the Corpusty & Saxthorpe NDP, which incorporates a policy designed to safeguard the ecologically significant Bure Valley from inappropriate development proposals. The Report suggests adapting this policy for the Wensum Valley within Ryburgh Parish to form a biodiversity policy (see page 35 of the Wild Frontier Report within the NDP Evidence Pack).
- 4.40 From this, it is apparent that Policies 7, 8 and 10 are not reflective of the recommendations within the Evidence Pack, prepared to support the delivery of the NDP. Using Wild Frontier's suggestion as a guide, we recommend the following revision to Policy 8:

Policy 8 Development proposals within or adjacent to the River Wensum and its surrounding River Valley will be supported if the primary objective of the proposal is to conserve or enhance the habitat.

Where development is proposed in areas of higher ecological sensitivity, as defined by ecological appraisals associated with a specific development proposal, applications will be expected to demonstrate how the impact on protected habitats will be minimised by appropriate mitigation. In the case that a development is not able to be made acceptable by mitigation measures, such proposals will not be supported

- 4.41 We, therefore, suggest that Policy 7 should be deleted, and Policy 8 revised to incorporate the suggested policy wording above. Policy 9 is considered redundant, and should be deleted.

- 4.42 Furthermore, Wild Frontier's report makes no reference to the Habitat Area outlined within the NDP. To ensure the soundness of the Ryburgh NDP, we suggest that the Habitat Area should be deleted from the NDP, as the rationale for its inclusion is not supported by evidence.
- 4.43 It is recognised that the proposed Open Land Area is identical to the Habitat Area. The rationale for the extent of the Open Land Area is, like with the Habitat Area, not directly informed by the Landscape Assessment prepared within the Evidence Pack. Its inclusion within the NDP is therefore unsupported. As the Open Land Area is intrinsically connected with the Habitat Area, Policy 10 and Section 4.6 of the NDP should be deleted, as the proposed revision to Policy 8 above addresses development proposals within both areas. Additionally, Policies 4 and 5 represents the Ryburgh NDP's approach to landscape matters.
- 4.44 It should also be noted that The Conservation of Habitats and Species Regulations 2017 shall separately govern any planning applications likely to have significant impacts on European Sites, such as the River Wensum SAC, and to ensure that through Appropriate Assessment, no adverse impacts arise (unless justified by overriding public interest). The NDP should not seek to duplicate such statutory controls.

Policy 11: Archaeology

- 4.45 No comments.

b. having special regard to the desirability of preserving any listed building or its setting or any features of special architectural or historic interest that it possesses, it is appropriate to make the order. This applies only to Orders.

- 4.46 No comments on this aspect of the Basic Conditions in relation to the Submission Version of the Ryburgh NDP.

c. having special regard to the desirability of preserving or enhancing the character or appearance of any conservation area, it is appropriate to make the order. This applies only to Orders.

- 4.47 No comments on this aspect of the Basic Conditions in relation to the Submission Version of the Ryburgh NDP.

d. the making of the order (or neighbourhood plan) contributes to the achievement of sustainable development.

- 4.48 It is considered that the Ryburgh NDP does not meet this basic condition, as many NDP policies (identified below) – and therefore the NDP as a whole - detracts from the achievement of the three objectives of sustainable development:

Policy 1: Traffic Safety

- 4.49 Policy 1 fails to contribute towards the social, economic and environmental objectives of sustainable development. By seeking to discourage development proposals which will result in an increase in HGV movements on Bridge Road, the Policy presents an obstacle to Crisp's development proposals.

- 4.50 As described within this Representation, the proposed HGV access road will have a transformative impact upon traffic safety in Ryburgh. This will not only assist in achieving the key aim of the NDP, but also assist in facilitating the expansion of a growing rural enterprise, thereby achieving the environmental and economic objectives of sustainable development.

Policy 3: Infill Housing

- 4.51 As described within this Representation, policies HO3 and SS2 of the Adopted Core Strategy, and Policy SD 4 of the Emerging Local Plan, allows for housing development in the Countryside, where it meets certain criteria. This criterion does not limit housing growth in settlements defined as Countryside, like Ryburgh, to infill sites of between one to five dwellings. The NPPF also allows for housing growth in rural areas, where an identified housing need is being met.
- 4.52 Policy 3 of the Ryburgh NP is, therefore, in conflict with Paragraph 29 of the NPPF, by seeking to promote less development than set out in the strategic policies for the area.
- 4.53 Consequently, Policy 3 fails to contribute towards the social and economic objectives of sustainable development, by seeking to stifle housing growth in the village.

Policies 7, 8, 9 & 10: Protection & Enhancement of Local Habitats and the Ecological Network & Open Land Area

- 4.54 In their current form, these policies do not contribute towards the achievement of the social and economic objectives of sustainable development. At present, these policies are weighted too heavily in favour of pursuing the environmental objective of sustainable development, by seeking to prohibit/discourage development proposals within a vast spatial designation (the Habitat Area and Open Land Area), regardless of their economic or social benefits. The inclusion of these Areas is not justified by evidence prepared to support the NDP.

f. the making of the order (or neighbourhood plan) does not breach, and is otherwise compatible with, EU obligations.

- 4.55 No comments on this aspect of the Basic Conditions in relation to the Submission Version of the Ryburgh NDP.

g. prescribed conditions are met in relation to the Order (or plan) and prescribed matters have been complied with in connection with the proposal for the order (or neighbourhood plan).

- 4.56 As demonstrated within this Representation, it is clear that the NDP does not comply with the Basic Conditions, and should be amended accordingly prior to or as part of the examination process.

5.0 Review of Supporting Text

- 5.1 This Section identifies areas within the supporting text and appendices of the Ryburgh Submission Version NDP which require further review to meet the tests of soundness, and to account for the benefits associated with the continued operation and expansion of the Gt Ryburgh facility.

Paragraph 2.13

- 5.2 This paragraph should be updated to reflect the submission date of Crisp's three planning applications at Great Ryburgh (March 2020).

Paragraphs 2.14-2.17

- 5.3 These paragraphs should be revised. During the public consultation to inform the development of Crisp's three planning applications at Great Ryburgh in 2017, local support for the continued expansion of Crisp's site, and the delivery of the HGV access road, were broadly supported.
- 5.4 Feedback on other elements of the proposals, such as the proposed housing, was mixed, with some residents opposed to the proposals, while others were supportive. Paragraph 2.16 suggests that the entire community is opposed to the housing proposals, which is not the case.
- 5.5 Paragraph 2.1.7 should also be amended to reflect the planned phasing of Crisp's expansion plans. This detail will be managed through a Section 106 agreement attached to any planning permission acquired by Crisp, separate from the NDP process.

Paragraph 2.1.8

- 5.6 When setting the context of Ryburgh, it is important that Crisp Malting Group is represented as a key part of the village community. We, therefore, suggest the following revision of this paragraph:

Ryburgh as a whole is an active community with a community shop including a Post Office, Nursery School, an pub/restaurant, butcher, fish and chip shop, Norman church with round tower, Village Hall and a number of home-based small businesses. There has also been a Maltings in Great Ryburgh since 1870. Over the intervening 150 years, the Maltings facility has been developed, improved and expanded, to become a major economic driver for North Norfolk, creating significant local employment, both directly within the maltings, and indirectly through the supply chain and wider agricultural community which supports the work of the Maltings. Over 280 local farmers produce barley, wheat and rye for Crisp in Norfolk. In addition, 200 businesses across East Anglia supply goods and services to Crisp, 80 of which are within the NR postcode. Both Great and Little Ryburgh are set within the Wensum River valley surrounded by agricultural land and woodlands the great majority of which is owned by the Sennowe Estate. The importance to Ryburgh of its setting within the river valley cannot be overstated. The meadows, marsh land, lakes, reed beds, hedges and ditches provide an open landscape where the river crosses the Neighbourhood Area that is, arguably, of great natural beauty and which provides the pre-eminent wildlife corridor (in contrast to the intensive agriculture that surrounds it) of North Norfolk.

Paragraph 3.1.1

- 5.7 The first bullet point of Paragraph 3.1.1, concerning Traffic Safety, should also be amended to reflect the beneficial impact the proposed development will have upon traffic safety in Ryburgh. We suggest the following amendment:

3.1.1 *The Aims addressed by this NDP which were identified in the consultation process are:*

- *Traffic Safety (this was the most frequently mentioned issue in responses from the community, in 63.41% of responses). It arises no doubt because of the narrow character of the high street of Great Ryburgh (namely Station Road/Fakenham Road), the consequent inadequacy of the pavements and the dangerous proximity to the traffic, particularly HGV's, of the pedestrian, of school children catching school buses, of cyclists and disability scooters. It is recognised that the proposed new HGV access road to the west of Ryburgh village, to be provided as part of the emerging proposals for the expansion of Crisp Malting Group's Ryburgh facility, if granted planning permission has the potential beneficial impact to help alleviate HGV movements from the village centre. ~~The problem is largely one for the County Highways department but is the subject of a policy in this NDP designed to ensure that the current position does not get worse. The issue is also addressed in Annex 3 'Memorandum of Aspirations'~~*

Paragraph 4.2.2

- 5.8 The acknowledgement that the safeguarding of all land within Great Ryburgh for public access (Policy 2) is not achievable, due to the presence of Crisp's Ryburgh site, is welcomed.

Annex 3

- 5.9 It is recognised that 29.26% of submissions to the Neighbourhood Plan Working Group raised the desirability of better community facilities. This element of the NP should recognise that a new community facility, to replace the existing village memorial hall and land, was included within the proposals that formed the basis of our public consultation event on Thursday 13th July.
- 5.10 Feedback received through public consultation demonstrated that the Parish Council and the Management Committee of the Village Hall were not in favour of the proposed new community facility, and considered the existing Village Hall appropriate for the needs of the community. However, feedback from the wider local community received as part of the public consultation in 2017 identified a keen interest in the provision of new community facilities in Ryburgh. To respond to these views, the community facility space within Crisp's development proposals remains in outline. This enables sufficient flexibility to determine a suitable community use at a more detailed design stage, informed by further community engagement. This should be reflected within Annex 3.

Annex 4 and Annex 5

- 5.11 At present, the Settlement Boundary for Ryburgh wraps tightly around the residential core of the village. As a significant part of the village, the maltings should be incorporated within the

Settlement Boundary, and not contained within a separate 'Industrial Area', as intended within Annex 5.

- 5.12 As discussed, the delivery of the proposed access route is imperative in achieving the Ryburgh NP's primary aim of improving traffic safety in the village. Meanwhile, Crisp must be able to maintain its position as a significant local employer and economic driver for the village.
- 5.13 To enable this, the NDP needs to provide sufficient flexibility in its policies and designations to enable the expansion of the maltings. It is therefore considered the Settlement Boundary should be revised to incorporate the extent of the proposed development as a potential area for expansion, to recognise the key role Crisp have in realising the aims and objectives of the Ryburgh NDP.

6.0 Conclusion

- 6.1 This representation endeavours to assist the Great Ryburgh NDP Working Group in continuing the preparation of the Neighbourhood Plan, by ensuring that the community benefits associated with Crisp expansion plan, which have been the subject of local public consultation, are recognised within the emerging NDP.
- 6.2 To summarise, the implementation of the proposed HGV access road, to serve the expanded maltings, will have a transformative impact upon traffic safety in Great Ryburgh, by helping reduce future traffic through the village centre. The NDP should, therefore, support the implementation of this vital infrastructure element, which will achieve the key aim of the Ryburgh NDP by improving traffic safety within the village and indeed supporting sustainable expansion of the Maltings.
- 6.3 Various NDP policies require further amendment, as outlined within this report, to ensure that the NDP meets the basic conditions, particularly basic conditions (a), (d) and (e). In its current form, the NDP is not in general conformity with the strategic and national policies and is prejudicial to the delivery of sustainable development. Further, the NDP confirms that its policies should enable sustainable expansion of the Maltings. Policies regarding housing, ecology and landscape should also be amended as in their current form this objective is not met. This shall also enable Crisp Malting Group to deliver development proposals which provide significant community benefits, while maintaining its position as a significant local employer and economic driver for the village, the District and the rural county of Norfolk.

APPENDIX 1

POLICY 2 – CORPUSTY AND SAXTHORPE NEIGHBOURHOOD PLAN

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 E5 of this Plan; and
- make appropriate provision for the disposal of waste and surface water.

Development proposals on the three priority sites as identified in Figure 14 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 defined in Figure 14);
- 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.



BIDWELLS

Ryburgh Draft Neighbourhood Plan Submission Version Consultation (Regulation 16)



Consultation Response Form

Ryburgh Parish Council have submitted a Draft Neighbourhood Development Plan to North Norfolk District Council under Regulation 15 of the Neighbourhood Planning (General) Regulations 2012 (as amended). In accordance with Regulation 16, North Norfolk District Council is now inviting representations on the Draft Plan, supporting documents and the evidence base.

Personal Details

In order for your representations (comments) to be taken into account when the Neighbourhood Plan is submitted for Examination, and also to keep you informed of the future progress of the Neighbourhood Plan, your contact details are needed.

Please fill in your contact details below:

Personal Details			
Title: [REDACTED]	Name: [REDACTED]		
Please tell us the capacity in which you are commenting on the Plan:			
I am a resident in the Neighbourhood Area (the parish) <input checked="" type="checkbox"/>		I am a Statutory Consultee <input type="checkbox"/>	
I work in the Neighbourhood Area (the parish) <input type="checkbox"/>		Other (please specify) <input type="checkbox"/>	
I represent a Resident's Association <input type="checkbox"/>		
Organisation Name (if responding on behalf of your organisation)			
Address: [REDACTED]			
Postcode: [REDACTED]			
Telephone: [REDACTED]	Email: [REDACTED]		

Please note: all responses to this consultation will be forwarded with the Plan and supporting documentation to an independent examiner who will consider whether the Plan meets certain legal and procedural requirements. For these reasons the information you provide (including your name, and organisation if you represent one) will be made publically available. Any other personal information provided will be processed in accordance with the General Data Protection Regulations and the Data Protection Act 2018 and will not be made available on our website. For more information on how we process your data please see our [Data Protection and Privacy Policies](#).

Oral Examination

The majority of Neighbourhood Plan examinations are dealt with by written representations (in writing only). However, should it be decided that there is a need for an oral examination (a public hearing), please state below whether you would like to participate by ticking the relevant box.

No, I do not wish to participate at an oral examination

Yes, I wish to participate at an oral examination

Please note the Examiner will decide whether an oral examination is necessary. If this is the case, please outline why you consider that your participation would be necessary.

Well I am a resident & therefore
my views are relevant.

Future Notification & Next Stages

Following the consultation period and examination, the Draft Neighbourhood Plan (including any proposed modifications) will be put to a public referendum to determine if the Plan should be accepted. If satisfied that the Plan meets all the necessary legal requirements North Norfolk District Council will approve the Plan for use. If you would like to be notified of the Council's decision to "make" (adopt) the plan, please tick this box.

Please notify me

Thank you for completing this form - your participation is appreciated.

Please return via email to planningpolicy@north-norfolk.gov.uk or by post to Planning Policy, North Norfolk District Council, Holt Road, Cromer, NR27 9EN. **Representations must be received no later than Monday 18 May 2020. Late representations may not be accepted.**

Signature:

Print Name:

Date: 28/5/20

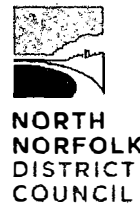
For official use only

Date received:

Ref No:

Document / Page Number / Policy / Objective / Paragraph Number	Object / Support / Neutral	Comments	Suggested Change
		<p>I have read the complete plan & agree with all its policies & back them 100%.</p>	
		<p>I consider this form activity discourages responses from the public & would like that comment noted for further communications twixt public & NNDC.</p>	

**Ryburgh Draft Neighbourhood Plan
Submission Version Consultation (Regulation 16)**



**NORTH NORFOLK
DISTRICT
COUNCIL**

NORTH NORFOLK D.C.
29 MAY 2020
POSTAL SERVICES
Ryburgh Parish Council

Consultation Response Form

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NORTH NORFOLK D.C.
29 MAY 2020
POSTAL SERVICES

Personal Details

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Please fill in your contact details below:

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Title:	Name: [REDACTED]		
Please tell us the capacity in which you are commenting on the Plan:			
I am a resident in the Neighbourhood Area (the parish)	<input checked="" type="checkbox"/>	I am a Statutory Consultee	<input type="checkbox"/>
I work in the Neighbourhood Area (the parish)	<input type="checkbox"/>	Other (please specify)	<input type="checkbox"/>
I represent a Resident's Association	<input type="checkbox"/>	
Organisation Name (if responding on behalf of your organisation)			
Address: [REDACTED]			
Postcode: [REDACTED]			
Telephone: [REDACTED]		Email: [REDACTED]	

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No, I do not wish to participate at an oral examination

Yes, I wish to participate at an oral examination

Please note the Examiner will decide whether an oral examination is necessary. If this is the case, please outline why you consider that your participation would be necessary.

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Please notify me

Thank you for completing this form - your participation is appreciated.

