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# **Report on Taverham Neighbourhood Plan 2020 - 2040**

**An Examination undertaken for Broadland District Council with the support of Taverham Parish Council on the November 2019 Submission version of the Plan.**

Independent Examiner: Derek Stebbing BA(Hons) Dip. EP MRTPI

Date of Report: 16 April 2020

## Contents

	Page
<b>Main Findings - Executive Summary</b>	3
<b>1. Introduction and Background</b>	3
• Taverham Neighbourhood Plan 2020–2040	3
• The Independent Examiner	4
• The Scope of the Examination	5
• The Basic Conditions	6
<b>2. Approach to the Examination</b>	6
• Planning Policy Context	6
• Submitted Documents	7
• Site Visit	7
• Written Representations with or without Public Hearing	7
• Modifications	8
<b>3. Procedural Compliance and Human Rights</b>	8
• Qualifying Body and Neighbourhood Plan Area	8
• Plan Period	8
• Neighbourhood Plan Preparation and Consultation	9
• Development and Use of Land	10
• Excluded Development	10
• Human Rights	10
<b>4. Compliance with the Basic Conditions</b>	10
• EU Obligations	10
• Main Assessment	11
• Specific Issues of Compliance	13
• Housing and the Built Environment	13
• Transport and Access	16
• Environment and Landscape	17
• Business and Employment	19
• Community Infrastructure	20
• Implementation	20
• Concluding Remarks	21
<b>5. Conclusions</b>	21
• Summary	21
• The Referendum and its Area	21
• Overview	22
<b>Appendix: Modifications</b>	23

## **Main Findings - Executive Summary**

From my examination of the Taverham Neighbourhood Plan (the Plan) and its supporting documentation including the representations made, I have concluded that subject to the modifications set out in this report, the Plan meets the Basic Conditions.

I have also concluded that:

- the Plan has been prepared and submitted for examination by a qualifying body – Taverham Parish Council (the Parish Council);
- the Plan has been prepared for an area properly designated – the Neighbourhood Plan Area, the boundary of which is coterminous with the Parish Council boundary, as identified on the Map at Page 7 of the Plan;
- the Plan specifies the period to which it is to take effect – from 2020 to 2040; and,
- the policies relate to the development and use of land for a designated Neighbourhood Plan Area.

I recommend that the Plan, once modified, proceeds to Referendum on the basis that it has met all the relevant legal requirements.

I have considered whether the referendum area should extend beyond the designated area to which the Plan relates and have concluded that it should not.

## **1. Introduction and Background**

### *Taverham Neighbourhood Plan 2020-2040*

- 1.1 Taverham Parish is within the district of Broadland, some 5 miles north-west of the centre of Norwich and is situated on the River Wensum. The Parish contains the settlement of Taverham and the north-western part of Thorpe Marriott which straddles the parishes of Taverham and Drayton. The Parish has a long history, dating from the Saxon period and being listed in the Domesday Book of 1086. Subsequently, an important paper production industry developed at Taverham Mill which reached its zenith during the 19<sup>th</sup> century, before closure in 1900.
- 1.2 The village of Taverham grew northwards from the River Wensum and has seen significant periods of growth during the 1950s, 1960s, 1980s and 1990s. Thorpe Marriott is a more recent development, dating from a period of expansion for the City of Norwich in the 1980s and 1990s
- 1.3 The Parish had a population of 10,142 in 4,101 households at the 2011 Census. The mean age of residents in Taverham is slightly lower at 40.9

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years than that for Broadland district (43.9 years) and the county of Norfolk (42.7 years), with a higher proportion of economically active persons. There are no significant areas of multiple deprivation within the Parish.

- 1.4 Taverham does not have a distinct village centre due to the incremental pattern of growth, particularly since the 1950s. However, there are five main community focal points in the vicinity of St. Edmund's Church, at the Victoria Road shopping area, at Fakenham Road, at Fir Covert Road and at Beech Avenue. Nevertheless, the Parish is well served by community facilities including primary schools and a secondary school, a doctor's surgery, dentists, a library, local shops, a village hall, community centres and sports and recreation facilities.
- 1.5 The Parish has four Listed Buildings with St. Edmund's Church being as Grade I. The landscape of the Parish is characterised by built development of a relatively high density at Taverham and Thorpe Marriott interspersed with significant areas of woodland, including several areas of Ancient Woodland.
- 1.6 The most important nature conservation site in the Parish is the River Wensum, which has European status and is designated as a Special Area of Conservation (SAC). This site is also a designated Site of Special Scientific Interest (SSSI). There are five County Wildlife Sites in the Parish which are recognised for their biodiversity value. The Parish also includes the entrance to the Taverham Mill Nature Reserve, the greater part of which is located within the parish of Costessey. This Reserve is owned and managed by Anglian Water.
- 1.7 The principal roads in the Parish are the A1067 which links Norwich and Fakenham, together with the recently constructed A1270 Norwich Northern Distributor Road which functions to provide a northern orbital route for Norwich. There are plans for a Norwich Western Link, and a preferred alignment for this new road was published in 2019. This route would link the A1067 with the A47 but does not include any works within Taverham Parish. The principal public right of way within the Parish is the Marriott's Way which follows the course of a disused railway line and forms part of National Cycle Route 1 between Norwich and Aylsham.

#### *The Independent Examiner*

- 1.8 As the Plan has now reached the examination stage, I have been appointed as the examiner of the Plan by Broadland District Council (the District Council), with the agreement of the Parish Council.
- 1.9 I am a chartered town planner, with over 40 years of experience in planning. I have worked in both the public and private sectors and have experience of examining both local plans and neighbourhood plans. I have also served on a Government working group considering measures to improve the local plan system and undertaken peer reviews on behalf of

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the Planning Advisory Service. I therefore have the appropriate qualifications and experience to carry out this independent examination.

