



## **Broadland District Council**

### **Taverham Neighbourhood Plan Examiner's Report - Decision Statement**

#### **1. Summary**

Following an independent examination, Broadland District Council has received the examiner's report relating to the Taverham Neighbourhood Plan. The report makes a number of recommendations for making modifications to policies within the Neighbourhood Plan. Broadland District Council proposes to accept each of the examiner's recommendations, as set out below.

#### **2. Background**

Following the submission of the Taverham Neighbourhood Plan to Broadland District Council in November 2019, the Neighbourhood Plan was published in accordance with Regulation 16 of the Neighbourhood Planning (General) Regulations 2012 and representations invited. The publication period took place between November 2019 and January 2020.

Broadland District Council, with the approval of Taverham Parish Council, subsequently appointed an independent examiner, Mr Derek Stebbing of Intelligent Plans and Examinations Ltd., to conduct an examination of the submitted Neighbourhood Plan, to conclude whether it meets the Basic Conditions (as defined by Schedule 4B of the Town and Country Planning Act 1990) and consequently to determine whether the Plan should proceed to referendum.

The examiner's report concludes that, subject to making certain recommended modifications, the Neighbourhood Plan meets the Basic Conditions and should proceed to a referendum.

#### **3. Decision**

Having considered each of the recommendations within the examiner's report and the reasons for them, Broadland District Council has decided to approve each of the recommended modifications. This is in accordance with section 12 of Schedule 4B to the Town and Country Planning Act 1990.

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

Section	Examiner's recommendation	Council consideration of recommendation	Council decision
References throughout Plan	All references in the Plan to the end date of the GNLP should be amended from 2036 to 2038.	The Council agrees with the examiner's recommendation. The GNLP team has confirmed that the GNLP will now extend to 2038 (rather than 2036).	Accept examiner's recommended modification.
Policy TAV1: Location of new housing	Delete existing policy text, and replace with:  <i>'Proposals for new residential development in the Plan area will be considered in the context of all relevant policies in this Plan, and how they contribute to the achievement of sustainable development.</i>  <i>Large-scale residential development should be focused in the north-east of the Plan area close to the Broadland Northway at locations where it is possible to integrate with existing development and where a comprehensive planning approach can be taken to achieve good transport access including public transport, footpaths and cycleways, community infrastructure provision and green infrastructure links.'</i>	The Council agrees with the examiner's reasoning that that the policy requires amendment to make it clear that new residential development will be acceptable at other sustainable locations in the Plan area, subject to being in compliance with other relevant policies in the Plan.	Accept examiner's recommended modification.
Policy TAV2: Housing mix	Third clause of policy text, delete existing text, and replace with:  <i>'Affordable housing to be provided in new residential developments should be integrated within the development and not grouped in separate clusters.'</i>	The Council agrees with the examiner's recommended modification to the wording, which will help to improve clarity.	Accept examiner's recommended modification.
Poicy TAV3: Well-designed new development	Clause g) – delete existing text, and replace with:  <i>'g) Conform to the 'Secured by Design' principles to create and maintain a safer community and reduce crime and disorder;'</i>  Retain Footnote no. 18.  Add new Clause m) to the text of the Policy, to read as follows:  <i>'m) Incorporate the use of SuDS wetland and water features to protect against pollution, provide drainage and wider amenity, recreational and biodiversity benefits;'</i>	The examiner's recommended modifications to this policy reflect specific representations made by the Norfolk Constabulary, Anglian Water and Norfolk County Council regarding this policy, and will ensure it meets the Basic Conditions. The Council agrees with the recommendations.	Accept examiner's recommended modification.

	Add new Clause n) to the text of the Policy, to read as follows:  <i>'n) Undertake an appropriate flood risk assessment of the development proposals and incorporate any necessary mitigation measures to demonstrate that there is no increased risk of flooding.'</i>		
Policy TAV4: Larger scale housing development	This relates to the development of any strategic housing sites that may come forward in the Plan area and reflects the requirements of Policy 2 of the adopted JCS.	The Council notes the examiner's endorsement.	No modification necessary.
Policy TAV5: Non-designated heritage assets	Delete site no. 17 (Time capsule at Marriott's Way) from list of heritage assets listed in the text of the Policy.  Also, delete site no. 17 from Figure 13 (page 36) and the listing at Appendix D (page 96) in the Plan.  Amend the reference in paragraph 6.1.44 (page 36) from <i>'...the 20 buildings/historic features ...'</i> to read <i>'...the 17 buildings/historic features ...'</i>	The examiner does not consider that sufficient justification exists in respect of site no. 17 (Time Capsule at Marriott's Way sign). The Council agrees with the examiner's reasoning in respect of this recommendation.	Accept examiner's recommended modification.
Policy TAV6: Walking and cycling	I consider that this policy is appropriate and will help to achieve sustainable patterns of development.	The Council notes the examiner's endorsement.	No modification necessary.
Policy TAV7: Parking	Add new 1 <sup>st</sup> clause to the text of the Policy, as follows:  <i>'Car parking provision for all new developments in the Plan area shall be in accordance with the adopted parking standards of Broadland District Council.'</i>	The Council agrees with the examiner's recommendation that the policy should make reference to the adopted parking standards of the District Council.	Accept examiner's recommended modification.
Policy TAV8: River Wensum Green Corridor	I consider that the policy meets the Basic Conditions.	The Council notes the examiner's endorsement.	No modification necessary.
Policy TAV9: Local Green Spaces	Delete the following proposed Local Green Spaces from the text of the Policy, from Figure 19 (page 52) and from Appendix C (pages 85-92):  No. 6 – Tree belt at rear of Kingswood Avenue No. 7 – Tree belt at rear of Broom Close No. 11 – Fakenham Road strip of land No. 14 – Taverham High playing fields and tree belts No. 26 – Nightingale Infant School Playing Field No. 27 – Woodland abutting Camp Road	The examiner considers that a number of the proposed Local Green Spaces fail to fully satisfy the designation criteria set out in the NPPF. Broadland District Council accepts the examiner's reasoning in respect of this policy.	Accept examiner's recommended modification.