Please return via email to planningpolicy@north-norfolk.gov.uk or by post to Planning Policy, North Norfolk District Council, Holt Road, Cromer, NR27 9EN. **Representations must be received no later than Monday 18 May 2020. Late representations may not be accepted.**

Signature:

Print Name:

Date:

27/05/2020

For official use only

Date received:

Ref No:

Representation Details

You are invited to make comments on the proposed Neighbourhood Plan, supporting documents and evidence base. In doing so you may wish to address whether or not the draft Neighbourhood Plan meets the basic conditions and other matters that the independent examiner is required to consider under paragraph 8 of Schedule 4B to the Town and Country Planning Act 1990 (as amended).

In the table below please complete each column to show:

- which part of the Neighbourhood Plan or supporting document your representation (comments) relates to
- whether your response is an objection to the plan, supporting the plan, or providing neutral comments
- details of what you are supporting, objecting or commenting on, and why
- any changes you think necessary. If seeking textual amendments please include your proposed revised wording for policies or supporting text, including the justification for it along with any supporting evidence.

Please note: your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will not normally be a subsequent opportunity to make further representations. **Further submissions will only be at the request of the examiner, based on the matters he or she identifies for examination.**

Document / Page Number / Policy / Objective / Paragraph Number	Object / Support / Neutral	Comments	Suggested Change
Policy 1 -11 (whole plan)	Support		

Ryburgh Draft Neighbourhood Plan Submission Version Consultation (Regulation 16)



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NORTH NORFOLK D.C.

29 MAY 2020

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Personal Details			
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Document / Page Number / Policy / Objective / Paragraph Number	Object / Support / Neutral	Comments	Suggested Change
Policy 1 -11 (whole plan)	Support		

Ryburgh Draft Neighbourhood Plan Submission Version Consultation (Regulation 16)



Consultation Response Form

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Document / Page Number / Policy / Objective / Paragraph Number	Object / Support / Neutral	Comments	Suggested Change

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Please use additional rows / additional sheets of paper to add further comments.

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I have acted as secretary of the Working Group
pre [redacted] for the PC - throughout.

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Signature: [redacted]

Print Name: [redacted]

Date: 03.06.2020

For official use only

Date received:

Ref No:

Document / Page Number / Policy / Objective / Paragraph Number	Object / Support / Neutral	Comments	Suggested Change
		<p>Please see accompanying Response for detailed comments</p> <hr/>	

Response of [REDACTED] to the submission version of the Ryburgh neighbourhood plan dated April 2020

I have received a copy of Crisp's Response which was issued to NNDC and others on 27th May 2020. Bidwell's voluntarily chose to include me among their addressees. I am secretary to the Parish Council working group who prepared the NDP. I have sent the document on to all members of the working group (with the exception of the Crisp representatives, who have already received it from Bidwells) and to the chairman of the Parish Council.

The Inspector will see from the Consultation Statement that Crisp took a full part in the preparation of the NDP from the outset and that a special meeting was convened solely to consider their representations made upon the Pre submission Consultation of the draft NDP in August/September 2019, on 24th February 2020. The Consultation Statement (Annex 2, Reg.14 Consultation Log) describes the action taken by the Working Group to the submissions received from Crisp.

In their current Response Crisp has repeated and adjusted their objections to the NDP regardless of having had a proper opportunity and hearing in the democratic process by which the NDP has been developed over the last four years.

They now argue that (a) several of the policies do not comply with the "Basic Conditions" and (b) that regard should be given to their proposals for expansion and for building a relief road (for example the whole of Section 3, Paragraphs 4.9 - 4.11 and 4.34- 4.36). It is submitted that (b) is not a matter the Inspector is required to consider under Para 8(1) Schedule 4B TCPA 1990 and is for the Planning Authority to consider at some future date when it considers Crisps planning applications. Neither the expansion nor the building of the road may ever take place, even if the permissions are granted and Bidwell's references must be speculative and

treated as such. The NDP is concerned with policies that will shape the development and growth of the local area for the next 16 years. It is not drawn so as to meet the current plans of one member of the community, but for the benefit of the whole.

Policy 1- Traffic Safety

It is submitted that Policy 1 is fully compliant with Para 8 of the NPPF. It is concerned with containing the number of HGV vehicles travelling through the village (the roads named do not extend beyond the village confines/ built environment). This does not, of itself, offend against any of the overarching objectives of sustainable development. The economic objective (Para (a) Of Para 8 NPPF) is concerned with ensuring that sufficient land is available in the right places to support growth. Policy 1 does not inhibit the expansion nor the building of a relief road by Crisp, the land for doing so is available, it simply requires that HGV traffic from such development should exit to the West, and not through the village.

It would be an excellent outcome if, as a condition precedent of any expansion Crisp were required to build a relief road and for all Crisp controlled HGV traffic to use it and cease coming through the village.

The social objective (Para (b) is clearly fulfilled by Policy 1 as is the environmental objective (Para (c)).

Policy 3- Infill Housing

Crisps contention that Policy 3 seeks to limit housing growth in Ryburgh to Infill sites of between one and 5 dwellings is mistaken and the criticism of Policy 1 that follows (Para. 4.16-4.26) is therefore based on a wrong assumption.

Development proposals that comply with Policy 3 will be supported, but

this does not prohibit proposals for housing development that are based upon the policies contained in the Adopted Core Strategy and or the emerging Local Plan should the applicant wish to submit that those policies should take precedence over Policy 3.

Policy 4 & 5 : Landscape Policies

The Landscape Character Assessment (LCA) demonstrates in detail the local character of the landscape of the Neighbourhood Area. It is not practical to add a requirement to distinguish areas as "not sensitive to change" and or "of lower landscape sensitivity. Such a provision casts uncertainty upon the structure and classifications of the LCA and raises questions of subjectivity, thereby weakening what is an objective LCA.

Policies 7, 8, 9 & 10: Protection and Enhancement of Local Habitats and the Ecological Network & Open Land Area

I support what has already been set out in the Consultation Statement

As Crisp is well aware:

The authors of the Ecology report, Wild Frontier, have approved the extent of the Habitat Area in their e-mail of 5th February 2020 (see Annex 2 of the Consultation Statement).

The policies do not prevent the building of the HGV access road, as suggested in Para 4.36 of Crisp's Response. The road could simply take a different route, avoiding the Habitat Area.

Conclusion.

In all respects and as a resident of the village for more than 20 years, I support the Policies contained in the Submission version of the Ryburgh Neighbourhood Plan.

Date: 05 June 2020
Our ref: 313731
Your ref: Ryburgh Neighbourhood Plan



planningpolicy@north-norfolk.gov.uk

BY EMAIL ONLY

Customer Services
Hornbeam House
Crewe Business Park
Electra Way
Crewe
Cheshire
CW1 6GJ

T [REDACTED]

Dear Sir or Madam

Ryburgh Neighbourhood Plan - Regulation 16 Submission - North Norfolk District Council

Thank you for your consultation on the above dated 03 April 2019 , and for the subsequent email advising us of the extension to the deadline.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Based on the documents provided, it is Natural England's understanding that there are no housing allocations included within Ryburgh Neighbourhood Plan and that it is in general conformity with North Norfolk District Council's emerging Local Plan. **Consequently Natural England does not have any specific comments on this draft neighbourhood plan.**

For any further consultations on your plan, please contact: consultations@naturalengland.org.uk.

Yours faithfully

[REDACTED]
Norfolk and Suffolk Area Team

Ryburgh Draft Neighbourhood Plan Submission Version Consultation (Regulation 16)



Consultation Response Form

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Submission Version Consultation (Regulation 16)**



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5.6.20

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Document / Page Number / Policy / Objective / Paragraph Number	Object / Support / Neutral	Comments	Suggested Change
WITDLUE DOCUMENT	Support	I SUPPORT THE PROPOSED NEIGHBOURHOOD PLAN	—

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As Chairman of the Neighbourhood Plan Working Group I am well versed in the reasons behind the formulation of each of the policies contained in the Plan.

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5 June 2020

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		Please see the submission on the accompanying sheets	

**RESPONSE TO THE SUBMISSION VERSION OF THE RYBURGH NEIGHBOURHOOD PLAN
DATED APRIL 2020 BY [REDACTED]**

1. As Chairman of the Ryburgh Neighbourhood Plan Working Group, a co-opted sub-committee of the Ryburgh Parish Council, I have been sent a copy of the Crisp Maltings response to the Submission Version of the Ryburgh Neighbourhood Plan. It is disappointing that despite their intimate involvement in the development of this plan, and despite holding a meeting specifically to hear the objections of their representative for Bidwells, they persist in trying to shape our Neighbourhood Plan for the short-term benefit of their recently submitted planning applications.

2. The Neighbourhood Plan aims to shape the way in which Ryburgh develops over the next 16 years. Crisp Maltings is part of the Ryburgh community and we all need to work together to allow the village to develop for the benefit of all. It is wholly unacceptable that Crisp's Agent, Bidwells, should seek to neuter this policy document, which is the result of much consultation within the community, simply for the economic benefit of one party.

3. Bidwells' contend that "numerous policies within the NDP are not in conformance with national guidance or adopted/emerging development plan policy". In simple terms they believe that the Ryburgh NDP seeks to constrain development against the NPPF¹ presumption in favour of sustainable development. In reality the opposite is true.

Paragraph 12 of the NPPF states:

The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted.

Both the existing and emerging North Norfolk Local Plans designate Ryburgh as countryside with a presumption of No Development. The NDP seeks to loosen this constraint in order to allow infill development consistent with the existing village buildings.

4. **Policy 1.** Bidwells consider that Policy 1 of the NDP "fails to achieve the economic or environmental objectives of sustainable development". Once again, they have failed to acknowledge that the extant and emerging Local Plan have an objective of no development in Ryburgh. Their submission also states that the Policy 1 of the NDP "conflicts with Paragraphs 83 and 84 of the NPPF". Paragraph 84 of the NPPF states that:

It will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable"

The NDP Policy 1 seeks to define what would be acceptable and unacceptable levels of impact on local roads that already have dangerous levels of HGV traffic. In paragraph 4.11 of their submission, Bidwells state that Policy 1 seeks to prohibit the increase of HGV traffic

¹ National Planning Policy Framework February 2019

on Bridge Road, which undermines Crisp's development proposals. If a policy to prevent an increase in HGV traffic undermines Crisp's development proposals, the implication is that Crisp intend to increase the volume of HGV traffic on this road, which is what paragraph 84 of the NPPF seeks to prevent. Thus, it is Bidwells submission that is contrary to the NPPF, not the Ryburgh NDP.

5. **Policy 3.** In paragraph 4.21, Bidwells submission claims that Policy 3 of the Ryburgh NDP is "in conflict with Paragraph 29 of the NPPF, by seeking to promote less development than set out in the strategic policies for the area". Given that the extant and emerging North Norfolk Local Plans both designate Ryburgh as Countryside with no development and have no requirement for additional housing in the parish, this claim by Bidwells is bizarre. In reality, by stating that infill housing would be acceptable, the NDP seeks to permit more housing development than is set out in the strategic policies of the area. Furthermore, Bidwells acknowledge, in their paragraph 4.23, that decisions should be responsive to local circumstances and support housing developments that reflect local needs. North Norfolk District Council has assessed the need for housing in Ryburgh and has declined the opportunity to change the status of the parish to a Growth Village or a Service Village, partly because of the lack of identified need and partly because the village lacks the facilities needed for a larger settlement than currently exists. The fact that Crisp Maltings wants to build 50 more houses, does not change the NNDC assessment or the community's view of whether or not a 20% increase in the volume of housing in the village is needed or would be appropriate.

6. **Policy 5.** Bidwells paragraph 4.30 quotes from Policy ENV2 and then suggests identical wording for the Ryburgh NDP. This is unnecessary duplication and is contrary to the guidance given on neighbourhood plans not to restate higher policy.

7. **Policies 7, 8, 9 and 10.** The recommendations and observations made by Bidwells in their paragraphs 4.33 to 4.44 have emerged only since the Maltings planning applications have been put forward. The wording in Policies 7-10 has been agreed by representatives of Crisp Maltings in the Working Group meetings. Bidwells' proposed amendments are unacceptable.

a. **Bidwells Paragraph 4.37.** In their paragraph 4.37, Bidwells have once again mis-represented the existing policies. The Ryburgh NDP seeks to enable more development than is currently allowed by existing policies for the area.

b. **Bidwells Paragraph 4.40 and 4.41.** In their paragraph 4.40 Bidwells propose amendments that would restrict the effect of these policies to the river valley alone. The community has expressed a wish to protect more of the connecting habitat areas than just the river valley. None of these habitat areas are presently built on and the community wishes to protect this. Their proposed revisions are unacceptable.

8. **Comments on Bidwells' Summary Statements.**

a. **Paragraph 4.48.** The statement that the NDP detracts from the three objectives of sustainable development is incorrect, as Paragraph 12 of the NPPF gives precedence to the local development plan. It is the North Norfolk Local Plan that applies the constraints that Bidwells objects to. The NDP seeks to ease some of these restrictions to enable some development to take place.

- b. **Paragraph 4.49.** Policy 1 is not an obstacle to any of Crisp Maltings development proposals, provided they implement the reduction in HGV traffic that they have promised in their planning applications. Policy 1 states what the community wants and should not be abandoned simply because it is inconvenient for one party in the village. If the statement in paragraph 4.50 is correct then the statement in paragraph 4.49 is incorrect and unnecessary.
- c. **Paragraph 4.51.** Bidwells has misrepresented policies HO3 and SS2 of the Adopted Core Strategy and Policy SD4 of the Emerging Local Plan. When read with all the restrictions contained therein, these policies do not permit development in Ryburgh. The Ryburgh NDP seeks to enable some appropriate development to take place.
- d. **Paragraphs 4.52, 4.53.** The statements in paragraph 4.52 and 4.53 are simply wrong. The NDP promotes more development than otherwise permitted.
- e. **Paragraph 4.54.** The NDP is an expression of how the community wishes to shape its future. It is not for an outside party such as Bidwells to say what the community should or should not accept. Paragraph 4.54 reads as Big Brother telling the community what is good for it.
- f. **Paragraph 4.56.** The statement in paragraph 4.56 is factually wrong and should be ignored.

9. **Bidwells' Review of Supporting Text.** The amendments proposed in Section 5 of the Bidwells submission have all been proposed previously and considered by the NDP Working Group, on which Crisp Maltings is represented. While many amendments were made to accommodate the Crisp Maltings views, these Bidwells amendments were rejected and should not be accepted by the Examiner. Most simply seek to enhance the image of Crisp Maltings and have no direct relevance to the community's view of what is important.

SUMMARY

10. The Ryburgh Neighbourhood Plan is an expression of how the community would like to see development occur over the next 16 years. Crisp Maltings, through their agent Bidwells appear to be trying to stop the NDP in its tracks by claiming that it is non-compliant and if they fail to stop it, to neuter its policies for the benefit of the immediate needs of their planning applications. This undermines the whole purpose of the NDP. Nearly all of their arguments are based on the incorrect assertion that the presumption of allowing sustainable development applies in Ryburgh. This is contrary to both the existing and emerging North Norfolk Local Plans, which are given primacy over the presumption of sustainable development by the provisions of the NPPF. Most of their proposed amendments have already been considered and rejected by the NDP Working Group, which included a representative of Crisp Maltings.

CONCLUSION

11. I believe that the Ryburgh Neighbourhood Plan, as presented, is a fair reflection of the majority views of the community in the parish of Ryburgh. I endorse all the policies in it and I commend it as a constructive addition to planning policy for the neighbourhood.

Ryburgh Draft Neighbourhood Plan Submission Version Consultation (Regulation 16)



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Please use additional rows / additional sheets of paper to add further comments.

Ryburgh Neighbourhood Plan Consultation Comments Continued			
Document / Page Number / Policy / Objective / Paragraph Number	Object / Support / Neutral	Comment	Suggested change
Policy 3	Support	Housing development should be restricted to small-scale infill housing. Large scale housing estates are not suitable for Ryburgh	
Policy 4	Support		
Policy 5	Support	Strongly support.	
Policy 6	Support	Strongly supports the policy on dark night skies because of its importance to wildlife and biodiversity and the ecosystem services they contribute that benefit people and the environment of Ryburgh and beyond	
Policy 7	Support	Very strongly support policy 7. The aquatic and terrestrial habitats of Ryburgh area are vital for the biodiversity of the area and beyond. They contribute vital ecosystem services and enhance biodiversity which benefit people and the overarching environment.	
Policy 8	Support	Very strongly support policies which protect and enhance the local habitat and which offer the highest level of protection for the aquatic and terrestrial ecology of the Wensum and its tributaries.	
Policy 9	Support	Ecological networks are vital for the enhancement of biodiversity and ecosystems services which benefit people and habitats locally and beyond.	
Policy 10	Support	Very strongly support.	
Policy 11	Support	Very strongly support	

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Ryburgh NP Consultation response [REDACTED]

Policy 5 Protection and Enhancement of Local Habitats, Landscape and Amenity

Support

The RNA area includes nationally and internationally important habitats within the Wensum valley, and these provide a special setting to the village that residents value and want to conserve and enhance. Any development should enhance the landscape and village character.