- 1.10 I am independent of the qualifying body and the local authority and do not have an interest in any of the land that may be affected by the Plan.

#### *The Scope of the Examination*

- 1.11 As the independent examiner, I am required to produce this report and recommend either:

(a) that the neighbourhood plan is submitted to a referendum without changes; or

(b) that modifications are made and that the modified neighbourhood plan is submitted to a referendum; or

(c) that the neighbourhood plan does not proceed to a referendum on the basis that it does not meet the necessary legal requirements.

- 1.12 The scope of the examination is set out in Paragraph 8(1) of Schedule 4B to the Town and Country Planning Act 1990 (as amended) ('the 1990 Act'). The examiner must consider:

- Whether the plan meets the Basic Conditions;
- Whether the plan complies with provisions under s.38A and s.38B of the Planning and Compulsory Purchase Act 2004 (as amended) ('the 2004 Act'). These are:
  - it has been prepared and submitted for examination by a qualifying body, for an area that has been properly designated by the local planning authority;
  - it sets out policies in relation to the development and use of land;
  - it specifies the period during which it has effect;
  - it does not include provisions and policies for 'excluded development';
  - it is the only neighbourhood plan for the area and does not relate to land outside the designated neighbourhood area;
  - whether the referendum boundary should be extended beyond the designated area, should the plan proceed to referendum; and
- Such matters as prescribed in the Neighbourhood Planning (General) Regulations 2012 (as amended) ('the 2012 Regulations').

1.13 I have considered only matters that fall within Paragraph 8(1) of Schedule 4B to the 1990 Act, with one exception. That is the requirement that the Plan is compatible with the Human Rights Convention.

### *The Basic Conditions*

1.14 The 'Basic Conditions' are set out in Paragraph 8(2) of Schedule 4B to the 1990 Act. In order to meet the Basic Conditions, the neighbourhood plan must:

- have regard to national policies and advice contained in guidance issued by the Secretary of State;
- contribute to the achievement of sustainable development;
- be in general conformity with the strategic policies of the development plan for the area;
- be compatible with and not breach European Union (EU) obligations; and,
- meet prescribed conditions and comply with prescribed matters.

1.15 Regulation 32 of the 2012 Regulations prescribes a further Basic Condition for a neighbourhood plan. This requires that the making of the Neighbourhood Plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.<sup>1</sup>

## **2. Approach to the Examination**

### *Planning Policy Context*

2.1 The Taverham Neighbourhood Plan has been prepared by the Parish Council to guide the future development of the Parish over the period 2020-2040. The Development Plan for this part of Broadland District Council, not including documents relating to excluded minerals and waste development, is the Greater Norwich Joint Core Strategy (January 2014) (JCS); the Development Management Development Plan Document (August 2015); and the Site Allocations Development Plan Document (May 2016). In addition, there is an emerging Local Plan, the Greater Norwich Local Plan (GNLP). The emerging GNLP has most recently undergone a third (referred to as Stage C) Regulation 18 consultation, therefore it does not yet form part of the Development Plan (and falls outside the Basic

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<sup>1</sup> This revised Basic Condition came into force on 28 December 2018 through the Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018.

Conditions assessment required by paragraph 8(2)(e) of Schedule 4B to the 1990 Act).

- 2.2 The Basic Conditions Statement (at pages 5-17) provides a full assessment of how each of the policies proposed in the draft Plan are in general conformity with the relevant strategic policies in the adopted JCS. The Basic Conditions Statement also provides a summary of how each of the policies in the draft Plan align with national policies.
- 2.3 The planning policy for England is set out principally in the NPPF. The Planning Practice Guidance (PPG) offers guidance on how this policy should be implemented. A revised NPPF was published on 19 February 2019 (and updated on 19 June 2019). All references in this report are to the 2019 NPPF and its accompanying PPG.<sup>2</sup>

### *Submitted Documents*

- 2.4 I have considered all policy, guidance and other reference documents I consider relevant to the examination, including those submitted which comprise:
- the draft Taverham Neighbourhood Plan 2020-2040 – Submission Draft (dated November 2019);
  - the Neighbourhood Designation Map (dated 9 January 2018), which identifies the area to which the proposed Neighbourhood Development Plan relates;
  - the Consultation Statement (dated November 2019);
  - the Basic Conditions Statement (dated November 2019);
  - the Sustainability Appraisal Scoping Report (dated February 2018);
  - the Sustainability Appraisal (dated June 2019, and amended in November 2019);
  - the Strategic Environmental Assessment Screening Report (dated June 2019, and amended in September 2019);
  - the Habitats Regulations Assessment Screening Report (dated July 2019); and
  - the documents provided by the Parish Council on 13 March 2020 in response to my letter to the District and Parish Councils, dated 19 February 2020.<sup>3</sup>

### *Site Visit*

- 2.5 I made an unaccompanied site visit to the Neighbourhood Plan Area on 24 February 2020 to familiarise myself with it and visit relevant sites and areas referenced in the Plan, evidential documents and representations.

### *Written Representations with or without Public Hearing*

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<sup>2</sup> NPPF: paragraph 214. The Plan was submitted under Regulation 15 by Taverham Parish Council after 24 January 2019.

<sup>3</sup> View at:

[https://www.broadland.gov.uk/downloads/download/508/taverham\\_neighbourhood\\_plan\\_documents](https://www.broadland.gov.uk/downloads/download/508/taverham_neighbourhood_plan_documents)

- 2.6 Following my assessment of the draft Plan and its accompanying documents, my site visit and consideration of the representations made during the Regulation 16 consultation period, I considered that a Public Hearing was not necessary for the purposes of this examination. The consultation responses clearly articulated the objections to the Plan and presented arguments for and against the Plan's suitability to proceed to a referendum.