	<p>No. 30 – Taverham Junior School Playing Field No. 32 – Ghost Hill Infant School Playing Field</p> <p>Prepare large-scale maps of each proposed Local Green Space (to be re-numbered 1-29 as necessary) and include such maps within revised Appendix C (pages 85-92).</p> <p>Amend reference within the text of the Policy from <i>'(as shown in Figure 19)'</i> to now read: <i>'(as shown in Figure 19 and on the larger-scale maps at Appendix C):'</i></p> <p>Delete the final sentence of paragraph 6.3.20 on page 51.</p>		
Paragraph 6.3.5	<p>Amend second sentence of this paragraph to identify the specific designated County Wildlife Sites within the Plan area, which are Walsingham Plantation, Taverham Meadows, Ringland Pits, Blyth's Wood and the Marriott's Way.</p> <p>Amend third sentence of this paragraph to now read:</p> <p><i>'The parish also includes part of the Taverham Mill Nature Reserve which is owned and managed by Anglian Water and includes otters, a pipistrelle bat colony, noctule bats and barn owls.'</i></p>	Broadland District Council agrees with the examiner that, in order to improve accuracy, the Plan should reference each of the five County Wildlife Sites in the neighbourhood area.	Accept examiner's recommended modification.
Policy TAV10: Protection of important public local views	I consider that the purpose of this policy is justified and that the key views that are subject to the policy are of important local value and meet the Basic Conditions.	The Council notes the examiner's endorsement.	No modification necessary.
Policy TAV11: New open spaces	I consider that this policy is appropriately drafted and meets the Basic Conditions.	The Council notes the examiner's endorsement.	No modification necessary.
Policy TAV12: Existing employment	<p>Amend the title of the Policy to read: <b>'Policy TAV12: Promoting employment'</b></p> <p>Re-check the boundaries of all proposed employment sites shown on Figure 22 (page 60), and prepare detailed inset plans of each site to be included in the Plan to accompany Figure 22 (which should be amended as necessary).</p> <p>Amend reference within the text of the Policy from <i>'(as shown in Figure 22)'</i> to now read: <i>'(as shown in Figure 22 and on the accompanying larger-scale inset</i></p>	Broadland District Council agrees with the examiner that the mapping of the proposed employment sites needs to be clearer, and that the policy should be encouraging of new employment opportunities that may arise in other, sustainable locations within the Plan area.	Accept examiner's recommended modification.

	<p>maps)'.  Add new 4<sup>th</sup> paragraph to the text of the Policy, to read:  <i>'Proposals for the development of new employment uses, including as part of mixed-use developments, will be supported at sustainable locations within the Plan area where there are no adverse impacts on local amenities, in order to encourage new local employment opportunities.'</i></p>		
Policy TAV13: Community infrastructure	I consider that this policy is justified by the evidence and will help to achieve sustainable patterns of development.	The Council notes the examiner's endorsement.	No modification necessary.
Policy TAV14: New and improved sports provision	I consider that this policy is justified by the appropriate evidence and will help to achieve sustainable patterns of development.	The Council notes the examiner's endorsement.	No modification necessary.
Section 7: Implementation	<p>Amend title of the section to read <i>'Implementation and Review'</i>.</p> <p>Delete paragraph 7.4 in full and its accompanying sub-title <i>'Updates to the Neighbourhood Plan'</i> and replace with the following text.</p> <p><i>'Review of the Neighbourhood Plan</i></p> <p><i>7.4 The Neighbourhood Plan covers the period from 2020 to 2040. The emerging Greater Norwich Local Plan (GNLP) is expected to replace the adopted Joint Core Strategy (JCS) for Broadland, Norwich and South Norfolk during 2022, and it is likely to be necessary to review the Neighbourhood Plan to maintain its conformity with the strategic policies in the GNLP. It will be the role of the Parish Council to review and update the Neighbourhood Plan at an appropriate time.'</i></p>	The examiner is concerned that Section 7 of the Neighbourhood Plan does not contain a sufficiently clear and robust mechanism for undertaking a review of the document, in particular view of the fact that the current Local Plan will soon be superseded by the Greater Norwich Local Plan, with potential implications for large scale development in the parish. Broadland District Council agrees with this reasoning.	Accept examiner's recommended modification.

#### 4. Next Steps

This Decision Statement and the Examiner's Report into the Neighbourhood Plan will be made available at the following online locations:

- Broadland District Council website: [www.broadland.gov.uk/neighbourhoodplans](http://www.broadland.gov.uk/neighbourhoodplans)
- Taverham Parish Council website: [www.taverhamparishcouncil.org.uk](http://www.taverhamparishcouncil.org.uk)

As soon as the restrictions imposed due to the Covid-19 pandemic allow the Council to do so, copies of these documents will be placed in **Taverham Library** (currently closed) and at the **Broadland District Council offices** (currently only open for essential visits).

The next stage is for the Neighbourhood Plan to proceed to a referendum within the neighbourhood area. However, new regulations linked to the Coronavirus Act 2020 mean that **no elections or referendums can take place until 6 May 2021**. This includes neighbourhood planning referendums. These provisions will be kept under review and may be amended or revoked in response to changing circumstances.

Until this time, and in accordance with recent amendments to Government guidance, the publication of this Decision Statement ensures that the Neighbourhood Plan policies will receive significant weight in the determination of any planning applications, so far as they are material to the application.