Policy 6 Dark Night Skies

Support

We highly value our dark night sky in Great Ryburgh and are concerned by existing light pollution levels from recent Crisp Maltings expansion.

Policy 7 Protection & Enhancement of Local Habitats (1)

Support

I agree that the Habitat Areas should be free of any development unless it is to protect and conserve wildlife habitats.

Policy 8 Protection & Enhancement of Local Habitats (2)

Support

The habitat areas in the RNA should be fully protected from development, particularly where they have hydrological connection with the river Wensum.

Policy 9 Ecological Network

Support

I strongly support this policy to enhance the value of habitat areas by improving their connectivity.

Policy 10 Open Land

Support

The essential character of the RNA depends on its open land setting free of development. This has a major impact on the beauty and tranquillity of the village setting and therefore gives much to the quality of life in the village.

Policy 11 Archaeology

Support

The richness of the archaeology here in Great Ryburgh is part of what makes the village special. It helps us feel a connection to the community that has lived here by the Wensum for over 1000 years.

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new
AS A ^{new} resident in the village I would welcome the ~~examina~~ opportunity to fully support the Draft Neighbourhood Plan

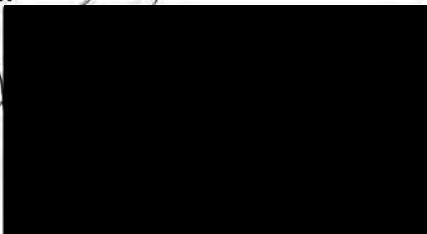
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Print Name: 

Date: 06.06.20

For official use only

Date received:

Ref No:

Document / Page Number / Policy / Objective / Paragraph Number	Object / Support / Neutral	Comments	Suggested Change
<p>page 3 3.1.1.</p>	<p>SUPPORT =</p>	<p>From the position of my home, it is clear that there is a need to prevent the flow of traffic increasing. The road is very narrow and would benefit from speed restrictions implemented to 20mph. In addition it would seem sensible for a separate access to the Crisp Maltings site.</p>	<p>width restrictions SAT & Sunday. Speed restrictions of 20mph at all times. Independent road for Crisp Maltings, however this should not be a bargaining position for Crisp Maltings to develop further but a matter of existing need.</p>
<p>p 2 2.1.4</p>	<p>SUPPORT =</p>	<p>- I object to one company, Crisp Maltings seeking to re classify the outleage from its open countryside status to pursue its own expansion. This would not be in the interests of the village for numerous reasons as stated in the Ryburgh Neighbourhood Plan</p>	

Document / Page Number / Policy / Objective / Paragraph Number	Object / Support / Neutral	Comments	Suggested Change
P. 4 4.2.1	SUPPORT —	THE VILLAGES WOULD benefit greatly from extended access to the countryside via footpaths & Bridleways.	

Please use additional rows / additional sheets of paper to add further comments.

From: [REDACTED]
To: [Planning Policy](#)
Subject: Re: Gt Ryburgh NDP
Date: 07 June 2020 17:38:37

i HAVE ATTEMPTED TO SEND THIS CONSULTATION DOCUMENT TO YOU TO SAY I SUPPORT THE PLAN BUT SEEM TO HAVE FAILED AGAIN. PLEASE TAKE THIS AS MY SUPPORT. SIGNED [REDACTED]
[REDACTED]

I HAVE BEEN A RESIDENT IN GT RYBURGH FOR VERY MANY YEARS. THANK YOU

On Tue, 19 May 2020 at 18:49, Planning Policy <Planning.Policy@north-norfolk.gov.uk> wrote:

Dear [REDACTED],

Thank you for your email regarding Ryburgh Neighbourhood Plan.

I am sorry to say that the attachment provided did not contain any information. It is not possible to give a definitive reason for this but I can say that out of 25 responses received to date this is the second occasion in which a form has been returned with blank information.

I am hopeful that you have this saved and can simply send it through, however if this is not the case I am afraid that I will have to ask you to re-complete the form, ensuring the content is saved before returning to me at this email address. If you do please could I ask you to use the version attached marked 'FILLABLE FORM'.

There is no rush to do this as the consultation has been extended until Monday 8 June.

I look forward to hearing from you shortly.

Kind Regards

[REDACTED]
[REDACTED]

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Title:	Name:		
Please tell us the capacity in which you are commenting on the Plan:			
I am a resident in the Neighbourhood Area (the parish)		I am a Statutory Consultee	
I work in the Neighbourhood Area (the parish)		Other (please specify)	
I represent a Resident's Association		
Organisation Name (if responding on behalf of your organisation)			
Address:			
Postcode:			
Telephone:		Email:	

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Yes, I wish to participate at an oral examination

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Print Name:

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██████████ – Addendum to the Ryburgh NDP response
Examples of notable species recorded utilising Crisp Maltings
proposed “housing development” field & hedges

This list is not exhaustive

Until recently I rented the above field for horse grazing. As a consequence I have excellent knowledge of how rich in wildlife the meadow and its tall hedgerows are. I also ran a bat detector from the Norfolk Bat Survey on two occasions.

Birds

Barn owl	Bullfinch	Oystercatcher	Swallow	House Martin
Swift	House Sparrow	Buzzard	Red Kite	Lapwing
Kestrel	Sparrowhawk	Tawny owl	Tree sparrow	Marsh harrier
Hobby	Cuckoo	Blackcap	Lesser whitethroat	
Garden warbler	Starling	Fieldfare	Redwing	Greenfinch
Wheatear	Chiffchaff	Turtle dove	Green woodpecker	
Rook	Jay	Goldfinch	Long tailed tit	Linnet
Blackbird	Song thrush	Blue tit	Great tit	

Reptiles & Amphibians

Slow worm	Grass snake	Smooth newt	Great crested newt
Common frog	Common toad		

Mammals

Harvest mouse	Roe deer	Red fox	Badger	Field vole
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Bats (registered with NBIS):

Leisler’s	Barbastelle	Daubenton’s	Brown long-eared
Natterer’s	Noctule		Common pipistrelle
Serotine	Nathusius’ pipistrelle		Soprano pipistrelle

Butterflies and Moths

Over 700 species of butterflies and moths have been seen on the meadow or have been trapped (moths) in a rear garden overlooking and immediately adjacent to it; these will all have come from the meadow and hedgerows. This is indicative of a rich ecosystem. Detailed lists are available.

Hedgerow trees & Shrubs

Field maple	Blackthorn	Bird cherry	Hawthorn	Hazel
Ash	Spindle	Crab apple	Small-leaved lime	
Wild cherry	Elder	Wayfaring tree	Guelder rose	Dog rose

Meadow Plants

Yarrow	Common knapweed	Greater knapweed
Wild carrot	Hedge bedstraw	Bird's foot trefoil
Lady's bedstraw	Field scabious	Rough hawkbit
Oxeye daisy	Hoary plantain	Salad burnet
Cowslip	Selfheal	Meadow buttercup
Yellow rattle	Red campion	Ragged robin
White campion	Common vetch	Tufted vetch
Betony	Meadow vetchling	Ribwort plantain
Red clover	Ground ivy	St John's wort
Germander speedwell	Crested dogstail	Smaller cat's tail
Cocksfoot	Tufted hair grass	Sweet vernal grass
Quaking grass	Meadow foxtail	Red fescue
Common bent		

Ryburgh Draft Neighbourhood Plan Submission Version Consultation (Regulation 16)



Consultation Response Form

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Ryburgh Wildlife Group – Addendum to the Ryburgh NDP response
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proposed “housing development” field & hedges

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Cocksfoot	Tufted hair grass	Sweet vernal grass
Quaking grass	Meadow foxtail	Red fescue
Common bent		

[REDACTED]

From: [REDACTED]
Sent: 07 June 2020 23:31
To: Planning Policy
Subject: Neighbourhood Plan Great Ryburgh

Follow Up Flag: Follow up
Flag Status: Flagged

Good evening

I wasn't able to download the form to complete to show the fact I am in favour of the proposed Great Ryburgh neighbourhood planning application /scheme, but I would like to register my favour of the plan please before tomorrow's deadline.

My details are:

[REDACTED]

I am a new resident to the village and I am in favour of the proposed Neighbourhood plan. I would appreciate my comments being formally noted.

Many thanks

Yours sincerely

[REDACTED]

Ryburgh Draft Neighbourhood Plan Submission Version Consultation (Regulation 16)



Consultation Response Form

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I represent a Resident's Association	<input type="checkbox"/>	Agent on behalf of <input type="text"/>	<input type="checkbox"/>
Organisation Name (if responding on behalf of your organisation)			
Savills (UK) Ltd			
Address: Unex House, 132-134 Hills Road, Cambridge			
Postcode: CB2 8PA			
Telephone: <input type="text"/>	Email: <input type="text"/>		

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If the Examiner feels it is necessary to hold an oral examination we would like the opportunity to participate in relevant hearing sessions to draw on the matters raised within the representations submitted.

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Signature:

Print Name:

Date:

08 06 2020

For official use only

Date received:

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Document / Page Number / Policy / Objective / Paragraph Number	Object / Support / Neutral	Comments	Suggested Change
Annex 2 – Consultation Process Statement of Compliance Paragraph 3.3.1	Objection Objection	Please refer to comments enclosed. Please refer to comments enclosed.	
Policy 2 – 'Land Safeguarded for Public Access' and Annex 4	Objection	Please refer to enclosed comments.	Please refer to enclosed suggested changes.

Document / Page Number / Policy / Objective / Paragraph Number	Object / Support / Neutral	Comments	Suggested Change
Policy 3 Infill Housing in Great Ryburgh	Objection	Please refer to enclosed comments.	Please refer to enclosed suggested changes.
Policy 7 and 8 ' Protection & Enhancement of Local Habitats ' Annex 6 and Annex 8	Objection	Please refer to enclosed comments.	Please refer to enclosed suggested changes.
Policy 10 ' Open Land ' Annex 7	Objection	Please refer to enclosed comments.	Please refer to enclosed suggested changes.

Please use additional rows / additional sheets of paper to add further comments.

8 June 2020



Planning Policy Team
North Norfolk District Council
Holt Road
Cromer
NR27 9EN

Via email: planningpolicy@north-norfolk.gov.uk



Unex House
132-134 Hills Road
Cambridge CB2 8PA
T: +44 (0) 1223 347 000
F: +44 (0) 1223 347 111
savills.com

Dear Sir/ Madam,

Ryburgh Neighbourhood Plan (Submission Version) Consultation (Regulation 16), April – June 2020 Consultation

Savills (UK) Ltd is instructed by our client [REDACTED] to submit representations in response to the Great Ryburgh Neighbourhood Plan (RNP) Regulation 16 Consultation, closing date 8th June 2020.

Broad support is given to the preparation of a draft Neighbourhood Plan however we have set out below a number of comments for consideration prior to the progression of the Neighbourhood Plan to Examination. As you will be aware it is necessary for Neighbourhood Plans to meet the basic conditions which include the requirements to seek to contribute to achieving sustainable development and to have regard to national policies and guidance.

Annex 2 – Consultation Process

It is noted that the Ryburgh Neighbourhood Plan area was established by North Norfolk District Council in April 2017 following a decision taken in 2016 by the Parish Council to prepare a Neighbourhood Plan. It is clear from the supporting 'Consultation Statement' that there has been attempts to engage with the local community via questionnaires and the formal Regulation 14 Consultation. However, our client, a significant stakeholder and landowner, was not consulted in the process. Much of the land identified in the Neighbour Plan is in his ownership. The lack of consultation means he has not had the opportunity to meaningfully engage with the Parish Council to shape the draft Neighbourhood Plan which unminds the viscosity of the consultation process itself.

In addition, the supporting Consultation Statement demonstrates limited levels of response to previous consultation exercises the maximum of which was 44 responses, which represents just 6% of the reported population¹ of Ryburgh.

The Neighbourhood Planning (General) Regulations 2012 require neighbourhood planning groups to undertake consultation publicity in a manner that is likely to bring it to the attention of people who live, work or carry on business in the neighbourhood area at particular stages of the process. As a result of the limited engagement with the consultation highlighted above it is questioned whether previous rounds of consultation exercises have been adequate and whether they sufficiently reflect the aspirations of the local community.

National Planning Policy Context

The National Planning Policy Framework 2019 (NPPF) establishes that the purpose of the planning system is to contribute to the achievement of sustainable development. The three objectives of sustainable development, as set out in the NPPF, require the planning system to perform an economic, social and environmental role.

¹ Para 2.1.1 of the Neighbourhood Plan



For plan making, Paragraph 11 of the NPPF, requires that Local Planning Authorities positively seek opportunities to meet the development needs of their area, our response is set out in response to Draft Policy 3.

Paragraph 78 of the NPPF outlines to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. It notes that planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby. Residential development in such settlements can make a significant contribution to the maintenance and continuing provision of local services and facilities for community use, as supported by paragraph 83 of the NPPF in relation to Supporting a Prosperous Rural Economy.

In respect of housing delivery, the NPPF recognises that small and medium sized sites can make an important contribution to meeting the housing requirement of an area, as they are often built-out relatively quickly (paragraph 68).

It is therefore important that the Neighbourhood Plan pursues a development strategy which allows for the growth of Ryburgh, particularly Great Ryburgh, as a means of ensuring its long term sustainability. An approach to growth which allows for development at an appropriate scale, triggering the provision of affordable housing, is vital.

Ryburgh Neighbourhood Plan Regulation 16 Consultation Document, April 2020

The focus of the comments made on behalf of our client relate to the following policies:

- Statement of Compliance
- Policy 2 'Land Safeguarded for Public Access' and Annex 4
- Policy 3 'Infill Housing in Great Ryburgh'
- Policy 7 & 8 'Protection & Enhancement of Local Habitats', Annex 6 and Annex 8
- Policy 10 'Policy 10 'Open Land' (Annex 7)

Statement of Compliance

Paragraph 3.3.1 of the Draft Neighbourhood Plan sets out a Statement of compliance with the basic conditions².

Basic condition a. requires: *"having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the neighbourhood plan."*

Basic condition d. requires: *"the making of the order (or neighbourhood plan) contributes to the achievement of sustainable development."*

Paragraph 8 of the National Planning Policy Framework defines Sustainable Development and explains the three objectives of economic, social and environmental objectives which are interdependent and need to be pursued in mutually supportive ways. Concern is raised that paragraph 2.1.4 of the Draft Neighbourhood Plan in reference to planning, only makes reference to the balancing of economic development with environmental quality. No reference has been made to the social role of sustainable development. Additional comment is made about this in the sections below.

Paragraph 11 of the NPPF, requires that Local Planning Authorities positively seek opportunities to meet the development needs of their area. However, the Draft Neighbourhood Plan seeks to limit development and is openly unsupportive of development proposals at the Maltings.

² As contained at para 8, Schedule 4B of the Town and Country Planning Act 1990

Policy 2 – ‘Land Safeguarded for Public Access’ and Annex 4

The National Planning Practice Guidance states “*Policy in a neighbourhood plan should be clear and unambiguous*”.³ However there are concerns regarding Policy 2 as drafted.

North Norfolk District Council adopted Core Strategy Policy CT7 seeks to protect the former railway line for the railway use, or sustainable transport links. It is understood that Draft Neighbourhood Policy 2 intends to seek the opportunity for public access to be provided to the former railway line extending for use as a footpath, bridleway or cycleway which could come forward as part of a development proposals.

As a point of clarity, it should be noted that the following land is within private ownership.

- A section of the former railway line which is located to the south of Fakenham Common.

At present there is no permitted public access provision to this land; as such access to this land is trespassing. The landowner is keen to manage this land to reflect its value as habitat and to avoid the potential for anti-social behaviour. It is important to prevent pollution, litter and disturbance to the habitat, protection of ground nesting birds and biodiversity. Public access would create an additional maintenance burden which is not currently viable.

Elsewhere in the Neighbourhood Plan it is proposed that the former railway line is designated as part of the Habitat Area. It is possible that the aspirations for a footpath, bridleway or cycleway Draft Policy 2 could conflict with Draft Policy 7 which seeks to conserve or enhance the habitat.

We would welcome the opportunity to explore possible options for public access to land under my client’s ownership alongside other schemes for the community, with the Neighbourhood Plan Steering Group associated with possible future development proposals.

Suggested Remedy

A revision to policy 2 is required to clarify that no public access is permitted on land within our client’s ownership without prior agreement.

“*Opportunity for ~~Land Safeguarded for Public Access~~*”

~~Any Development proposals on the dismantled railway (Annex 4) running through the Neighbourhood Area should explore the potential that would diminish the potential use of the land for as a public footpath, bridleway or cycleway. —will not be supported. Any Development proposals affecting the dismantled railway must fully incorporate green infrastructure principles and provide a detailed scheme for the provision of new green infrastructure, mitigation and enhancement of existing green infrastructure, and contribute to enhancements and opportunities for enhanced public access to and along the dismantled railway.~~

It is noted that the Neighbourhood Plan is also proposing to designate an ‘Open Land Area’ and a ‘Habitat Area’, some of which extends over land within private ownership. It is reiterated that these proposed designations would not grant public access to these areas. It is particularly important to appropriately manage land to protect its value as habitat by preventing pollution, litter, and disturbance to species.