#### *Modifications*

- 2.7 Where necessary, I have recommended modifications to the Plan (**PMs**) in this report in order that it meets the Basic Conditions and other legal requirements. For ease of reference, I have listed these modifications in full in the Appendix.

### **3. Procedural Compliance and Human Rights**

#### *Qualifying Body and Neighbourhood Plan Area*

- 3.1 The draft Plan has been prepared and submitted for examination by Taverham Parish Council, which is the qualifying body. An application to Broadland District Council for the Parish Council area to be designated as a neighbourhood planning area was made on 11 December 2017 and was approved by the District Council on 9 January 2018.
- 3.2 The draft Plan is the only Neighbourhood Plan for Taverham and does not relate to land outside the designated Neighbourhood Plan Area.

#### *Plan Period*

- 3.3 The draft Plan specifies (on the front cover, and within Section 1) the period to which it is to take effect, which is between 2020 and 2040.
- 3.4 The strategic policies contained in the adopted JCS cover the period up to 2026, but the period beyond 2026 will be addressed (up to 2038) by the emerging GNLP (there is no emerging strategic plan that at present addresses the period from 2038 to 2040). The emerging GNLP has not yet progressed beyond its Regulation 18 consultation stages, and I note from the Basic Conditions Statement that it has not yet been possible "to assess the policies of the Neighbourhood Plan against the emerging GNLP". In this context, in terms of the Plan period, I am not satisfied that the draft Plan contains a sufficiently robust mechanism to formally review the Plan at key points up to 2040. The need to review the Plan is briefly addressed at paragraph 7.4, but I do not consider that this reference is adequate. Accordingly, I recommend modifications to address this issue at paragraphs 4.48 - 4.51 below under my assessment of Section 7 (Implementation) of the draft Plan, in order that the Plan minimises



conflict with the emerging strategic policies of the development plan for the area.<sup>4</sup>

### *Neighbourhood Plan Preparation and Consultation*

- 3.5 Work first commenced on the preparation of the Plan in 2017, when the Neighbourhood Plan Steering Group was established following the decision by the Parish Council to undertake the preparation of a neighbourhood plan.
- 3.6 During Summer 2017 and extending into 2018, a range of community consultation events were held across the Parish to establish key themes, aims, vision and objectives for the Plan. Between October 2018 and March 2019, work focused on data collection, a 'Call for Sites', site assessments and a series of stakeholder meetings with local groups and organisations.
- 3.7 Two workshops were held in January and February 2019 to discuss emerging policy themes and options to be considered in the drafting of the Plan. The Regulation 14 consultation on the draft Plan was then held between 4 July and 30 August 2019 accompanied by local publicity throughout the Neighbourhood Plan area and an exhibition at the launch of the consultation. Individual notifications were sent to statutory consultees, adjoining Parish Councils and many local groups, organisations and businesses in the Plan area.
- 3.8 The Consultation Statement and its Appendices contain a comprehensive record of the various consultation activities that took place and a full summary of the responses received during the Regulation 14 consultation.
- 3.9 The comments and responses received from residents and stakeholders during the Regulation 14 consultation were analysed during Autumn 2019, and any necessary amendments were made to the draft Plan. Such amendments are recorded in the Consultation Statement.
- 3.10 Further supporting documents were prepared following the Regulation 14 consultation including the Basic Conditions Statement (November 2019) and the Consultation Statement (November 2019). A Screening Report on the determination of the need for a Strategic Environmental Assessment (SEA) was prepared in June 2019 and then updated in September 2019. A Sustainability Appraisal Scoping Report was prepared in February 2018, and the Sustainability Appraisal (dated June 2019 and amended in November 2019) was then prepared. A Habitat Regulations Assessment (HRA) Screening Report was prepared by the District Council in July 2019.

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<sup>4</sup> PPG Reference ID 41-009-20190509.

- 3.11 The Regulation 15 Submission Plan was considered and approved by the Parish Council on 11 November 2019, and the draft Plan was submitted to Broadland District Council on 12 November 2019.
- 3.12 The draft Plan was subject to further consultation from 29 November 2019 to 17 January 2020 under Regulation 16 and I take account of the 33 responses then received in writing this report.

#### *Development and Use of Land*

- 3.13 The draft Plan sets out policies in relation to the development and use of land in accordance with s.38A of the 2004 Act.

#### *Excluded Development*

- 3.14 From my review of all the documents before me, the draft Plan does not include policies or proposals that relate to any of the categories of excluded development.<sup>5</sup>

#### *Human Rights*

- 3.15 The Basic Conditions Statement states (at pages 22-23) that the draft Plan is considered to be compatible with EU obligations.<sup>6</sup> Neither the District Council nor any other party has raised any issues concerning a breach of, or incompatibility with Convention rights (within the meaning of the Human Rights Act 1998). From my assessment of the draft Plan, its accompanying supporting documents and the consultation responses made to the draft Plan at the Regulations 14 and 16 stages, I am satisfied that the draft Plan has had regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights and complies with the Human Rights Act 1998. I consider that none of the objectives and policies in the Plan will have a negative impact on groups with protected characteristics. Many will have a positive impact.

## **4. Compliance with the Basic Conditions**

#### *EU Obligations*

- 4.1 The draft Plan was screened for Strategic Environmental Assessment in June 2019, with the Screening Report being updated in September 2019. The screening assessment concludes that the Plan is not likely to have significant environmental effects and a full SEA is not required.

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<sup>5</sup> The meaning of 'excluded development' is set out in s.61K of the 1990 Act.

<sup>6</sup> Note: EU Obligations are entirely separate to the European Convention on Human Rights, which is derived from the Council of Europe.