Policy 3 ‘Infill Housing in Great Ryburgh’

The broad approach of the policy which supports infill development within the settlement boundary in accordance with paragraph 79 of the NPPF is to be welcomed. However objection is raised to proposed extent of the settlement boundary as identified at Annex 5 as it has been tightly drawn therefore limiting opportunity for infill development. Furthermore objection is raised to the suggested limit of infill development of up to 5 dwellings.

³ Paragraph: 041 Reference ID: 41-041-20140306

Whilst it is recognised that this policy makes specific reference to development being supported provided it “*will not involve the outward extension of the village of Great Ryburgh*”. This statement conflicts with the acknowledgement at paragraph 4.3.4 that development outside the settlement boundary will only be acceptable in accordance with national and local plan policies. We wish to draw to the Parish Council’s attention that the NPPF makes provision for rural exception sites (para 77) reflected at Core Strategy Policy HO3 ‘Affordable Housing in the countryside’ and the development of entry-level exception sites, suitable for first time buyers adjacent to existing settlements (para 71) both of which can be beyond the settlement boundary.

It is noted that the Vision is “*Ryburgh will be a place where people want to live that has a stimulating environment with access to all the facilities and amenities to enable someone to live a happy and fulfilling life from cradle to grave within a thriving village community*”.

The existing services and community facilities are listed at paragraph 2.1.8 of the Draft Neighbourhood Plan which include “... *a community shop, an Inn/restaurant, butcher, fish and chip shop, a medieval church with Saxon origins and a round tower, a Village Hall and a number of home-based small businesses*”. Growth is important to sustain these facilities. It is important that the villages are not viewed in isolation, but as part of a wider network of settlements in this part of Norfolk all of which work together to provide a critical mass to support local services.

For a Neighbourhood Plan to proceed to a referendum, the Localism Act requires the appointed Examiner to consider whether it meets the ‘basic conditions’ set out at Paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990 (as amended) and summarised in Paragraph ID41-065-20140306 of the national Planning Practice Guidance (PPG). One of the ‘Basic Conditions’ a Neighbourhood Plan has to comply with is to be “*in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area)*.” Paragraph 1.4.1 of the Draft Neighbourhood Plan explains that it is intended the document will be ‘made’ during 2020 in the context of the adopted Development Plan. It is also noted that the emerging Neighbourhood Plan proposes to plan for the period 2019 to 2036, extending the current Development Plan provision by a further 15 years.

The Adopted Development Plan comprises: North Norfolk Core Strategy and Development Management Policies (2008, as amended in 2012) and the Site Allocations Plan (2011). Paragraph 33 of the NPPF reiterates that “*Policies in local plans and spatial development strategies should be reviewed to assess whether they need updating at least once every five years, and should then be updated as necessary*” (emphasis added). The Core Strategy was originally adopted 8 years ago, prior to the publication of the National Planning Policy Framework, as such the strategic policies relating to the quantum of housing are out of date.

Whilst we note that the District Council has started work to prepare a new Local Plan, at the time of writing, it is still at the early stages of preparation and should be afforded only limited weight. Paragraph 48 of the NPPF explains:

- “*Local planning authorities may give weight to relevant policies in emerging plans according to:*
- a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);*
 - b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and*
 - c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).*”

It should be noted that the emerging North Norfolk District Council Local Plan could contain policies which supersede this Neighbourhood Plan.

In respect of the housing requirement for emerging Neighbourhood Plans, in instances where strategic policies for housing are out of date, as is the case for Ryburgh, paragraph 66 of the NPPF states “*Where it is not possible to provide a requirement figure for a neighbourhood area the local planning authority should provide an indicative figure, if requested to do so by the neighbourhood planning body. This figure should take into*

account factors such as the latest evidence of local housing need, the population of the neighbourhood area and the most recently available planning strategy of the local planning authority.”

The evidence base does not demonstrate that the District Council has suggested a specific housing need figure for the Ryburgh Neighbourhood Plan area.

It is stated at paragraph 4.3.6 that *“This policy in part aims to support independent living particularly for the elderly, infirm or disabled, which is further supported by the North Norfolk Design Guide, the Local Plan and through the NPPF”*. It is notable that no reference has been made to affordable housing or other specialist needs of the community.

It is noted within the Consultation Statement at Document 25 the local responses to the housing questionnaire which state that 22 people were supportive of small scale development of less than 10 dwellings but there was also support expressed by 11 people for development of 11 to 30 dwellings. However it is not within the evidence base clear how the Parish Council taken the decision to limit development to up to 5 dwellings within draft Policy 3.

It is stated at page 4 of the ‘Housing Report’ contained within the evidence base that there were 39 households with a local connection to Ryburgh and the adjacent parishes on the Council’s waiting list for housing as at 31st May 2018. It is clear that there is a local need for affordable housing.

It is important to remember that the Neighbourhood Plan needs to be in general conformity with the Development Plan, in respect of affordable housing this is Policy HO2. Core Strategy Policy HO2 ‘provision of affordable housing’ is silent about the amount of affordable housing to be secured as part of infill development at Ryburgh. Policy HO2 does state *“Provision is made on the application site except for developments of 3 dwellings or fewer where financial contributions in lieu of on-site provision will ensure the same number of dwellings can be built without the need for public subsidy”*.

Draft RNP Policy 3 states *“where a proposal includes affordable housing the sizes and quantities of these dwellings should improve the balance of sizes of affordable housing available in the village. Only building more 2-3 bedroomed houses would not provide for the problem of families outgrowing such dwellings and would not be supported.”* It does not make any reference to the need to secure affordable housing alongside market housing which could result in no new affordable housing being provided at the settlement over the 15 year plan period. It is clear that this approach does not support the Vision of the Neighbourhood Plan nor can this approach be considered to be positive.

Suggested Remedy

A revision to policy 3 is required to:

- **Review the extent of the settlement boundary to ensure it offers opportunity for new development to be delivered across the plan period (15 years). It is suggested that it could be extended to the north of Highfield Lane and the west of the settlement, particularly if a new access road is provided to the Maltings.**
- **Consider the potential identification of a broad area for growth to the north of where rural exception housing and/ or an entry level exception site could be brought forward over the plan period. It is suggested that a board area for growth could be identified to the north of Highfield Lane, particularly if a new access road is provided to the Maltings.**
- **Secure the provision of affordable housing alongside market housing. The District Council Local Plan policy is silent about its provision. This, in addition to a varied housing mix, would better respond to the Vision of the Neighbourhood Plan to live in Ryburgh from cradle to grave.**

We would welcome the opportunity to explore the options with the Neighbourhood Plan Steering Group regarding these points.

Policy 7 and 8 'Protection & Enhancement of Local Habitats' Annex 6 and Annex 8

It is acknowledged that the National Planning Policy Framework states at paragraph 174 plans should seek to protect and enhance biodiversity. Whilst paragraph 175 sets out the principles to be used when determining applications.

It is important to note that para 175, d, states:

“development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity” (emphasis added)

No reference has been made to the second section of paragraph 175.

Paragraph 176 specifies protection to habitat sites as set out at Annex 8 which relate to River Wensum Special Area of Conservation and River Wensum Site of Special Scientific Interest.

Annex 6 of the Draft Neighbourhood Plan identifies a much wider area which it seeks to define as a 'Habitat Area'. This includes land which was not identified in the supporting evidence base, and should not seek to designate land where it is not appropriately justified.

Concern is raised that Draft Policy 7 and Draft Policy 8 seek to elevate the status of the entire draft Neighbourhood Plan 'Habitat Area' (Annex 6) to that defined in paragraph 176 of the NPPF.

Suggested Remedy

Additional clarity is requested for Policy 7 and Policy 8 in respect of the area of land identified at Annex 6 so that it reflects the National Planning Policy Framework and the extent of the area identified is robustly justified.

Policy 10 'Open Land' (Annex 7)

Paragraph 170 of the National Planning Policy Framework states that planning policies should “*contribute to and enhance the natural and local environment by: a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan)*”.

The Draft Neighbourhood Plan is supported by a Landscape Character Assessment which has considered the ability of land surrounding the settlement to accommodate additional development.

In addition to the tightly drawn settlement boundaries, the Neighbourhood Plan itself defines at Annex 7 a suggested 'Open Land Area' where development “*will not normally be supported*”. This area is very similar to the extent of the proposed 'Habitat Area' contained at Annex 6.

In the future site specific proposals, which are supported by detailed Landscape Visual Impact Assessments, may well be brought forward for development and could be found to be acceptable in these locations. It is considered that Policy 10 is unnecessary and it should be removed from the Neighbourhood Plan.

Suggested Remedy:

Policy 10 should be deleted.

Conclusion

It is important that the Neighbourhood Plan is considered within the context of national policy which continues to focus on the importance of growth and housing in rural areas. The inclusion of a sufficient amount of housing growth is vital to the long term sustainability of this rural community. Development is essential to secure the



future of services and facilities in the local area, which are key to the long term sustainability of rural communities.

We trust the above comments clearly set out our client's position at this stage. We would welcome the opportunity to explore the options with the Neighbourhood Plan Steering Group. Please do not hesitate to make contact should you wish to discuss these matters further in advance of the Plan progressing to Examination.

Yours faithfully,

A large black rectangular redaction box covering the signature of the sender.

A black rectangular redaction box covering the name of the sender.

Associate

Ryburgh Draft Neighbourhood Plan Submission Version Consultation (Regulation 16)



Consultation Response Form

Ryburgh Parish Council have submitted a Draft Neighbourhood Development Plan to North Norfolk District Council under Regulation 15 of the Neighbourhood Planning (General) Regulations 2012 (as amended). In accordance with Regulation 16, North Norfolk District Council is now inviting representations on the Draft Plan, supporting documents and the evidence base.

Personal Details

In order for your representations (comments) to be taken into account when the Neighbourhood Plan is submitted for Examination, and also to keep you informed of the future progress of the Neighbourhood Plan, your contact details are needed.

Please fill in your contact details below:

Personal Details			
Title: [REDACTED]	Name: [REDACTED]		
Please tell us the capacity in which you are commenting on the Plan:			
I am a resident in the Neighbourhood Area (the parish)	<input type="checkbox"/>	I am a Statutory Consultee	<input type="checkbox"/>
I work in the Neighbourhood Area (the parish)	<input type="checkbox"/>	Other (please specify)	<input checked="" type="checkbox"/>
I represent a Resident's Association	<input type="checkbox"/>	Agent on behalf of [REDACTED]	
Organisation Name (if responding on behalf of your organisation) Savills (UK) Ltd			
Address: Lawrence House, 5 St Andrews Street, Norwich			
Postcode: NR2 1AD			
Telephone: [REDACTED]	Email: [REDACTED]		

Please note: all responses to this consultation will be forwarded with the Plan and supporting documentation to an independent examiner who will consider whether the Plan meets certain legal and procedural requirements. For these reasons the information you provide (including your name, and organisation if you represent one) will be made publically available. Any other personal information provided will be processed in accordance with the General Data Protection Regulations and the Data Protection Act 2018 and will not be made available on our website. For more information on how we process your data please see our [Data Protection](#) and [Privacy Policies](#).

Oral Examination

The majority of Neighbourhood Plan examinations are dealt with by written representations (in writing only). However, should it be decided that there is a need for an oral examination (a public hearing), please state below whether you would like to participate by ticking the relevant box.

No, I do not wish to participate at an oral examination

Yes, I wish to participate at an oral examination

Please note the Examiner will decide whether an oral examination is necessary. If this is the case, please outline why you consider that your participation would be necessary.

If the Examiner feels it is necessary to hold an oral examination we would like the opportunity to participate in relevant hearing sessions to draw on the matters raised within the representations submitted.

Future Notification & Next Stages

Following the consultation period and examination, the Draft Neighbourhood Plan (including any proposed modifications) will be put to a public referendum to determine if the Plan should be accepted. If satisfied that the Plan meets all the necessary legal requirements North Norfolk District Council will approve the Plan for use. If you would like to be notified of the Council's decision to "make" (adopt) the plan, please tick this box.

Please notify me

Thank you for completing this form - your participation is appreciated.

Please return via email to planningpolicy@north-norfolk.gov.uk or by post to Planning Policy, North Norfolk District Council, Holt Road, Cromer, NR27 9EN. **Representations must be received no later than Monday 18 May 2020. Late representations may not be accepted.**

Signature:

Print Name:

Date:

08 06 2020

For official use only

Date received:

Ref No:

Representation Details

You are invited to make comments on the proposed Neighbourhood Plan, supporting documents and evidence base. In doing so you may wish to address whether or not the draft Neighbourhood Plan meets the basic conditions and other matters that the independent examiner is required to consider under [paragraph 8 of Schedule 4B to the Town and Country Planning Act 1990](#) (as amended).

In the table below please complete each column to show:

- **which part of the Neighbourhood Plan or supporting document your representation (comments) relates to**
- **whether your response is an objection to the plan, supporting the plan, or providing neutral comments**
- **details of what you are supporting, objecting or commenting on, and why**
- **any changes you think necessary. If seeking textual amendments please include your proposed revised wording for policies or supporting text, including the justification for it along with any supporting evidence.**

Please note: your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will not normally be a subsequent opportunity to make further representations. **Further submissions will only be at the request of the examiner, based on the matters he or she identifies for examination.**

Document / Page Number / Policy / Objective / Paragraph Number	Object / Support / Neutral	Comments	Suggested Change
Annex 2 – Consultation Process	Objection	Please refer to comments enclosed.	
Statement of Compliance Paragraph 3.3.1	Objection	. Please refer to comments enclosed.	

Document / Page Number / Policy / Objective / Paragraph Number	Object / Support / Neutral	Comments	Suggested Change
Policy 2 – 'Land Safeguarded for Public Access' and Annex 4	Objection (as a point of clarity)	Please refer to enclosed comments	Please refer to enclosed suggested changes.
'Habitat Area ' (Annex 6) and 'Open Land Area ' (Annex 7)	Objection (as a point of clarity)	Please refer to enclosed comments.	Please refer to enclosed suggested changes.

Please use additional rows / additional sheets of paper to add further comments.

8 June 2020
06.08 gt.ryburgh NP response



Planning Policy Team
North Norfolk District Council
Holt Road
Cromer
NR27 9EN



Via email: planningpolicy@north-norfolk.gov.uk

Lawrence House
5 St Andrews Hill
Norwich NR2 1AD
T: +44 (0) 1603 229 229
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savills.com

Dear Sir/Madam

Ryburgh Neighbourhood Plan (Submission Version) Consultation (Regulation 16), April – June 2020 Consultation

Savills (UK) Ltd is instructed by our client [REDACTED] to submit representations in response to the Great Ryburgh Neighbourhood Plan (RNP) Regulation 16 Consultation, closing date 8th June 2020.

Broad support is given to the preparation of a draft Neighbourhood Plan however we have set out below a number of comments for consideration prior to the progression of the Neighbourhood Plan to Examination. As you will be aware it is necessary for Neighbourhood Plans to meet the basic conditions and to have regard to national policies and guidance.

Annex 2 – Consultation Process

It is noted that the Ryburgh Neighbourhood Plan area was established by North Norfolk District Council in April 2017 following a decision taken in 2016 by the Parish Council to prepare a Neighbourhood Plan. It is clear from the supporting 'Consultation Statement' that there has been attempts to engage with the local community via questionnaires and the formal Regulation 14 Consultation. Previously submitted representations from [REDACTED] are appended to this letter.

It is noted in the supporting Consultation Statement that there have been limited levels of response to previous consultation exercises. The maximum of which received was 44 responses, this represents just 6% of the reported population¹ of Ryburgh Parish. The Neighbourhood Planning (General) Regulations 2012 require neighbourhood planning groups to undertake consultation publicity in a manner that is likely to bring it to the attention of people who live, work or carry on business in the neighbourhood area at particular stages of the process. As a result of the limited engagement with the consultation process it is questioned whether previous rounds of consultation exercises have been adequate and whether they sufficiently reflect the aspirations of the local community.

National Planning Policy Context

The National Planning Policy Framework 2019 (NPPF) establishes that the purpose of the planning system is to contribute to the achievement of sustainable development. The three objectives of sustainable development, as set out in the NPPF, require the planning system to perform an economic, social and environmental role.

¹ Para 2.1.1 of the Neighbourhood Plan



██████ has previously highlighted within his representations concerns for the ability of development to truly be 'sustainable'. This is a particular concern in respect of piecemeal development at green field sites which does not contribute towards community infrastructure such as transport, education facilities, health facilities, drainage, sewage, dedicated public open space and recreation facilities. If the Neighbourhood Plan is to make provision for new housing, it is ████████ opinion that associated infrastructure should be delivered in advance.

The NPFF states at paragraph 11 that Local Planning Authorities should positively seek opportunities to meet the development needs of their area. ████████ has previously highlighted there is a need for it to be affordable to respond to local needs.

It is important that the Neighbourhood Plan adopts an approach which ensures the long term sustainability of Ryburgh and reflects its rural character.

The focus of the comments made on behalf of our client relate to the following policies:

- Statement of Compliance
- Policy 2 'Land Safeguarded for Public Access' and Annex 4
- Habitat Area' (Annex 6) and 'Open Land Area' (Annex 7)

Statement of Compliance

Paragraph 3.3.1 of the Draft Neighbourhood Plan sets out a Statement of compliance with the basic conditions².

Basic condition a. requires: *"having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the neighbourhood plan."*

Basic condition d. requires: *"the making of the order (or neighbourhood plan) contributes to the achievement of sustainable development."*

Paragraph 8 of the National Planning Policy Framework defines Sustainable Development and explains the three objectives of economic, social and environmental objectives which are interdependent and need to be pursued in mutually supportive ways. Whilst this is important, concern is raised that paragraph 2.1.4 of the Draft Neighbourhood Plan, in reference to planning, only makes reference to the balancing of economic development with environmental quality. No reference has been made to the social role of sustainable development. As highlighted above it is important that new development is supported by community infrastructure, which should be delivered in advance. Additionally if development is to be pursued it should incorporate provision which is responsive to local needs.

Policy 2 – 'Land Safeguarded for Public Access' and Annex 4

The National Planning Practice Guidance states *"Policy in a neighbourhood plan should be clear and unambiguous"*.³ However there are concerns regarding Policy 2 as it is drafted.

The adopted North Norfolk District Council Core Strategy Policy CT7 seeks to protect the former railway line for the railway use, or sustainable transport links. It is understood that Draft Neighbourhood Policy 2 intends to seek the opportunity for public access to be provided to the former railway line extending for use as a footpath, bridleway or cycleway which could come forward as part of a development proposals.

As a point of clarity, it should be noted that the following land is within private ownership.

- Land relating to the former railway line extending immediately to the south of Great Ryburgh.
- Land running along the river and north of the bridge

² As contained at para 8, Schedule 4B of the Town and Country Planning Act 1990

³ Paragraph: 041 Reference ID: 41-041-20140306

At present, [REDACTED] has granted informal permissive access to the railway line only.

Suggested Remedy

A revision to policy 2 is required to clarify that no public access is permitted on land within our client's ownership and without consultation and our client's prior permission.

'Habitat Area' (Annex 6) and 'Open Land Area' (Annex 7)

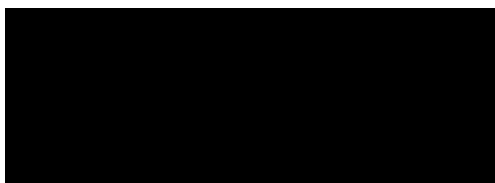
It is noted that the Neighbourhood Plan is also proposing to designate an 'Open Land Area' and a 'Habitat Area', some of which extends over land within our client's ownership. It is reiterated that these proposed designations would not grant public access to these areas. It is particularly important to appropriately manage land to protect its value as habitat by preventing pollution, litter, and disturbance to biodiversity.

Conclusion

It is important that the Neighbourhood Plan pursues an approach to secure the long term sustainability of this rural community.

We trust the above comments clearly set out our client's position at this stage.

Yours faithfully



Associate Director



██████████
North Norfolk District Council
Council Offices
Holt Road
Cromer
Norfolk
NR27 9EN

Our ref: AE/2020/125117/01-L01
Your ref: Ryburgh Regulation 16
Date: 08 June 2020

Dear ██████████

RYBURGH NEIGHBOURHOOD PLAN REGULATION 16 CONSULTATION

GREAT RYBURGH, NORTH NORFOLK

Thank you for consulting us on 03 April 2020 regarding the Ryburgh Neighbourhood Plan. We have assessed the regulation 16 submission document as submitted; our response contains information in relation to the environmental issues which are within our remit.

Flood Risk

Areas within the Ryburgh Neighbourhood Plan area fall within Flood Zone 2 and 3 as defined by us. All future development proposals within a Flood Zone (which includes Flood Zones 2 and 3) shown on the Policies Map or elsewhere, involving sites of 1ha or more, must be accompanied by a Flood Risk Assessment (FRA).

The designated areas for development within the Neighbourhood Plan do not appear to fall within Flood Zones 2 or 3: If this changes then the developments should be sequentially sited. We note that there are few additional references to fluvial flooding since the Regulation 14 consultation and our recommendations: However we are content that the issue of flooding is addressed by national policy and flood risks will be considered at the application stage within the planning process.

Natural Capital

We welcome the recognition given to the importance of the environment and ecology. We note that an Ecological report has been carried out and the production of Policies 7, 8 and 9 address the protection and enhancement of significant habitat areas such as the River Wensum. We are pleased to see that our request, from the regulation 14

Environment Agency
Cobham Road, Ipswich, Suffolk, IP3 9JD.
Customer services line: 03708 506 506
www.gov.uk/environment-agency

Cont/d..

consultation response, to specify how the natural environment will be protected and enhanced has been applied; we refer specifically to the wording of Policy 8.

Any new development must not cause a deterioration in Water Framework Directive status to either of the waterbodies described above. For example; drainage from development sites should be designed to trap and control pollutants carried by surface water run-off into local watercourses or to groundwater. This is of particular importance in Great Ryburgh which lies partly in source protection zones (SPZ) 1, 2 and 3.

Sustainable Drainage Systems

The Neighbourhood Plan states that new housing proposals will be supported, provided that consideration has been given to all sources of flooding and surface water drainage, in line with national policy. We would like to take this opportunity to encourage the Neighbourhood plan to promote the use of Sustainable Drainage Systems (SuDS) where possible.

In brief, our general requirements with regards to SuDS are:

1. Infiltration SuDS such as soakaways, unsealed porous pavement systems or infiltration basins shall only be used where it can be demonstrated that they will not pose a risk to the water environment.
2. Infiltration SuDS have the potential to provide a pathway for pollutants and must not be constructed in contaminated ground. They would only be acceptable if a phased site investigation showed the presence of no significant contamination.
3. Only clean water from roofs can be directly discharged to any soakaway or watercourse. Systems for the discharge of surface water from associated hard-standing, roads and impermeable vehicle parking areas shall incorporate appropriate pollution prevention measures, and a suitable number of SuDS treatment train components, appropriate to the environmental sensitivity of the receiving waters.
4. The maximum acceptable depth for infiltration SuDS is 2.0 m below ground level, with a minimum of 1.2 m clearance between the base of infiltration SuDS and peak seasonal groundwater levels.
5. Deep bore and other deep soakaway systems are not appropriate in areas where groundwater constitutes a significant resource (that is where aquifer yield may support or already supports abstraction). If deep soakaways are proposed you should contact us, as an environmental permit maybe needed.

Please also refer to the SuDS Manual (CIRIA C753, 2015), the Susdrain website (<http://www.susdrain.org/>) and the draft National Standards for SuDS (Defra, 2015) for more information.

Groundwater and Contaminated Land

The Neighbourhood plan falls within a source protection zone 1, 2 and 3. For land that may have been affected by contamination as a result of its previous use or that of the surrounding land, sufficient information should be provided with planning applications to

satisfy the requirements of the NPPF for dealing with land contamination. This should take the form of a Preliminary Risk Assessment (including a desk study, conceptual model and initial assessment of risk), and provide assurance that the risk to the water environment is fully understood and can be addressed through appropriate measures.

Please note that the view expressed in this letter is a response to the proposed Neighbourhood Development Plan only and does not represent our final view in relation to any future planning or permit applications that may come forward. We reserve the right to change our position in relation to any such application.

Please contact me on the details below should you have any questions and please continue to keep us advised on the progress of the plan.

Yours sincerely


Planning Advisor

Direct dial 

Direct e-mail 

Ryburgh Draft Neighbourhood Plan Submission Version Consultation (Regulation 16)



Consultation Response Form

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Please fill in your contact details below:

Personal Details			
Title: [REDACTED]	Name: [REDACTED]		
Please tell us the capacity in which you are commenting on the Plan:			
I am a resident in the Neighbourhood Area (the parish)	<input checked="" type="checkbox"/>	I am a Statutory Consultee	<input type="checkbox"/>
I work in the Neighbourhood Area (the parish)	<input type="checkbox"/>	Other (please specify)	<input type="checkbox"/>
I represent a Resident's Association	<input type="checkbox"/>	
Organisation Name (if responding on behalf of your organisation)			
Address: [REDACTED]			
Postcode: [REDACTED]			
Telephone: [REDACTED]		Email: [REDACTED]	

Please note: all responses to this consultation will be forwarded with the Plan and supporting documentation to an independent examiner who will consider whether the Plan meets certain legal and procedural requirements. For these reasons the information you provide (including your name, and organisation if you represent one) will be made publically available. Any other personal information provided will be processed in accordance with the General Data Protection Regulations and the Data Protection Act 2018 and will not be made available on our website. For more information on how we process your data please see our [Data Protection](#) and [Privacy Policies](#).

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Yes, I wish to participate at an oral examination

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Future Notification & Next Stages

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Please notify me

Thank you for completing this form - your participation is appreciated.

Please return via email to planningpolicy@north-norfolk.gov.uk or by post to Planning Policy, North Norfolk District Council, Holt Road, Cromer, NR27 9EN. **Representations must be received no later than Monday 18 May 2020. Late representations may not be accepted.**

Signature:

Print Name:

Date:

10.05.2020

For official use only

Date received:

Ref No:

Representation Details

You are invited to make comments on the proposed Neighbourhood Plan, supporting documents and evidence base. In doing so you may wish to address whether or not the draft Neighbourhood Plan meets the basic conditions and other matters that the independent examiner is required to consider under [paragraph 8 of Schedule 4B to the Town and Country Planning Act 1990](#) (as amended).

In the table below please complete each column to show:

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Document / Page Number / Policy / Objective / Paragraph Number	Object / Support / Neutral	Comments	Suggested Change
Policy 1	Support	<p>The road widths are not adequate for HGV traffic and footways are narrow requiring pedestrians to walk in the road, particularly more vulnerable pedestrians such as those with children and pushchairs.</p> <p>Station and Bridge Road have dog leg bends, irregular road widths and as is a residential area, cars are often parked on the road causing HGV's to mount the pavements.</p> <p>We feel that current, let alone further increase in, HGV movements in any of these areas would be unacceptable and therefore support this policy.</p>	N/A
Policy 2	Support	<p>The dismantled railway is already in part an existing publicly accessible green infrastructure asset for the village, it should be protected and enhanced.</p> <p>The remaining corridor should be safeguarded for potential future use and enhancement.</p> <p>We support this policy.</p>	N/A

Document / Page Number / Policy / Objective / Paragraph Number	Object / Support / Neutral	Comments	Suggested Change
Policy 3	Support	We believe this policy will enable development to come forward in Ryburgh in a way that respects the historic development pattern, built character and landscape.	N/A
Policies 4, 5, 6, 10 and supporting Landscape Character Assessment	Support	<p>The landscape and variety of habitats around Ryburgh is special to us and is what first attracted us to the village. We feel that these policies plan positively for protection of the landscape and ecology and are reasonable expectations for such a location.</p> <p>The landscape character assessment is comprehensive and informative and will aid any applicants in developing their proposals.</p> <p>We support these policies.</p>	N/A

Please use additional rows / additional sheets of paper to add further comments.

Document / Page Number / Policy / Objective / Paragraph Number	Object / Support / Neutral	Comments	Suggested Change
Policy 7, 8 and 9	Support	<p>We feel these policies seek to protect and enhance the special qualities of the Neighborhood Plan Area. They identify more sensitive areas and have been developed through a good evidence base and respond to the Environment Bill and subsequent Act currently under development.</p> <p>We support these policies.</p>	N/A
Policy 11	Support	<p>The recent find of ancient burial ground close to the river Wensum has highlighted a previously unrealised significance of the village in past times. We therefore feel a policy on archaeology will help to identify and safeguard important archaeological features.</p> <p>We support this policy.</p>	N/A

Ryburgh Neighbourhood Plan (Submission Version)
Regulation 16



North Norfolk District Council Response

- 1.1 The submitted draft Ryburgh Neighbourhood Plan (RNP) demonstrates the considerable amount of work that the Ryburgh Neighbourhood Plan Working Group has carried out to create a plan which supports their vision for the Parish. The Council supports the submission of this document.
- 1.2 The Working Group have worked diligently and constructively with Council officers throughout the production of the Plan. Officers have provided detailed advice on the legislative process and compliance issues. Officer advice has been sought from the very beginning and continued throughout the process with the Working Group adopting a professional and appreciated approach to engagement with the Local Planning Authority. Officers are supportive of the approach taken in the Plan where, in the main, additional specific local evidence has been commissioned and prepared to inform it and published alongside the consultation documents.
- 1.3 In-line with the Vision Statement of the RNP the aim of the Plan is to promote sustainable development that will benefit the community whilst conserving and promoting the particular landscape and ecology that characterises the Neighbourhood Area. It is considered that the RNP includes policies that seek to add local distinctiveness and contribute to each of the three strands of sustainability, which cumulatively contribute to the achievement of sustainable development in the Neighbourhood Area. Policy 3 proposes small-scale growth in order to assist in the sustainability of the village in accordance with that envisaged for rural areas in the NPPF, and the clear expectation that Neighbourhood Plans should seek to meet their needs when aligned with the strategic approach of the overall development plan. Policies 4-11 provide a basis from which to consider the specific local dimensions of the environment, which, when read in conjunction with the adopted Core Strategy, ensure that the policies contribute to sustainable development and add further local considerations to any planning proposal.
- 1.4 Only a draft Neighbourhood Plan that meets each of the “**Basic Conditions**” can be put to a referendum and be “made”. The Basic Conditions are set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 as applied to Neighbourhood Plans by section 38A of the Planning and Compulsory Purchase Act 2004.
- 1.5 To aid the production of Neighbourhood Plans and their examination against the requirement of general conformity with the strategic policies contained in the Basic Conditions tests, the Council have published a detailed guidance document which identifies the strategic elements of the adopted Local Plan. The detailed document, NPG2:

Conformity Advice: Basic Conditions and Strategic Polices can be found on the Council's web site [here](#) and is attached as **Appendix 1** to this response.

- 1.6 In essence the 'SS' policies in the Core Strategy (Incorporating Development Management Policies) document form the majority of the strategic policies. However, the Council considers that other policies in the Development Management Policies section of this document also set out overarching direction and set objectives. The attached guidance, which details all such policies, is that which we issue to all Neighbourhood Plan groups in relation to the conformity basic condition. Table 6.7 provides a complete list of all strategic policies and the reasons why they are identified as such.
- 1.7 In addition to this conformity advice the Council has published a range of guidance for those undertaking Neighbourhood Planning. These include: useful links and resources, step by step guide, how to use evidence, housing, and local green space, along with check sheets for pre-submission and submission stages. All guidance notes are available under the advice and guidance section at www.north-norfolk.gov.uk/neighbourhoodplans
- 1.8 On reviewing the submitted RNP it is not considered that there are any detailed matters or issues which are not consistent with government legislation and in particular the Basic Conditions set out in paragraph 8(1) of Schedule 4B to the Town and Country Planning Act 1990 (as amended) that run through the document. That said, there are a number of general comments that could assist in the examination. They are explained below for clarity:
- 1.9 The Development Plan consists of the adopted Core strategy (incorporating Development Management Policies) and Site Allocations Development Plan Documents (DPD). The emerging Local Plan, associated background documents and updated evidence underpinning them are also at an advanced stage and are a material consideration especially in the considerations of longevity of the emerging Neighbourhood Plan policies. In particular the most up to date landscape evidence can be found in the North Norfolk Landscape Character Assessment November 2018 produced by LUC. The adopted Local Plan, emerging Local Plan and all the supporting evidence that underpins these and informs Neighbourhood Plans can be found in the NNDC Document Library at www.north-norfolk.gov.uk/documentlibrary. It can be noted that the emerging Local Plan timeline is the 20-year period 2016-2036 and the submitted Draft Neighbourhood Plan seeks to align to the same end-period.
- 1.10 The Council undertook screening exercises in relation to the required Strategic Environmental Assessment (SEA) and Habitat Regulations Assessment (HRA) in January 2020. The assessments, having been consulted on with the statutory agencies, led to the Council issuing the relevant Screening Determinations in March 2020 which confirmed that the authority was satisfied that the draft RNP was compatible with the relevant EU obligations.