- 4.2 I have assessed the Screening Report and the consultation responses from the Environment Agency, Historic England and Natural England at the Screening Opinion stage. I accept the conclusions set out in the Screening Report, and in particular that the Plan would not result in likely significant effects on the environment, and therefore that a SEA is not required. However, I do note that, although not required, a Sustainability Appraisal of the Plan has been prepared in accordance with the advice of the District Council in order to assess the environmental, social and economic effects of the draft policies in the Plan. I take account of the Sustainability Appraisal in my own assessment of the Plan's policies.
- 4.3 A HRA Screening Assessment for the draft Plan was undertaken by the District Council in July 2019 and was also the subject of consultation with the necessary statutory bodies, including Natural England. There is one Natura 2000 site, which is the Wensum River Corridor SAC, within the Plan area and extending beyond it. The Screening Report concludes that the Plan is unlikely to have significant effects on that Natura 2000 site, either alone or in combination with other plans and projects, and that therefore a full Appropriate Assessment for the Plan is not required. I note that Natural England concur with this conclusion. The HRA Screening Assessment and consultation response from Natural England are set out in the Screening Report dated July 2019, and from my own independent consideration, I accept the conclusion of that assessment.
- 4.4 I am therefore satisfied that the Plan is compatible with EU obligations in respect of the SEA Regulations and the Habitats Directive.

#### *Main Assessment*

- 4.5 The NPPF states (at paragraph 29) 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*" and also that "*Neighbourhood plans should not promote less development than set out in the strategic policies for the area, or undermine those strategic policies*".
- 4.6 The NPPF (at paragraph 11) also sets out the presumption in favour of sustainable development. It goes on to state (at paragraph 13) that neighbourhood plans should support the delivery of strategic policies contained in local plans; and should shape and direct development that is outside of these strategic policies.
- 4.7 Having considered whether the draft Plan complies with various legal and procedural requirements, it is now necessary to deal with the question of whether it complies with the remaining Basic Conditions (see paragraph 1.14 of this report), particularly the regard it pays to national policy and guidance, the contribution it makes to sustainable development and

whether it is in general conformity with strategic development plan policies.

- 4.8 I test the draft Plan against the Basic Conditions by considering specific issues of compliance of the Plan's policies, which deal with Housing and the Built Environment, Transport and Access, Environment and Landscape, Business and Employment and Community Infrastructure. As part of that assessment, I consider whether the policies in the draft Plan are sufficiently clear and unambiguous, having regard to advice in the PPG. A policy should be drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications. It should be concise, precise and supported by appropriate evidence.<sup>7</sup> I recommend some modifications as a result.
- 4.9 The draft Plan is addressing a Plan period from 2020 to 2040. Its Vision is that "By 2040 Taverham will remain a distinct, well connected, viable and appropriately designed semi-rural village, with a strong integrated community. Recognising the parish heritage, it will have excellent services, a variety of quality homes, flourishing businesses, valued countryside and wooded areas. Taverham will be a safe and sustainable place where people want to live, work and play."
- 4.10 The Plan aims to achieve this vision by including policies which address the following ten objectives:
- to enable appropriate locations for growth, which provide for a sustainable and integrated community;
  - to provide high quality, diverse, affordable and innovative housing within Taverham;
  - to ensure that the design, density and layout of new development reflects and enhances the character and distinctiveness of Taverham;
  - to provide the infrastructure to encourage safe walking, cycling and the use of public transport within and beyond Taverham Parish;
  - to provide adequate private and public parking;
  - to protect green areas within Taverham and the surrounding countryside and woodland;
  - to improve and provide high quality public spaces in the Parish;
  - to provide enough land, buildings and infrastructure to support local economic development and promote local employment opportunities;
  - to ensure enough school and health facilities exist within Taverham to meet community requirements; and
  - to provide opportunities for all residents to access community, cultural, leisure and sports activities within Taverham.

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<sup>7</sup> PPG Reference ID: 41-041-20140306.

Each sub-section of the Policies section (Section 6) of the draft Plan sets out policies which are drafted to reflect the above objectives, and which also reflect the aims of the Plan's Vision.

- 4.11 The overall spatial and strategic policy context for the Plan is set out on pages 10-11 of the draft Plan. I am satisfied that the key issues arising from the NPPF and the strategic policies in the adopted JCS covering the period up to 2026, as they affect Taverham, are appropriately identified within the Plan and more fully at Section 4 of the Basic Conditions Statement. I also note that the draft Plan makes appropriate reference to the emerging GNLP which will cover the period up to 2038, although that plan is still at a relatively early stage of preparation with a Stage C Regulation 18 consultation having taken place between 29 January and 16 March 2020, and with Stage A and Stage B consultations having previously taken place during 2018. I address the need for the Plan to minimise any conflicts between policies in the Neighbourhood Plan and those in the emerging GNLP for the period up to 2038, and then for the period beyond up to 2040, in my assessment of Section 7 (Implementation) of the draft Plan at paragraphs 4.48 - 4.51 below. The Stage C Regulation 18 GNLP consultation has now confirmed that the GNLP will extend to 2038 (rather than 2036), and accordingly I recommend as modification **PM1** that all references in the Plan to the end date of the GNLP be amended from 2036 to 2038.
- 4.12 I note that the Basic Conditions Statement (at Section 5) describes how the draft Plan has regard to the national policy objective of contributing to the achievement of sustainable development. I further note that the submission Plan is accompanied by a Sustainability Appraisal which contains a comprehensive evaluation of the draft Plan's policies and objectives against the Sustainability Appraisal objectives (which are the same objectives as those contained in the Sustainability Appraisals for the adopted JCS and the emerging GNLP). I consider that this has been a rigorous and thorough approach to ensuring that the draft Plan meets the objective of achieving sustainable development.
- 4.13 Overall, I consider that, subject to the detailed modifications I recommend to specific policies below, that individually and collectively the draft Plan's policies will contribute to the achievement of sustainable patterns of development. However, there are a number of detailed matters which require amendment to ensure that the policies have the necessary regard to national policy and are in general conformity with the strategic policies of Broadland District Council (as contained in the adopted JCS).

#### *Specific Issues of Compliance*

- 4.14 I turn now to consider how the specific policies and content of the draft Plan satisfy the Basic Conditions and I specifically address this matter by considering each of the policies in the draft Plan, together with other key issues.

## *Housing and the Built Environment*

- 4.15 Section 6.1 of the draft Plan contains five policies (Policies TAV1-TAV5) to address housing and the built environment in the Plan area, and I address each of those policies in paragraphs 4.17 - 4.25 below. The draft Plan does not contain any specific housing site allocations. However, during the preparation of the Plan, in accordance with paragraph 66 of the NPPF, the GNLP team on behalf of the District Council provided the Steering Group with an indicative housing requirement of between 200-1,500 new dwellings for the Plan area up to 2036. It was also indicated that this requirement would be made clearer during the preparation of the GNLP, and that it is anticipated "that the housing requirement for Taverham is likely to be towards the top of the suggested range".
- 4.16 A 'Call for Sites' was undertaken by the GNLP team in 2016, and a significant number of additional sites have been put forward across the GNLP area during the Regulation 18 consultations on the emerging GNLP. Additionally, the Steering Group undertook a separate 'Call for Sites' in late-2018, and six sites were put forward during that exercise, of which three had previously been submitted during the GNLP process. Figure 11 in the draft Plan illustrates the various sites put forward for development in the Plan area during the GNLP process, whilst paragraph 6.1.6 identifies the six sites put forward for consideration during the preparation of the Plan. I note that the Steering Group took the decision in January 2019 not to make any specific housing site allocations in the draft Plan and to leave that matter to the District Council through the GNLP. However, it currently seems probable that there will be a significant requirement for new housing in the Plan area in the period up to 2038. The recent Stage C Regulation 18 GNLP consultation has indicated, as part of the preferred option for proposed Policy 7.1 (The Norwich Urban area including the fringe parishes), that there should be residential development at Taverham totalling 1,400 new dwellings up to 2038 and that the preferred location for this development is a strategic site (identified as GNLP0337, and shown on Figure 11 in the draft Plan) on land between Fir Covert Road and Reephams Road to the north of the main village area of Taverham. As the Regulation 19 Pre-Submission GNLP has yet to be published, it is not certain that this proposed site allocation will be taken forward. However, this does reinforce the need, in my assessment, to ensure that there is a clear commitment and policy to formally review the Plan at key points, the first of which will follow the proposed adoption date of the GNLP in 2022. I address this matter in paragraphs 4.48 – 4.51 below.
- 4.17 Policy TAV1 (Location of new housing) provides policy guidance on the location of new housing developments in the Plan area. It states that such development should be focused in the north-east of the Parish close to the Broadland Northway road (A1270). Whilst that correlates well with the strategic site put forward in the recent GNLP consultation and is in general conformity with Policies 6, 9 and 12 in the adopted JCS, I do consider that the policy does require 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. I therefore recommend modification **PM2** to amend the text of this policy.

- 4.18 Policy TAV2 (Housing mix) addresses the requirement for an appropriate mix of housing in new residential developments, and I consider that it recognises the need for a broad mix of new housing in the Taverham community. I recommend modification **PM3** to amend the clause of the policy addressing affordable housing, in order to provide clarity.
- 4.19 Policy TAV3 (Well-designed new development) sets out the design requirements for new development in the Plan area, with an emphasis on new residential development. It reflects the findings of the Taverham village Character Appraisal which was undertaken as part of the preparation of the Plan, and which is included as Appendix B to the draft Plan. I am satisfied that the policy reflects national policy guidance and is supported by detailed and appropriate evidence. However, I do recommend modification **PM4** which includes a series of amendments to the text of the policy to reflect specific representations made by the Norfolk Constabulary, Anglian Water and Norfolk County Council regarding this policy in order to meet the Basic Conditions.
- 4.20 Policy TAV4 (Larger scale housing development) contains additional design criteria specifically for proposed new residential developments of 500 dwellings or more. 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.
- 4.21 Policy TAV5 (Non-designated heritage assets) identifies 18 buildings or structures for designation as non-designated heritage assets due to their locally important character and historic features. These are shown on the accompanying Figure 13 in the draft Plan. This follows national advice contained in the PPG<sup>8</sup> stating that non-designated heritage assets can be identified through local plans and neighbourhood plans. The guidance states, inter alia, that “non-designated heritage assets are buildings, monuments, sites, places, areas or landscapes identified by plan-making bodies as having a degree of heritage significance meriting consideration in planning decisions but which do not meet the criteria for designated heritage assets”.
- 4.22 On my initial assessment of the draft Plan, I considered that Appendix D (Non-designated heritage assets justification) to the Plan failed to provide me with sufficient information about each of the proposed non-designated heritage assets. I therefore wrote to the District Council and the Parish

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<sup>8</sup> View at: <https://www.gov.uk/guidance/conserving-and-enhancing-the-historic-environment#non-designated>

Council on 19 February 2020<sup>9</sup> inviting them to direct me to a fuller justification for each of the 18 buildings and structures identified in Policy TAV5 and Appendix D of the Plan. On 13 March 2020, the Parish Council provided me with two further documents, "Further justification for the proposed Non-designated Heritage Assets"<sup>10</sup> and "Land at Taverham Hall – Heritage Statement"<sup>11</sup>, prepared by Beacon Planning (dated June 2018). I have taken account of this additional information in my assessment of Policy TAV5.