- 1.11 The HRA screening assessment, carried out with regard to the conservation objectives of the European Sites (ES), deemed to be in close proximity to the Neighbourhood Plan Area, indicated that no European Sites would be significantly affected by the policies contained in the RNP. This was confirmed in a screening opinion provided by Natural England which was subsequently incorporated into the screening determination issued by NNDC.
- 1.12 Since the submission of the Draft RNP a trio of planning applications related to the expansion of the Crisp Maltings business, including the provision of additional residential development, have been submitted to the Council. Although these are undetermined at present it would be helpful for future readers of the Neighbourhood Plan if references to the Crisp Maltings are updated in the final version. It is noted that some of the commentary and opinions expressed in the early paragraphs, notably 2.1.3 – 2.1.7, are not supported by subsequent policy text, and, as per officers commentary at the pre-submission stage, there remains a notable gap in the Draft Neighbourhood Plan to explore further sustainable growth options and influence economic growth in the Neighbourhood Plan through adding further local dimension to the adopted Core Strategy policies in this area. It is however accepted that the subjects that the RNP addresses are at the Parish Council's discretion and have been informed through the development of the Neighbourhood Plan.
- 1.13 There is concern that Policy 1 could be considered as restrictive from this perspective and may impact on the operational requirements of the Crisp Maltings and as such will need to be considered carefully against the Basic Conditions tests at examination.
- 1.14 Ryburgh Parish is identified as open countryside in the existing and emerging Local Plan and as such sits outside the settlement hierarchy where residential development would normally be permitted. The distribution of growth and the housing target are seen as strategic policies that Neighbourhood Plans are required to conform with. The Government's overall premise for Neighbourhood Plans however is to bring forward additional growth and to seek to add local distinction providing it is justified, supported by appropriate evidence and in general conformity with the strategic priorities and strategic local planning policies, though regard should also be had to the draft policies in the emerging Local Plan which was recently consulted on¹.
- 1.15 In doing so, for Neighbourhood Plans it is clear that the expectation is that:
'[Communities] are able to choose where they want new homes², shops and offices to be built, have their say on what those new buildings should look like and what infrastructure should be provide... In order to ... 'meet their community's needs and where the ambition

¹ The National Planning Policy Framework outlines in [paragraph 13](#) that a neighborhood plan should [support the delivery of strategic policies](#) set out in the Local Plan and should shape and direct development that is [outside](#) of those strategic policies.

² i.e in addition to the growth set out in the Local Plan

of the neighbourhood is aligned with the strategic needs and priorities of the wider local area'... i.e. as set out in the [Planning Practice Guidance - paragraph 001](#)

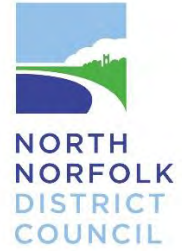
- 1.16 In recognising the small-scale nature of the village of Ryburgh and seeking to support a small but limited amount of growth through the establishment of a settlement boundary and an infill policy, the ambition of the community to plan for the sustainability of Ryburgh is supported by the Council in this regard. Though it should be noted that given the small scale of development that is likely to come forward through Policy 5 and the identified settlement boundary in Annex 5 it is unlikely in the main to provide for new affordable homes given the existing policy thresholds.
- 1.17 A substantial part of the Draft Plan covers the protection of the environment and the RNP is supported in part by specific Landscape Character Assessment and Ecological Reports. The Council has also recently published an updated Landscape Character Assessment (2019), a copy of which can be found in the [Document Library](#), also forms part of the evidence base for Plan-making. Detailed commentary on the emerging plan in this area and the evidence base have previously been given (attached **Appendix 2**) and in many areas this advice has largely been discussed and acted upon in the finalisation of the Neighbourhood Plan. As such it is not intended to reiterate previous commentary and officers do not have any particular detailed issues with the associated landscape chapters and environmental policies as drafted in this area. That said, from reviewing the ecological sections of the plan and the evidence document by Wild Frontier Ecology, it seems odd that the designated habitat areas in the RNP do not include the tributary of the River Wensum and the woodland (which is also a CWS) to the south of the village. This seems an omission when this part of the RNP area would meet with the objectives of policies 7, 8 and 9. It is noted that the land/tributary to the north of the village (and next to the Crisp Maltings site) is included within the Habitat areas.

Attached:

Appendix 1: NPG2: Conformity Advice: Basic Conditions and Strategic Policies

Appendix 2: NNDC Pre-Submission Response

Appendix 1



Neighbourhood Planning Guidance **NPG 2 - Conformity Advice: Basic Conditions & Strategic Policies**

November 2019

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Planning Policy Team**

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**All documents can be made available in
Braille, audio, large print or in other languages.
Please contact 01263 516318 to discuss your requirements.**



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1 Purpose

- 1.1 This guidance note provides communities undertaking neighbourhood planning with advice around conformity with the strategic policies of the Local Plan and the required Basic Conditions tests which neighbourhood plans are examined against. In doing so the guidance draws on national policy and guidance through the National Planning Policy Framework (NPPF) and national Planning Practice Guidance (PPG) and details the strategic considerations of the adopted Local Plan (and emerging new Local Plan) that neighbourhood planners need to be aware of.
 - 1.2 NNDC have produced a suite of additional guidance aimed at supporting local communities in North Norfolk who are undertaking neighbourhood planning. These are based around specific check sheets and frequent topics that Parish & Town Councils have sought to include in neighbourhood plans. They are designed to provide background information and guidance on how neighbourhood planning groups can reflect local circumstances and develop policies that are justified and evidence in a positive and realistic way which, if followed, will provide more certainty at the examination stage. These guides can be found on the Council's web site: www.north-norfolk.gov.uk/neighbourhoodplans
 - 1.3 In addition, those producing neighbourhood plans should refer to the national Planning Practice Guidance which provides the government guidance and parameters around planning. <https://www.gov.uk/government/collections/planning-practice-guidance>
-

2 Background Context

- 2.1 This note provides advice on conformity with the strategic policies and the required Basic Conditions tests in line with the **National Planning Policy Framework** and the **Planning Practice Guidance**¹. Local planning authorities are required to set out clearly their strategic policies. This guidance note provides the strategic framework for neighbourhood planning, sets out the policy context for conformity tests by the local authority and that of the independent examiner. All neighbourhood plans must demonstrate this conformity in order to meet certain "Basic Conditions" at examination.

Paragraph 29 of the National Planning Policy Framework (NPPF) states that:

"Neighbourhood planning gives communities the power to develop a shared vision for their area. Neighbourhood plans can shape, direct and help to deliver sustainable development, by influencing local planning decisions as part of the statutory development plan. Neighbourhood plans should not promote less development than set out in the strategic policies for the area, or undermine those strategic policies."

¹ National Planning Practice Guidance Paragraph: 077 Reference ID: 41-077-20140306

Paragraph 30 of the NPPF goes on to say that:

“Once a neighbourhood plan has been brought into force, the policies it contains take precedence over existing non-strategic policies in a local plan covering the neighbourhood area, where they are in conflict; unless they are superseded by strategic or non-strategic policies that are adopted subsequently”.

- 2.2 A neighbourhood plan can seek to add local distinction to reflect the specific Neighbourhood Area as long as the approach is justified and evidenced. Neighbourhood plans should address the issues in each defined area (i.e. they are locally distinctive) and add value to the existing policy framework. They should not repeat national policy or seek to duplicate existing non-strategic process and policies. Local Plan policies are part of the development plan and will be taken into consideration whether they are included in your neighbourhood plan or not. Neighbourhood plans can include policies that differ from non-strategic local planning policies and or introduce new policies - providing they are in general conformity with the strategic priorities and strategic local planning policies.
- 2.3 It is also important to remember that only policies dealing with land use can form part of a neighbourhood plan. The starting point should be to develop a good understanding of the District’s planning policies and how these relate to the Neighbourhood Plan Area and issues identified.

3 Process

- 3.1 The Council encourages neighbourhood plan groups to seek early and continuous engagement and dialogue with planning officers around emerging neighbourhood plan topic areas and policy wording. Groups should seek informal feedback during the development of the Plan and prior to the formal pre-submission consultation, which is required under Regulation 14 of the Neighbourhood Planning (General) Regulations 2012. It is at this stage that formal comments on the approach, structure, content and policies will be provided by the Council.
- 3.2 Following the pre-submission consultation, and once the Council has received a proposed plan under Regulation 15 of the Neighbourhood Planning (General) Regulations 2012, the Council is required to formally review the proposed plan and submission documents against the Legal Framework. Once satisfied that this has been followed we will then invoke Regulation 16 which consists of publishing the proposed neighbourhood plan, seeking representations on it from those who live, work or carry on business in the Neighbourhood Area, and appointing an independent examiner. The examiner will assess whether the plan meets the Basic Conditions and recommends whether or not the plan should proceed to referendum.

- 3.3 The examiner may recommend modifications that are necessary to ensure that the plan meets the Basic Conditions before it can proceed to referendum. Significant modifications may trigger a need to return the plan to an earlier stage.
- 3.4 The examiner’s report carries considerable weight, but it is not binding. As the Local Authority, NNDC has the final responsibility for determining whether the plan meets the Basic Conditions, whether any modifications are necessary and should be consulted on, and consequently whether to proceed to the referendum stage.
- 3.5 **It is therefore important that there is an understanding early on around conformity with the Basic Conditions and the existing and emerging development plan.**
-

4 Basic Conditions

- 4.1 Only a draft Neighbourhood Plan that meets each of the “**Basic Conditions**” can be put to a referendum and be “made”. The Basic Conditions are set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004. The Basic Conditions for *Neighbourhood Development Plans* are:
- a. having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the order (or neighbourhood plan).
 - b. having special regard to the desirability of preserving any listed building or its setting or any features of special architectural or historic interest that it possesses, it is appropriate to make the order. This applies only to Orders.
 - c. having special regard to the desirability of preserving or enhancing the character or appearance of any conservation area, it is appropriate to make the order. This applies only to Orders.
 - d. the making of the order (or neighbourhood plan) contributes to the achievement of sustainable development.
 - e. the making of the order (or neighbourhood plan) is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area).
 - f. the making of the order (or neighbourhood plan) does not breach, and is otherwise compatible with, EU obligations.
 - g. prescribed conditions are met in relation to the Order (or plan) and prescribed matters have been complied with in connection with the proposal for the order (or neighbourhood plan).
- 4.2 The National Planning Practice Guidance (PPG) provides comprehensive online guidance for the planning system which all Plans should be in general conformity with. In many cases the guidance adds detail and interpretation of the NPPF which neighbourhood planners need to consider e.g. for those neighbourhood plans considering additional site allocations or designation of Local Green Space, the guidance provides criteria based methodologies that

should be followed. Failure to apply these will result in non-compliance and have serious implications for the emerging Neighbourhood Plan.

4.3 When considering if a policy is in general conformity the PPG at Reference ID: 41-074-20140306 advises both neighbourhood planning groups and any appointed examiner what is meant by general conformity with the strategic policies contained in the Local Plan and the following should be considered:

- whether the neighbourhood plan policy or development proposal supports and upholds the general principle that the strategic policy is concerned with;
- the degree, if any, of conflict between the draft neighbourhood plan policy or development proposal and the strategic policy;
- whether the draft neighbourhood plan policy or development proposal provides an additional level of detail and/or a distinct local approach to that set out in the strategic policy without undermining that policy;
- the rationale for the approach taken in the draft neighbourhood plan and the evidence to justify that approach.

5 North Norfolk Development Plan & Emerging Local Plan

5.1 Planning legislation² requires that decisions are made in accordance with the Development Plan unless material considerations indicate otherwise.

5.2 The Development Plan for North Norfolk currently comprises:

- The Core Strategy incorporating Development Control Policies (2008);
- The Site Allocations Development Plan Document (2011);
- The North Norfolk Design Guide, Supplementary Planning Document (2008);
- The North Norfolk Landscape Character Assessment, SPD (2009);
- The Norfolk Minerals and Waste Development Framework (2010 – 2026)

5.3 Further information on the Development Plan is available at:

www.north-norfolk.gov.uk/planningpolicy

Emerging Local Plan

5.4 An emerging Local Plan does not constitute part of the statutory development plan. However, it still needs to be considered by neighbourhood planning groups as, not only does it show the direction of travel for strategic policies, it will provide the framework for future decisions to be based and can be used to identify areas where neighbourhood planners, subject to appropriate evidence, may wish to develop local policies to supplement and accord with the emerging Local Plan. A good neighbourhood plan will remain more up to date and relevant if it also considers conformity to an emerging Local Plan.

² Section 38(6) of the Planning and Compulsory Purchase Act 2004 and Section 70(2) of the Town and Country Planning Act 1990

5.5 The following needs to be considered in relation to the emerging Local Plan:

- The more developed an emerging Local Plan is the more weight it carries in decision making;
- the evidence behind an emerging Local Plan remains relevant and is likely to form part of the evidence base for any neighbourhood plans e.g. in relation to any housing target requested by a neighbourhood plan group;
- where local and neighbourhood plans have conflicting policies, the later plan will carry more weight. To avoid the risk of policies in a neighbourhood plan being superseded by a later adopted Local Plan, it is necessary for the two plans to work in a complementary way;
- Neighbourhood plans should not seek to duplicate policies and approaches detailed in the Local Plan or emerging Local Plan but add local distinction and a further level of consideration to ensure locally evidenced issues are addressed

5.6 Government advice is clear and the Planning Practice Guidance states that:

“Where a neighbourhood plan is brought forward before an up to date Local Plan is in place the qualifying body and the local planning authority should discuss and aim to agree the relationship between policies in:

- *the emerging Neighbourhood Plan*
- *the emerging Local Plan*
- *the adopted Development Plan*

with appropriate regard to national policy and advice.”

5.7 The Council consulted on the First Draft Local Plan (Part 1) and Alternatives Considered documents from May - June 2019. These advanced documents included the emerging policies and the options considered along with the required Sustainability Appraisal, Interim Habitats Regulation Assessment and a number of background papers, all of which are relevant to emerging neighbourhood plans. These Plans, background papers and the evidence base supporting the emerging Plan can be found on the Council’s web site in the Local Plan Document library: www.north-norfolk.gov.uk/documentlibrary

5.8 The Council encourages all neighbourhood plan groups to seek early and consistent engagement with the Council throughout the process of writing a neighbourhood plan.

6 The Strategic Policies

6.1 Guidance is provided at national level for identifying strategic policies both within the NPPF and national Planning Practice Guidance (PPG) (Paragraph: 076 Reference ID: 41-076-20190509 revision date May 2019).

6.2 As above it is also worth noting that the Strategic Policies of the Council are changing and in order to future proof any emerging Neighbourhood Plan should have regard to and also be

in general conformity with the emerging Local Plan. Similarly, Local Plans should not seek to duplicate non-strategic approaches detailed in neighbourhood plans. It is recommended that close dialogue is maintained with the Council around emerging policy areas.

- 6.3 The Council has used Criteria 1 - 5 below, contained in the NPPF, and criteria a - f below, contained in the national PPG, to identify the Strategic Policies contained in the North Norfolk Development Plan.
- 6.4 The NPPF, para 20 & 21 advises that Local Plans set out the strategic priorities and that the strategic policies set out an overall strategy for the pattern, scale and quality of development, and make sufficient provision for:
- 1) Housing (including affordable housing), employment;
 - 2) Retail, leisure and other commercial development;
 - 3) Infrastructure for transport, telecommunications, security, waste management, water supply, wastewater, flood risk and coastal change management, and the provision of minerals and energy (including heat);
 - 4) Community facilities (such as health, education and cultural infrastructure); and,
 - 5) Conservation and enhancement of the natural, built and historic environment, including landscapes and green infrastructure, and planning measures to address climate change mitigation and adaptation
- 6.5 When reaching a view on whether a policy is a strategic policy the national PPG states that the following are useful considerations:
- a. Whether the policy sets out an overarching direction or objective;
 - b. Whether the policy seeks to shape the broad characteristics of development; the scale at which the policy is intended to operate;
 - c. Whether the policy sets a framework for decisions on how competing priorities should be balanced;
 - d. Whether the policy sets a standard or other requirement that is essential to achieving the wider vision and aspirations in the local plan or spatial development strategy;
 - e. In the case of site allocations, whether bringing the site forward is central to achieving the vision and aspirations of the local plan or spatial development strategy;
 - f. Whether the Local Plan identifies the policy as being strategic
- 6.6 Where policy elements are identified as non-strategic, neighbourhood plans will be able to shape and direct sustainable development in their area as long as they do not seek to duplicate existing non-strategic process and policies at a local and national level and the approach is justified through supporting evidence. **Some policies of the Development Plan although not strategic in their entirety do contain elements that reflect and support the overarching strategic approach. In such cases neighbourhood plans could seek to add further elements of local distinctiveness. However, it is recommended that options and**

topic areas are discussed with the Planning Policy team during policy formation and that there is adequate justification and evidence to substantiate proposed approaches.