- 4.23 I take note of the fact that the District Council does not maintain a Local List of non-designated heritage assets and also that no part of the Plan area is within a Conservation Area. I therefore consider that it is important for the Plan to identify non-designated heritage assets within the Parish that meet the criteria for designation.
- 4.24 I have given very careful consideration to each of the proposed non-designated heritage assets. In my assessment, 17 of the 18 buildings and structures identified in the policy do meet the criteria for designation with clear justification of their heritage significance. However, I do not consider that such justification exists in respect of site no. 17 (Time Capsule at Marriott's Way sign). Whilst this structure marks the route of the former Midland and Great Northern Railway line through Taverham, the sign itself has no direct heritage link to that railway and the presence of a time capsule does not constitute any additional compelling justification. I therefore recommend modification **PM5** to delete site no. 17 from the policy and accompanying material in the draft Plan.
- 4.25 With the recommended modifications PM2-PM5, I consider that the draft Plan's policies for housing and the built environment are in general conformity with the strategic policies of the JCS, have regard to national guidance, would contribute to the achievement of sustainable development and so would meet the Basic Conditions.

### *Transport and Access*

- 4.26 Section 6.2 of the draft Plan contains two policies (Policies TAV6 and TAV7) to address the theme of transport and access in the Plan area.
- 4.27 Policy TAV6 (Walking and Cycling) seeks to promote new opportunities for new footways and cycleways within the Plan area, linked to new developments. I consider that this policy is appropriate and will help

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<sup>9</sup> View at: [https://www.broadland.gov.uk/downloads/file/5900/taverham\\_examiners\\_preliminary\\_questions](https://www.broadland.gov.uk/downloads/file/5900/taverham_examiners_preliminary_questions)

<sup>10</sup> View at: [https://www.broadland.gov.uk/downloads/file/5912/non-designated\\_heritage\\_assets\\_paper](https://www.broadland.gov.uk/downloads/file/5912/non-designated_heritage_assets_paper)

<sup>11</sup> View at: [https://www.broadland.gov.uk/downloads/file/5913/taverham\\_hall\\_heritage\\_statement](https://www.broadland.gov.uk/downloads/file/5913/taverham_hall_heritage_statement)



to achieve sustainable patterns of development.

- 4.28 Policy TAV7 (Parking) follows the objective in the draft Plan to provide adequate private and public car parking. In my assessment, the policy should make reference to the adopted parking standards of the District Council, as referenced in paragraph 6.2.14. I recommend modification **PM6** to insert this reference, in order to provide greater clarity for users of the Plan.
- 4.29 With the recommended modification PM6, I consider that the draft Plan's policies for transport and access are in general conformity with the strategic policies of the JCS, have regard to national guidance, would contribute to the achievement of sustainable development and so would meet the Basic Conditions.

### *Environment and Landscape*

- 4.30 Section 6.3 of the draft Plan contains four policies (Policies TAV8-TAV11) to address the environment and landscape of the Plan area.
- 4.31 Policy TAV8 (River Wensum Green Corridor) seeks to protect the River Wensum Green Corridor, which is shown on Figure 18 in the draft Plan, from development which would adversely affect its nature conservation value, its landscape character, its function as an important piece of green infrastructure and its contribution to the wider network of green spaces in the Greater Norwich area. I consider that the policy meets the Basic Conditions.
- 4.32 Policy TAV9 (Local Green Spaces) proposes the designation of 37 Local Green Spaces across the Plan area. As with Policy TAV5, upon my initial assessment of the draft Plan and its accompanying supporting documents, I considered that Appendix C (Local Green Space justification) to the Plan failed to provide me with sufficient information about each of the proposed Local Green Spaces. The Parish Council subsequently provided me with a note indicating, in more detail, a further explanation of the designation of each of the proposed 37 Local Green Spaces shown on Figure 19 and the subject of Policy TAV9.<sup>12</sup> I have taken account of this additional information in my assessment of Policy TAV9. I have also visited each of the proposed Local Green Spaces during the course of my site visit to the Plan area.
- 4.33 There is clear guidance within the NPPF (at paragraph 100) regarding the designation of Local Green Spaces. It states that:

*"The Local Green Space designation should only be used where the green space is:*

- a) in reasonably close proximity to the community it serves;*

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<sup>12</sup> View at:

[https://www.broadland.gov.uk/downloads/file/5913/taverham\\_hall\\_heritage\\_statement](https://www.broadland.gov.uk/downloads/file/5913/taverham_hall_heritage_statement)

- b) *demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and*
- c) *local in character and is not an extensive tract of land."*

4.34 I have assessed each of the proposed Local Green Spaces in light of this criteria and the further advice in the PPG.<sup>13</sup> I have also taken account of the various representations that have been made regarding the policy or specific proposals for Local Green Space designation. In my assessment, a number of the proposed Local Green Spaces fail to fully satisfy the designation criteria set out in the NPPF, and these are as follows:

- 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
- No. 30 – Taverham Junior School Playing Field
- No. 32 – Ghost Hill Infant School Playing Field

4.35 In this respect, I note that site Nos. 6, 7 and 27 are protected as designated Green Spaces in the District Council's adopted Development Management DPD (August 2015), site Nos. 14, 26, 30 and 32 are all school playing fields and site No. 11 could be impacted by future highway improvements. Paragraph 94 of the NPPF states that local planning authorities should give great weight to the need to create, expand or alter schools through the preparation of plans, and the designation of the respective playing fields as Local Green Spaces could place limitations on the possible future expansion of the schools concerned. In the case of site Nos. 6, 7, 11 and 27, I do not consider that the sites fully demonstrate the special qualities of local significance in each case. With these exceptions, I consider that the other proposed Local Green Spaces (namely Nos. 1-5, 8-10, 12, 13, 15-25, 28, 29, 31 and 33-37) included in the Policy do satisfy the criteria for designation. I therefore recommend modification **PM7(a)** to delete proposed Local Green Spaces Nos. 6, 7, 11, 14, 26, 27, 30 and 32 from the Policy and accompanying material in the draft Plan. Furthermore, the mapping in the draft Plan of the proposed Local Green Spaces is not adequate for future development management purposes. Individual plans of site nos. 1-5, 8-10, 12, 13, 15-25, 28, 29, 31 and 33-37 (which should be re-numbered 1-29 as necessary) at an appropriate larger scale should be included within the Plan as an extension of Appendix C.

4.36 I have taken note of representations made by the Norfolk Wildlife Trust on this policy. The Trust notes, and supports, the designation of two County

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<sup>13</sup> See PPG Reference ID: 37-005-20140306 to ID: 37-022-20140306.

Wildlife Sites (CWS), Walsingham Plantation and Marriott's Way, as proposed Local Green Spaces. However, it also notes that certain other designated CWS in the Plan area are not referenced in the Plan. In my view, this is an omission, and I consider that the text at paragraph 6.3.5 should be amended to address that point in the interests of securing clarity and accuracy. This is addressed by recommended modification **PM7(b)**.

- 4.37 Policy TAV10 (Protection of important public local views) seeks to protect three important public views within the Plan area, and these are shown on Figures 20 and 21 in the draft Plan. 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.
- 4.38 Policy TAV11 (New open spaces) seeks to ensure that appropriate open space provision is made for new residential developments in the Plan area, in accordance with the adopted open spaces standards of the District Council. I also consider that this policy is appropriately drafted and meets the Basic Conditions.
- 4.39 With the recommended modification PM7 to Policy TAV9, I consider that the draft Plan's policies for environment and landscape are in general conformity with the strategic policies of the JCS, have regard to national guidance, would contribute to the achievement of sustainable development and so would meet the Basic Conditions.

#### *Business and Employment*

- 4.40 Section 6.4 of the draft Plan contains one policy (Policy TAV12) to address the business and employment in the Plan area.
- 4.41 Policy TAV12 (Existing employment) identifies four employment sites in the Plan area at the Beech Avenue Business Park (Site 1), the Longs Business Centre at Fakenham Road (Site 2), at Fir Covert Road (South of the A1270) (Site 3) and at Fir Covert Road (North of the A1270) (Site 4), and these sites are identified on Figure 22 (on page 60 of the draft Plan). The mapping to illustrate these four sites is not adequate for future development management purposes, and I recommend as modification **PM8** that Figure 22 be accompanied by specific detailed inset plans at an appropriate larger scale to clearly define the boundaries of the sites. I am also not satisfied that the boundaries of the two separate employment sites that are to the east of Fir Covert Road (as part of Site 4) are shown correctly on Figure 22. My site visit confirmed that land not in employment use is presently shown within the boundaries of those two areas. I therefore recommend as part of modification **PM8** that the boundaries of all proposed employment sites be re-checked and amended as necessary.
- 4.42 I also consider that the Policy as drafted only focuses on existing employment uses and does not seek to encourage new employment

opportunities that may arise at sustainable locations within the Plan area, for example potentially as part of mixed-use development proposals. I therefore further recommend as part of modification **PM8** that the policy text be extended to address this point, and also that the title of the Policy be amended.

- 4.43 With the recommended modification PM8 to Policy TAV12, I consider that the draft Plan's policy for business and employment is in general conformity with the strategic policies of the JCS, has regard to national guidance, would contribute to the achievement of sustainable development and so would meet the Basic Conditions.

#### *Community Infrastructure*

- 4.44 Section 6.5 of the draft Plan contains two policies (Policies TAV13 and TAV14) to address community infrastructure in the Plan area.
- 4.45 Policy TAV13 (Community infrastructure) seeks to protect existing community facilities in the Plan area, provide support for proposals that include new or improved facilities and require new development to make appropriate provision for new community infrastructure commensurate with the scale of the proposed development. I consider that this policy is justified by the evidence and will help to achieve sustainable patterns of development.
- 4.46 Policy TAV14 (New and improved sports provision) seeks to support proposals for new or improved sports and leisure facilities in the Plan area. It states that such new facilities should be centrally located in close proximity to, and within easy reach of, the community that they serve, and be accessible by pedestrians, cyclists and public transport. I also consider that this policy is justified by the appropriate evidence and will help to achieve sustainable patterns of development.
- 4.47 I therefore consider that the draft Plan's policies for community infrastructure are in general conformity with the strategic policies of the JCS, have regard to national guidance, would contribute to the achievement of sustainable development and so would meet the Basic Conditions.

#### *Implementation*

- 4.48 Section 7 of the draft Plan addresses Implementation. As I have noted at paragraphs 2.1 and 3.4, due to it being at an early stage of production the draft Plan correctly (at this stage) does not yet take full account of the strategic policies and allocations in the emerging GNLP which will cover the period up to 2038. However, the draft Plan as proposed to be modified is in general conformity with the strategic policies in the adopted JCS which covers the period up to 2026. On present estimates, the GNLP will be adopted in 2022.

- 4.49 The recent Stage C Regulation 18 GNLP consultation has indicated that there should be residential development at Taverham totalling 1,400 new dwellings up to 2038 and that the preferred location for this development is a strategic site to the north of the main village area of Taverham. Whilst this policy proposal is still at a relatively early stage, it will be important that the Plan minimises any potential conflict with the strategic planning policies for the area upon the future adoption of the GNLP.
- 4.50 This is very likely to necessitate, as a minimum, a partial review of the Plan and its policies. This may become necessary in the short-term in order to ensure the Plan's policies are not potentially superseded and rendered ineffective, particularly in the light of the considerable and valued work that has been done to date on the Plan's production. In this context, I am not satisfied that Section 7 of the draft Plan contains a sufficiently clear and robust mechanism for undertaking such a review, with only a brief reference at paragraph 7.4. I therefore recommend certain amendments to Section 7 of the draft Plan as modification **PM9** in order to address this issue.
- 4.51 Therefore, with the recommended modification PM9 and the revisions to Section 7, I am satisfied that the Plan will provide a mechanism to minimise conflict with the strategic policies of the emerging development plan for the area, having regard to national guidance and would meet the Basic Conditions.