List of Strategic Policies

6.7 The Council will use the following table to assess emerging neighbourhood plans in its assessment of conformity:

Policy In Core Strategy & Development Management Policies DPD		Comments	NPPF Guidance	PPG Guidance
SS1	Spatial Strategy for North Norfolk	Strategic policy	1	A,B,C,D,F
SS2	Development in the Countryside	Strategic policy	1	A,B,C,F
SS3	Housing Distribution	Strategic policy	1	A,B,C,D,F
SS4	Environment	Strategic policy	5	A, C, D,F
SS5	Economy	Strategic policy	1	A,C,D,F
SS6	Access and Infrastructure	Strategic policy	3	A, B, F
SS7 - 14	Town Strategies	Strategic policy	2,3,4	A,B,D,F
HO1	Dwelling Mix &Type	Part strategic Policy setting overarching objective. Policy that local community could, in part add local distinctiveness subject to appropriate evidence and general conformity to strategic elements.		A,B,D
HO2	Affordable Housing	Strategic Policy	1	A,C,D,E
H03	Affordable Housing In the countryside	Part Strategic Policy setting overarching objective which should be met as a minimum Policy that local community could, in part add local distinctiveness subject to appropriate evidence and general conformity to strategic elements		B, D

HO4	Sites for Gypsies & Travellers and Travelling Showpeople	Strategic Policy	1	A,B,C
HO5	Agricultural, Forestry and other Occupational Dwellings in the Countryside	Policy that local community could add local distinctiveness subject to appropriate evidence and alignment to national policies		
HO6	Removal of Agricultural, Forestry and other occupancy conditions	Policy that local community could add local distinctiveness subject to appropriate evidence and alignment to national policies.		
HO7	Making the most efficient use of Land (Density)	Strategic policy	1	A,B,C
HO8	House extensions and replacement dwellings in the countryside	Policy that local community could add local distinctiveness subject to appropriate evidence		
HO9	Conversion and re use of rural buildings as dwellings Updated December 2012	Strategic policy		A, B, C
EN1	Norfolk Coast Area of Outstanding Natural Beauty and the Broads	Strategic policy	5	A,B,C,D
EN2	Protection and Enhancement of Landscape and Settlement Character	Strategic policy	5	A,B
EN3	Undeveloped Coast	Strategic policy		A,B,C
EN4	Design	Part strategic policy seeking to shape broad characteristics of development. Policy that local community could, in part add local distinctiveness subject to appropriate evidence and general conformity to strategic elements		B,D
EN5	Public Realm	Policy that local community could add local distinctiveness subject to		

		appropriate evidence		
EN6	Sustainable Construction and Energy Efficiency	Policy that local community could add local distinctiveness subject to appropriate evidence and alignment to national policies ³		
EN7	Renewable Energy	Policy that local community could add local distinctiveness subject to appropriate evidence		
EN8	Protecting and Enhancing the Historic Environment	Strategic policy	5	A,B
EN9	Biodiversity & Geology	Strategic policy	5	A
EN10	Development and Flood Risk	Strategic policy	3,5	A,C
EN11	Coastal Erosion	Strategic policy	3	C
EN12	Relocation and replacement of development affected by Coastal Erosion Risk	Strategic policy	3,5	A, B,C
EN13	Pollution and Hazard Prevention and Minimisation	Strategic policy	5	A,B,C
EC1	Farm Diversification	Policy that local community could add local distinctiveness subject to appropriate evidence		
EC2	The Re use of Buildings in the Countryside	Strategic Policy		A, B, C
EC3	Extensions to Existing Businesses in the Countryside	Policy sets in part an overarching direction. Policy that local community could in part add local distinctiveness subject to appropriate evidence	1	A,B

³ Note: National policy allows only prescribed standards through the new technical standards applied through Building Regulation to be enacted through Local Plans and Neighbourhood Plans.

EC4	Redundant Defense Establishments	Policy sets in part an overarching direction. Policy that local community could in part add local distinctiveness subject to appropriate evidence & subject to adherence to strategic policies on location of sustainable development		A,B,C
EC5	Location of Retail and Commercial Leisure Development	Strategic Policy	2	A,C
EC6	Public Car Parking Provision	Strategic Policy	4	A
EC7	The Location of New Tourism Development	Strategic Policy	2	A, B
EC8	Retaining an Adequate Supply and Mix of Tourist Accommodation	Strategic Policy	2	C
EC9	Holiday and Seasonal Occupancy Conditions	Policy that local community could add local distinctiveness subject to appropriate evidence		
EC10	Static and Touring caravan and Camping Sites	Strategic Policy	2	B,D
CT1	Open Space Designations	Policy sets in part an overarching direction. Policy that local community could in part add local distinctiveness subject to appropriate evidence and general conformity with overarching policies ⁴	5	A,C
CT2	Developer Contributions	Strategic Policy	1,2,3,	A, B,D
CT3	Provision and Retention of Local Facilities and Services	Policy that local community could review adding local distinctiveness subject to appropriate evidence		
CT4	Telecommunications	Strategic Policy	3	A,C

⁴ Neighbourhood plans can seek to designate Local Green Space through an assessment in compliance with guidelines issued in national policy and guidance

CT5	The Transport impact of New Development	Strategic Policy	5	A,C
CT6	Parking Provision (Standards)	Policy that local community could add local distinctiveness subject to appropriate evidence		
CT7	Safeguarding Land for Sustainable Transport Uses	Policy setting overarching objective around sustainable transport links Policy that local community could in part add local distinctiveness subject to appropriate evidence and general conformity to strategic elements	3,4,5	C
Policy in Site Allocations DPD				
C01-WEY09	Site allocations	Strategic policies and allocations ⁵	1,2,3,4,5	A,B,C,& or E,F
Tattersett Business Park	Employment land at Tattersett Business Park	Strategic for the delivery of jobs and employment uses that may otherwise be difficult to accommodate elsewhere.	1	A,B,

7 Other Matters

7.1 By law Neighbourhood Plans cannot deal with minerals or waste issues.

7.2 Neighbourhood planning has its own set of Regulations which set out the legal matters relating to the neighbourhood planning process. These are:

- [The Neighbourhood Planning \(General\) Regulations 2012;](#)
- [The Neighbourhood Planning \(General\) \(Amendment\) Regulations, 2015;](#)
- [The Neighbourhood Planning \(General\) and Development Management Procedure \(Amendment\) Regulations, 2016;](#)
- [The Neighbourhood Planning Act, 2017;](#)
- [The Neighbourhood Plan \(Referendums\) Regulations, 2012;](#)
- [The Neighbourhood Planning \(Referendums\) \(Amendment\) Regulations 2013](#)

⁵ Neighbourhood plans can seek to plan positively for growth and allocate additional growth subject to general conformity with the strategic policies. Particular attention should be given to the overall spatial strategy.

- [The Neighbourhood Planning \(Referendums\) \(Amendment\) Regulations 2014](#)
- [The Neighbourhood Plan \(Referendums\) \(Amendment\) Regulations, 2016;](#)
- [The Neighbourhood Planning \(Prescribed Dates\) Regulations, 2012.](#)

7.3 Legislation can be obtained at <http://www.legislation.gov.uk>

Ryburgh Neighbourhood Plan

North Norfolk District Council Response

Thank you for consulting NNDC on the pre submission neighbourhood plan. NNDC is the statutory Local Planning Authority, LPA for the area and is a specific consultee.

The pre submission document demonstrates a significant amount of work has been undertaken by the neighbourhood plan steering group in order to create a plan that supports their vision for the neighbourhood area. The Council supports the emerging document and the consultation being carried out upon it. The comments below form officers' advice on the emerging neighbourhood plan from across the Council's departments at regulation 14 stage of the Neighbourhood Planning (General) Regulations 2012 as amended. The comments are designed to be helpful and supportive in the production ahead of the final submission and prior to independent examination. Comments are mainly restricted to general advice and matters around compliance with government legislation and in particular the basic conditions as set out in paragraph 8(1) of Schedule 4B to the Town and Country Planning Act 1990 (as amended). It will be up to the neighbourhood plan steering Group and Parish Council as the Qualifying Body to review these and other comments received and decided how they are taken forward and used to finalise the Draft Plan ahead of submission for independent examination. Officers will continue to assist and provide objective guidance in both the overall approach, statutory requirements, policy wording and around how to reconcile any competing issues raised (if any) in order for the Draft Plan to be prepared ahead of independent examination.

National Policy

Overall neighbourhood planning provides a powerful set of tools for local people to plan for the types of development to meet their community's needs, develop a shared vision for their neighbourhood and shape the development and growth of their local area where the ambition of the neighbourhood is aligned with the strategic needs and priorities of the wider local area, set out through the Local Plan.

NNDC have produced a suit of additional guidance aimed at supporting local communities in North Norfolk undertaking neighbourhood planning. These are based around specific check sheets including one to guide any submission of a Draft Plan for examination and frequent topics that town and parish councils have sought to include in neighbourhood plans. They are designed to provide background information, and guidance on how neighbourhood planning groups can reflect local circumstances and develop policies that are justified and evidence in a positive and realistic way, which if followed will provide more certainty at examination. These guides are updated from time to time and can be found on the Council's web site: <https://www.north-norfolk.gov.uk/section/planning/planning-policy/neighbourhood-planning/>

In addition, those producing neighbourhood plans should refer to the national Planning Practice Guidance which provides the government guidance and parameters around planning. <https://www.gov.uk/government/collections/planning-practice-guidance>

Only a draft Neighbourhood Plan that meets each of the set of "Basic Conditions" can be put to a referendum and be "made". The basic conditions for *Neighbourhood Development Plans* are:

- having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the neighbourhood plan;

- the making of the plan contributes to sustainable development;
- **the making of the plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area);**
- the making of the plan does not breach, and is otherwise compatible with, EU obligations;
- prescribed conditions are met in relation to the Order (or neighbourhood plan) and prescribed matters have been complied with in connection with the proposal for the Order (or neighbourhood plan).
- In addition, neighbourhood plans must be compatible with Human Rights requirements.

The national Planning Practice Guidance (PPG) provides comprehensive web based guidance for the planning system which all Plans and Programmes should be in general conformity with. In many cases the guidance adds detail and interpretation of the National planning policy Framework, NPPF, which neighbourhood planners need to be familiar with.

The PPG at [Reference ID: 41-074-20140306](#) advises that the basic condition relating to 'general conformity' with strategic policies contained in the Local Plan should consider the following:

- whether the neighbourhood plan policy or development proposal supports and upholds the general principle that the strategic policy is concerned with;
- The degree, if any, of conflict between the draft neighbourhood plan policy or development proposal and the strategic policy;
- whether the draft neighbourhood plan policy or development proposal provides an additional level of detail and/or a distinct local approach to that set out in the strategic policy without undermining that policy;
- the rationale for the approach taken in the draft neighbourhood plan and the evidence to justify that approach.

Key to the development of a sound neighbourhood plan is the evidence base, which should be fully transparent, referenced and verifiable. Evidence, rather than views, should be used to inform and justify the development of any plans options and emerging proposed policies. Building a strong evidence base, to support and inform the production of a neighbourhood plan is vital to the immediate and longer term success of a neighbourhood plan. The evidence can be both quantitative (facts and figures such as census data) as well as qualitative (e.g. opinions given in consultation responses, as long as backed by facts and justified) and should be used to support the decisions made and the policies developed to be included in your neighbourhood plan.

Officers are supportive of the approach taken in the emerging plan where in the main additional specific local evidence has been commissioned and prepared to inform the emerging plan and published alongside the consultation document.

The Development Plan

The Development Plan consists of: the adopted Core Strategy, the Site Allocations Development Plan Document (DPD). Of material consideration are the Design Guide Supplementary Planning Document, SPD and the Landscape Character Assessment SPD. The emerging Local Plan, associated background documents and updated evidence underpinning them are also at an advanced stage and are a material consideration especially in the considerations of longevity of the emerging Neighbourhood Plan policies.

Time Frame of the Neighbourhood Plan

Consideration could be given to aligning the end date of the emerging neighbourhood plan with that of the emerging Local Plan. i.e 2036.

Subjects of the Neighbourhood Plan

It is recognised that the subjects covered in a neighbourhood plan are down to the steering group and community as supported and justified by evidence. Neighbourhood plans are not obliged to contain policies addressing all types of development, nor should they repeat or duplicate existing policy approaches in the wider Development Plan. However, it remains notable the neighbourhood plan remains silent on the Malting's development aspirations, especially given the overarching vision. The Great Ryburgh Maltings site is located in the village and forms a substantial part of the built up area. The site forms the headquarters of a multi-million-pound international business with a turnover of approximately £200 million pounds and has a supply chain of over 280 local farmers. The site has recently expanded through the construction of a specialty malt plant, steep house and warehouse (Planning application reference PF/15/0837, June 2015). The permission granted was subject to a specific condition that limited future output tonnage from the Maltings site at Great Ryburgh did not exceed 115,000 tonnes in one calendar year. The reason given was *"to ensure that vehicular movements to and from the site, are not increased through increased output and associated traffic movements in the interests of highway safety in accordance with policy CT5 of the adopted North Norfolk Core Strategy"* There is also a further permission which is understood to have been commenced but not yet completed for the construction of a further two silos and lorry park on adjacent grounds, (planning application reference PF/09/0966 (April 2010).

In July 2017 a public exhibition was held outlining initial proposals for a further expansion of the site incorporating the previous permission but to include between 50 - 75 residential units, new access road bypassing the west of the village, further industrial expansion and provision of community facilities. The proposals included the aspirations to handle an increased tonnage, up to 175,000 annually but with a decrease in traffic movements through the village.

The Maltings is an integral part of the village and although the absence of specific reference to guiding future development at the Maltings may be deliberate and as such is accepted as the authors prerogative, it is however thought that through the neighborhood plan there remains an opportunity to explore further sustainable growth options and influence economic growth, proposals and decisions including those of the Maltings if it was thought appropriate.

Further commentary is provided on this by the Economic Growth manager at the Council towards the end of this response.

General comments - policy wording

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states that planning applications should be determined in accordance with the development plan unless there are material considerations suggesting otherwise. Officers find the suggestion that proposals will be refused if they do not accord to various policies in the neighbourhood plan misleading and incorrect. It is not the Neighbourhood Plan which will determine decisions but the policies contained in the overall Development Plan and material considerations which will inform the decision maker. There are several policies in the plan where this issues can be raised and as such all policies should be reviewed and should be rephrased. E.g. policies such as policy 1 could be amended to not supported. policy 5 could be amended to be supported rather than *only be permitted ...*

National policy states that Plans should be prepared positively to support local development, be in a way that is aspirational but deliverable and which supports the strategic policies of the Local Plan. Any approach must be positively worded to facilitate sustainable growth rather be restrictive or negative.

As such policies should generally be positively worded and consideration could be given to rephrasing some of the current wording throughout the neighbourhood plan i.e where policies stipulate what would not be supported the wording could be changed placing a more positive emphasis which indicated where proposals would be supported. For example, policy 1 could be altered to *..Proposals for development within the Neighbourhood Area that would NOT result in sustained additional HGV movements in Bridge Road, Station Road and/or Fakenham Road shall BE SUPPORTEDsix months*

Government guidance also states that,

“a policy in a neighbourhood plan should be clear and unambiguous. It should be drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications”

Some policies in the Plan would benefit from amended wording and or amalgamation to ensure clarity for application and implementation purposes. Where this is the case, officers have raised concerns, suggested policy deletions and or amended wording where they consider the policy cannot be achieved through the planning system or greater clarity could be achieved.

Overall, the plan presents an opportunity to define and refine development proposals in the parish of Ryburgh and its production is welcomed and supported.

Section 4 Planning Policies

Section 4.1 Traffic Safety

This section of the Plan mainly talks about HGV movements to and from the identified industrial area, i.e the Crisp Malting site as identified in annex 4 and the concern of local residents. The site remains a significant employer in the district and a world leader in the production of barley, wheat and rye for the brewing industry. However, it should be noted that not all traffic will be generated by this works and it is thought that the policy will be ineffective in controlling through traffic or that generated from other means outside the neighbourhood plan area. Evidence could be collated through a traffic survey to establish the level of traffic movements, direction of travel and the proportion of through traffic – any survey should account for variations of days of the week and seasonal variations. Further advice from the Norfolk County Council Highways should be sought in finalising this policy. In relation to the Maltings to what extent is the business movements of the Malting’s seasonal and will this approach be effective, seen as reasonable and or defensible?

As explained above it is not the Neighbourhood Plan which will determine decisions but the policies contained in the overall Development Plan and material considerations which will inform the decision maker. Wording in policies such as *shall be refused* should be amended to not supported or re worded to say where development will be supported.

Safeguard Land for Public Access

The policy approach and retention of the railway beds for public access is supported. Future iterations of the plan could provide a map of the former railway bed. The policy could also be

enhanced by requiring all development to incorporate green infrastructure principles into proposals and also by adding further wording along the lines of *development proposals will fully incorporate green infrastructure principles into proposals, and provide detailed scheme for the provision of new green infrastructure, mitigation and enhancement of existing green infrastructure contribute to enhancements and opportunities for the enhanced public access to the railway bed.....*and or any other identified opportunities you may care to list in an annex or mini GI strategy to be contained in the plan.

Section 4.3 New Housing

The parish is currently identified as open countryside and as such sits outside the settlement hierarchy where residential development would normally be permitted. The distribution of growth and the housing target are seen as strategic policies that neighbourhood plans are required to confirm with. The Government's overall premise for neighbourhood plans is to bring forward additional growth and seek to add local distinction providing it is justified, supported by appropriate evidence and in general conformity with the strategic priorities and strategic local planning policies i.e the adopted Local Plan , though regard should also be had to the emerging policies in the emerging local plan which was recently consulted on ¹.

In doing so, for neighbourhood plans it is clear that the expectation is that *neighbourhood plans allow communities to choose where they want new growth² to be and have a say on what they look like and what infrastructure should be provided..... in order to meet their communities needs and where the ambition of the neighbourhood is aligned with the strategic needs of the wider local area* i.e as set out in the Planning Practice Guidance - paragraph 001

Paragraph 003 goes on to say that neighbourhood planning provides the opportunity for communities to *set out a positive vision on how they want their communities to develop.... In ways that meet identified local need and make sense for local people.*

Where neighbourhood planning bodies have decided to make provision for housing in their plan, the housing requirement figure and its origin are expected to be set out in the neighbourhood plan in agreement with the local planning authority, as a basis for their housing policies and any allocations that they wish to make. In order to meet need neighbourhood plans are encouraged by the Government to plan to meet their housing requirement and where possible exceed it³ and should set out in the plan additional housing allocations.

In recognising the small scale nature of the village of Ryburgh and seeking to support a small but limited amount of growth through the establishment of a settlement boundary and an infill policy Officers are supportive of the ambition of the Plan to help ensure the sustainability of Ryburgh.

It is however considered that the boundary as currently drawn may not provide the opportunities for infill development in accordance with the aims of the Plan. Further consideration could be given to the inclusion of the built up area to the east along Bridge Road and Mill Road which although forms part of the existing conservation area still remains part of the built up area (and could be

¹ The National Planning Policy Framework outlines in [paragraph 13](#) that a neighborhood plan should [support the delivery of strategic policies set out in the Local Plan and should shape and direct development that is outside of those strategic policies.](#)

² i.e in addition to that set out in the Local Plan

³ PPG para 103 Ref ID 41-103-20190509 09 05 2019

considered the heart of the village) and whether it remains appropriate to draw the boundary as tightly to the residential curtilage.

Please also refer to separate comments by the conservation officer on this matter which can be found under section 4.7 Protection of the Historic Environment.

Policy 3

- Bullet 4 could refer to consideration of the wider matter of amenity rather than un-neighbourly development.
- The references to Local policy guidance should be clarified.

Section 4.4 Protection of the Environment

Comments from Landscape officer

Evidence base

Section 2.1.1 of the Ryburgh Landscape Character Assessment that forms part of the Evidence Pack (p.11) states that the primary aim of the Ryburgh Landscape Character Assessment (LCA) is to inform the development of the Core Strategy policies on landscape protection, in particular EN2: Protection and Enhancement of Landscape and Settlement Character. This is NOT the case of this evidence base. The Ryburgh LCA is an evidence base to support the relevant landscape policies in the Ryburgh Neighbourhood Plan. All reference to the now adopted North Norfolk Core Strategy and its policies should be removed from this document in this regard, as previously advised.

The Ryburgh LCA should complement the draft Supplementary Planning Document the North Norfolk LCA, dated Nov 2018 which has been out to public consultation and is planned for adoption in accordance with the emerging Local Plan work programme and reference to the Councils updated LCA in the text of the Ryburgh LCA and Np would be encouraged.

The purpose of the Ryburgh LCA is to expand on the classifications contained within the North Norfolk LCA in the Ryburgh Neighbourhood Area (Ryburgh NA) and to identify in more detail the special landscape characteristics of the Ryburgh NA in order to inform the proposed policies. Both LCA's should then be used to inform and support policy within the Ryburgh NP.

In addition, officers have concerns that the language in places is overly prescriptive (e.g. not accounting for permitted development rights) and is in places negative towards development, as such caution is advised in quoting directly from the evidence in certain circumstances and a wider perspective taken in order to justify the approaches taken.

Policy 4: Landscape Character

The wording of this policy implies that the Ryburgh LCA by Chris Yardley is the policy and this is misleading. Officers would advise that the wording should be re-phrased and consideration given to that as set out below

Policy 4 Protection and Enhancement of Landscape and Settlement Character

- *Proposals for development within the Ryburgh NA should be informed by, and sympathetic to, the key characteristics and landscape guidelines of the defined Landscape Character Areas identified in the **Landscape Character Assessment – Ryburgh Neighbourhood Plan December 2018.** (CJ Yardley)*

- *Proposals should demonstrate that their location, scale, design and materials will protect, conserve and where possible enhance, the local distinctiveness of the area, the settlement character, and key landscape features and characteristics.*

Policy 5: Protection and Enhancement of Local Habitats, Landscape and Amenity

This policy seems to be duplicated in Policy 4 and Policy 7,8 & 9. Suggest consideration is given to the amalgamation of one concise policy which would strengthen the approach.

Policy 6: Dark Skies

Officers welcome the inclusion of this policy and the recognition of the significance of dark skies in the character of the North Norfolk landscape

Section 4.5 Protection of the Environment

Comments from landscape officer

Evidence Base

Section 4.5.1 states that the Ecological Report (by Wild Frontier Ecology) was “commissioned to demonstrate the ecological importance of the river Wensum valley” and tributaries. This is quite a *leading* statement, the purpose of the report was to provide an ecological report on Ryburgh Parish to inform the preparation of the NP, i.e. assess the baseline ecological features/assets of the whole parish. It is the conclusion of the report that demonstrates the ecological importance of the River Wensum valley. Is recommended that consideration is given to altering the text accordingly.

The report identified ecological assets outside of River Wensum corridor and tributaries such as West Wood CWS (an ancient woodland), hedgerows and a network of ponds. The NP and its policies (Habitat Areas Map) focuses on the River Wensum and tributaries and therefore misses out on the other important ecological assets of the Parish. Whilst it is recognised that the river Wensum is an important asset, and should be protected as such, the NP fails to go that step further to identify and protect the other ecological assets in the Parish as identified in Section 8.3 ‘Suggested Policy Input for Biodiversity’ of the Ecological Report.

As such further consideration should be given to policy inputs in accordance with section 8 of the evidence report.

Policy 7: Protection and Enhancement of Local Habitats (1)

This policy relies on the habitat areas that are set out on the map in Annexe 6. There appears to be little justification for the delineation of these areas set out in either in the Ecology Report or the LCA, meaning that the policy and area delineated may not be robustly identified or justified. As such officers would advise caution.

Officers agree that the physical area of designation of the River Wensum SAC/SSSI is limited to just the river and that the adjacent river valley sides, tributaries and associated pasture are important supporting habitats. Natural England recognise this and have established clearly defined Impact Risk Zones. These are defined zones around each SSSI which reflect the particular sensitivities of the feature for which it is notified and indicate the type of development that could have adverse impacts. Officers would suggest that incorporating these geographical zones into the delineation of

the proposed habitat Area is a more evidence-based methodology that would withstand scrutiny. (please note that they do not however consider the tributaries or ancient woodland nearby).

Natural England mapping can be found at <https://magic.defra.gov.uk/MagicMap.aspx>

Suggested policy wording...

Policy 7 Protection and Enhancement of Local Habitat Zones

Development proposals within or adjacent to the defined Local Habitat Zones should aim to protect and enhance the local conservation features and habitats.

Where adverse impacts are identified, proportionate and relevant mitigation measures should form part of the proposals.

The second section of the above suggested policy is based around the requirement that any approach must be positively worded to facilitate sustainable growth rather be restrictive or negative as detailed in the general comments at the start of this response.

Policy 8: Protection and Enhancement of Local Habitats (2)

See comments relating to policy 5

Policy 9: Ecology Network

Officers support the inclusion of this policy. The Plan could however go further and identify potential restoration projects and or policy requirements such as development to incorporate biodiversity friendly landscaping, nest boxes and other suggested policy consideration as set out in the Ecology evidence section 8.

Section 4.6 Open Land Areas

Comments from landscape officer

Policy 10: Open land

The justification for the Open Land Areas Map at Annexe 7 is set out in 4.6.2 as the Landscape Character Assessment and the Ecological Report. The geographical area of the Open Land designation is largely contained within the Habitat Areas Map/Impact Risk Zones Areas.

The significance of the 'openness' of the landscape within the Open Land designation is clearly set out within each of the defined Landscape Character Areas and is highlighted as a valued characteristic of these particular landscapes. It therefore seems superfluous to reiterate the Open Land characteristic in a separate policy

Officers would advise that this important aspect of the landscape is therefore accounted for within Policy 4: Protection and Enhancement of Landscape and Settlement Character and also supported through Policy 7: Protection and Enhancement of Local Habitat Zones. Policy 10 Open Land is therefore a repetition which could be avoided through the amalgamation of the above policies.

Section 4.7 Protection of the Historic Environment

Comments from Conservation Design & Landscape Officer (CD&L)

The historic environment chapter is rather brief and could benefit for further expansion into referencing design if thought appropriate.

Locality have published a new guidance note on Design – Achieving well- designed places through neighbourhood planning – which may be of interest. <https://neighbourhoodplanning.org/toolkits-and-guidance/>

Policy 11: Archaeology

The first para of this policy seems quite onerous if they are genuinely talking about *all* planning applications within 250m of *all* Historic Environment Records – potentially this could encompass most of the village. Particularly as; i) not all development would affect below ground archaeology, and ii) not all records relate to archaeology – some are just listings and building reports, I wonder if this is actually reasonable/defensible.

As a potential solution the policy could be redrafted to include a more selective or targeted approach based around specific criteria or historical assets rather than all historical records.

Further advice should be obtained from Norfolk Historic Environmental Services as part of Norfolk County Council

Settlement Boundary – Annex 5

It is also not clear why the settlement boundary has been drawn to exclude the Great Ryburgh Conservation Area, CA, (with the exception of a small section of the old railway line). After all CAs should be about positively managing rather than preventing development. To have a settlement boundary which excludes the historic core of the village seems questionable at best.

Officers would normally expect the conservation area to be part of the settlement boundary and it is recommended that as part of finalising the plan and any wider review of the settlement boundary consideration is given to the inclusion of the historic core of the village.

Comments Economic Growth Manger

Thank you for the opportunity to make representation to the Ryburgh Neighbourhood Plan.

The proposed Neighbourhood Plan for Ryburgh argues that the high street and adjoining pavements are inadequate in terms of their present and future capacity to support future development from the existing industrial presence. Whilst it is appreciated that this may be a matter of some local concern, the Economic Growth team would suggest that the plan should be cautious in its approach to imposing policies that could later prejudice growth on this site. The predominant business owner in Ryburgh, Crisp Malt, are a significant employer locally and are a very important business on a national scale, forming an integral part of the supply chain across a number of business sectors. Preferably it would be welcomed to instead see detail (presently lacking) that better describes how the village can explore sustainable growth and development. This would seem an appropriate and healthy approach to welcoming growth that supports rather than hinders commercial opportunity and local employment opportunities.

Comments from the Housing Strategy & Delivery Manager

Here are the comments of the Strategic Housing Team on the aims and policy of the Housing Section of the Draft Ryburgh Neighbourhood Development Plan (NDP).

The NDP sets out the following vision:

VISION: Ryburgh will be a place where people want to live that has a stimulating environment with access to all the facilities and amenities to enable someone to live a happy and fulfilling life from cradle to grave within a thriving village community.

In terms of housing, to deliver this vision Ryburgh will need housing which meets a diverse range of needs including:

- Family homes for the children of current residents who wish to remain in Ryburgh and bring up families of their own.
- Small homes for households who wish to 'downsize'.
- Homes suitable to meet the needs of people with limited mobility including homes suitable for households which include a wheelchair user.
- A proportion of affordable homes in all of the above categories for households who cannot afford to rent or buy a market home.

The existing housing stock will meet much of this need as properties change ownership/change tenant over time. The NDP plans for some infill housing which will allow for some population growth and/or some demographic changes.

Some specific observations on the Housing Policy within the NDP

Policy 3 Infill Housing in Great Ryburgh

Proposals for new dwellings representing small-scale growth within the settlement of Great Ryburgh will be supported provided that:

1. The development consists of infilling (the filling of a small gap with one to five dwellings) of a small undeveloped plot or on a brownfield site; and,
2. the proposed development is similar in scale and height to existing neighbouring dwellings; and,
3. will not involve the outward extension of the village of Great Ryburgh; and,
4. is not considered to consist of un-neighbourly development that requires unsuitable access, reduces the privacy of adjoining properties or is inconsistent with the character of the locality; and,
5. where more than one new home is proposed on the same site, then at least one small home with two or fewer bedrooms is provided for every one larger dwelling with four or more bedrooms.

Proposals for the extension of existing buildings within the RNA will be supported provided that they comply with local policy guidance.

Proposals for the replacement of existing buildings for housing within the RNA will be supported provided that they comply with local policy guidance.

Strategic Housing observations:

1. The Settlement Boundary (Annex 5 of the NDP) is very tightly drawn and may not provide enough sites to deliver the required new/redeveloped housing.
 - a. Possible remedy – loosen the settlement boundary.
2. Infill development is unlikely to provide any new affordable housing. Possible remedies:
 - a. Allocate a housing development site – the developer would provide some affordable housing as part of the s106 process (subject to viability).
 - b. Support the development of affordable housing on exceptions housing sites as and when there is evidence of local need for a development. (Great Ryburgh has two exceptions housing

schemes and any relets on these sites will provide a limited supply of affordable homes for local allocation).

3. Infill development is unlikely to provide homes suitable for people with limited mobility/wheelchair users.
 - a. Possible remedy – amend the requirement for infill sites of two or more homes to include the provision of a home built to Category 2: Accessible and adaptable dwellings M4(2) standard (as an alternative to a home of two-bedrooms or fewer).

(please note further information on this can be obtained from the emerging Local Plan policy HOU8 pages 129 – 134 and or from planning policy team).

General comments re requirement for Strategic Environmental Assessment, SEA and Habitat Assessment HA screening opinion.

At this stage no Screening Assessment or Screening Opinion has been undertaken / issued and it is recommended that once consideration of representations from this consultation have been undertaken and well before the finalisation of policies that a screening request is submitted to the Council in relation to SEA and HRA regulations along with any updated policies.

To be 'made', a neighbourhood plan must meet certain Basic Conditions. These include that the making of the plan *"does not breach, and is otherwise compatible with, EU obligations"* as incorporated into UK law. A Neighbourhood Plan must be compatible with European Union obligations, as incorporated into UK law, in order to be legally compliant.

As such a neighbourhood plan may require a Strategic Environmental Assessment, SEA and a separate assessment in relation to the Habitats Regulations 2017, HRA. Guidance strongly advises neighbourhood planning groups to consider the environmental implications at an appropriate stage following the finalisation of the draft policies and prior to any submission for examination. In doing so it is **essential to seek** the advice of the local planning authority on whether an SEA and a HRA is required. As the responsible and competent authority in law the Council must be satisfied that a neighbourhood plan has adhered to these regulations and as such offers to undertake the required initial screening review in the first instance.

For the purposes of a fuller explanation. Strategic Environmental Assessment (SEA) is the process by which environmental considerations are required to be fully integrated into the preparation of Plans and Programmes prior to their final adoption. SEA is a tool used internationally to improve the environmental performance of plans so that they can better contribute to sustainable development.

Habitat Regulation Assessment, (HRA) is the process undertaken to identify if a Plan would have a likely significant impact on nature conservation sites /habitat site that are of European importance, also referred to as Natura 2000 sites.

Establishing whether a Neighbourhood Plan takes into account SEA and HRA legislation are important legal requirements. Establishing this can only be done when the Plan is sufficiently advanced but should be undertaken at the earliest opportunity so as to allow refinement through further iterations of the Plan. Undertaking it too early may however result in the exercise being required to be undertaken again and further changes made to a *"finished"* Plan. At assessment stage a neighbourhood plan proposal must be deemed to provide sufficient information to enable a competent authority (in Law), to undertake a screening exercise to determine whether there are to

be likely significant effects. If it is concluded that there are likely to be significant effects than a full sustainability appraisal which include the requirements of the SEA legislation would need to be produced i.e one which includes a robust exploration of the effects of alternative approaches to the policies in the Plan. Similarly, in terms of HRA legislation then an Appropriate Assessment would need to be carried out to identify the potential risks to European sites posed by the emerging policies, and seek to find solutions that enable sustainable development to meet the needs of an area whilst protecting the European sites. Guidance stipulates that if an appropriate assessment is required, then it will engage the need for a full strategic environmental assessment.

Following on from screening, if such documents are required, the production of them will be the responsibility of the Qualifying Body (Parish Council). These are considered to be of a specialist and technical nature and further specific grant support and technical assistance can be obtained from Locality. Officers can provide further advice based on the outcome of any screening exercise. If it is concluded that no further reports are required, the Council will be asked at independent examination to confirm this formally and provide the necessary evidence, it is therefore in the interests of everyone concerned to ensure this important legal process conducted to the legislative requirements.

In meeting these obligations, the national PPG sets out that an initial screening stage is required to establish whether the Plan is to have a likely significant environmental effects and or likely significant impacts on nature conservation sites that are of European importance. As part of this process the Council will need to consult separately with the Environment Agency, Historic England and Natural England as the statutory consultees in this process on its screening opinion.

As a general rule of thumb, SEA is more likely to be necessary if:

- a neighbourhood plan allocates sites for development (for housing, employment etc.) that haven't already been appraised through the sustainability appraisal (SA) of the relevant Local Plan)
- the neighbourhood plan area contains sensitive environmental assets that may be affected by the policies and proposals in the neighbourhood plan
- the neighbourhood plan is likely to have significant environmental effects not already addressed through the sustainability appraisal of the relevant Local Plan.

In terms of habitat regulations, a neighbourhood plan or any plan cannot proceed if a risk of significant effects on a European site cannot be excluded. i.e through mitigation or policy amendment.

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18/08/2019