### *Concluding Remarks*

- 4.52 I consider that, with the recommended modifications to the Plan as summarised above and set out in full in the accompanying Appendix, the Taverham Neighbourhood Plan meets the Basic Conditions for neighbourhood plans. As an advisory comment, when the Plan is being redrafted to take account of the recommended modifications, it should be re-checked for any typographical errors and any other consequential changes, etc.

## **5. Conclusions**

### *Summary*

- 5.1 The Taverham Neighbourhood Plan has been duly prepared in compliance with the procedural requirements. My examination has investigated whether the draft Plan meets the Basic Conditions and other legal requirements for neighbourhood plans. I have had regard to all the responses made following consultation on the draft Plan, and to the supporting documents submitted with it.
- 5.2 I have made recommendations to modify certain policies and other matters to ensure that the draft Plan meets the Basic Conditions and

other legal requirements. I recommend that the draft Plan, once modified, proceeds to referendum.

### *The Referendum and its Area*

- 5.3 I have considered whether or not the referendum area should be extended beyond the designated area to which the draft Plan relates. The Taverham Neighbourhood Plan, as modified, has no policies or proposals which I consider significant enough to have an impact beyond the designated Neighbourhood Plan boundary, requiring the referendum to extend to areas beyond the Plan boundary. I recommend that the boundary for the purposes of any future referendum on the Plan should be the boundary of the designated Neighbourhood Plan Area.

### *Overview*

- 5.4 It is clear that the Taverham Neighbourhood Plan is the product of much hard work undertaken since 2017 by the Parish Council, the Neighbourhood Plan Steering Group and by the many individuals and stakeholders who have contributed to the preparation and development of the Plan. In my assessment, the Plan reflects the aspirations and objectives of the Taverham community for the future development of their community up to 2040. The output is a Plan which should help guide the area's development over that period, making a positive contribution to informing decision-making on planning applications by Broadland District Council.

*Derek Stebbing*

Examiner

## Appendix: Modifications

Proposed modification number (PM)	Page no./ other reference	Modification
PM1	Page 11 and at other points in the Plan	Amend the end date for the emerging Greater Norwich Local Plan from 2036 to <b>2038</b> .
PM2	Page 25	<p><u>Policy TAV1 – Location of new housing</u></p> <p>Delete existing policy text, and replace with:</p> <p><b>“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.</b></p> <p><b>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.”</b></p>
PM3	Page 28	<p><u>Policy TAV2 – Housing mix</u></p> <p>Third clause of policy text.</p> <p>Delete existing text, and replace with:</p> <p><b>“Affordable housing to be provided in new residential developments should be integrated within the development and not grouped in separate clusters.”</b></p>
PM4	Page 32	<p><u>Policy TAV3 - Well-designed new development</u></p> <p>Clause g) – delete existing text, and</p>

		<p>replace with:</p> <p><b>“g) Conform to the ‘Secured by Design’ principles to create and maintain a safer community and reduce crime and disorder;”</b></p> <p>Retain Footnote no. 18.</p> <p>Add new Clause m) to the text of the Policy, to read as follows:</p> <p><b>“m) Incorporate the use of SuDS wetland and water features to protect against pollution, provide drainage and wider amenity, recreational and biodiversity benefits;”</b></p> <p>Add new Clause n) to the text of the Policy, to read as follows:</p> <p><b>“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.”</b></p>
PM5	Page 37	<p><u>Policy TAV5 – Non-designated heritage assets</u></p> <p>Delete site no. 17 (Time capsule at Marriott’s Way) from list of heritage assets listed in the text of the Policy.</p> <p>Also, delete site no. 17 from Figure 13 (page 36) and the listing at Appendix D (page 96) in the Plan.</p> <p>Amend the reference in paragraph 6.1.44 (page 36) from “...the 20 buildings/historic features ...” to read <b>“...the 17 buildings/historic features ...”</b></p>
PM6	Page 44	<p><u>Policy TAV7 - Parking</u></p> <p>Add new 1<sup>st</sup> clause to the text of the Policy, as follows:</p> <p><b>“Car parking provision for all new developments in the Plan area shall be in accordance with the adopted parking standards of Broadland</b></p>



		<b>District Council.”</b>
PM7(a)	Page 53	<p><u>Policy TAV9 – Local Green Spaces</u></p> <p>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):</p> <p>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  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 “(as shown in Figure 19)” to now read:</p> <p><b>“(as shown in Figure 19 and on the larger-scale maps at Appendix C):”</b></p> <p>Delete the final sentence of paragraph 6.3.20 on page 51.</p>
PM7(b)	Page 46	<p><u>Paragraph 6.3.5</u></p> <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><b>“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</b></p>

		<b>colony, noctule bats and barn owls.”</b>
PM8	Page 61	<p><u>Policy TAV12 – Existing employment</u></p> <p>Amend the title of the Policy to read:  <b><u>“Policy TAV12: Promoting employment”</u></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 “(as shown in Figure 22)” to now read:  <b>“(as shown in Figure 22 and on the accompanying larger-scale inset maps)”</b>.</p> <p>Add new 4<sup>th</sup> paragraph to the text of the Policy, to read:  <b>“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.”</b></p>
PM9	Page 68	<p><u>Section 7 -Implementation</u></p> <p>Amend title of the section to read  <b>“Implementation and Review”</b></p> <p>Delete paragraph 7.4 in full and its accompanying sub-title “Updates to the Neighbourhood Plan” and replace with the following text.  <b>“Review of the Neighbourhood Plan”</b></p> <p><b>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</b></p>

		<b>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.”</b>
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