

## **New Buckenham Neighbourhood Development Plan**

### **Examiner's Clarification Note**

This Note sets out my initial comments on the submitted Plan. It also sets out areas where it would be helpful to have some further clarification. For the avoidance of any doubt, matters of clarification are entirely normal at this early stage of the examination process.

#### ***Initial Comments***

The Plan provides a clear and concise vision for the neighbourhood area. The relationship between the aims of the Plan and its policies is very clear. It provides a robust structure for the Plan.

The Plan is underpinned by an excellent range of background documents. The Landscape and Heritage Assessment is particularly helpful and directly informs several of the policies in the Plan.

The presentation of the Plan is very good. The difference between the policies and the supporting text is very clear. The Plan makes good use of various maps which are produced to a high quality.

#### ***Points for Clarification***

I have read the submitted documents and the representations made to the Plan. I have also visited the neighbourhood area. I am now in a position to raise issues for clarification with the Parish Council.

The comments made on the points in this Note will be used to assist in the preparation of the examination report and in recommending any modifications that may be necessary to the Plan to ensure that it meets the basic conditions.

I set out specific policy clarification points below in the order in which they appear in the submitted Plan:

##### ***Policy LH1***

The policy overlaps with the contents of national policy.

Is the distinctive element of the policy its relationship with the findings of the Landscape and Heritage Assessment?

##### ***Policy LH4***

As submitted, the second sentence of the second part of the policy (2.2.18) would have a universal effect. Based on their locations within the neighbourhood area, many proposals would not directly impact on many of the issues included in this part of the policy. To remedy this matter, I am minded to recommend that it is applied in a proportionate way taking account of the scale, nature and location of the development concerned.

Does the Parish Council have any observations on this proposition?

*Policy CE1*

This policy appears to attempt to treat non-designated areas in the same way as protected ecological sites. Please can the Parish Council explain its approach to this matter?

*Policy CE3*

This policy is a good local response to sustainable development and environmentally driven living arrangements.

As submitted, the policy would have a universal effect. As such, many proposals of a minor or domestic nature would not directly impact on many of the detailed considerations in the policy and Design Guide B. To remedy this matter, I am to recommend that it is applied in a proportionate way taking account of the scale, nature and location of the development concerned.

Does the Parish Council have any observations on this proposition?

*Policy CE4*

I saw that the pond had been cleared of vegetation during my visit. Does this affect the Parish Council's judgement about its designation as local green space (LGS)? Alternatively, were the works part of a wider enhancement of the green space?

As submitted, the policy is a statement of fact rather than a policy. Should it set out the policy implications of LGS designation?

*Policy DS1*

As I read the policy it refers to the contents of paragraph 2.4.2 rather than paragraph 2.4.1

Is this correct?

If so, should the policy refer to permitted development rights and balance the need for security in certain locations?

*Policy DS2*

The approach taken in paragraph 2.4.9 is very appropriate. However, can the matter be controlled through planning legislation?

*Policy HB2*

This policy is a good response to the national design agenda. It includes carefully-identified and distinctive local criteria.

As submitted, the policy would have a universal effect. As such many proposals of a minor or domestic nature would not directly impact on many of the detailed design considerations in the second part of the policy and/or in Design Guide A. To remedy this matter, I am minded to recommend that it is applied in a proportionate way taking account of the scale, nature and location of the development concerned.

Does the Parish Council have any observations on this proposition?

*Policy HB3*

As submitted the policy does not specifically require off-road parking and more generally offers support to proposals which do so.

Was this approach deliberate?

*Policy HB4*

As submitted, the policy would have a universal effect. As such, many proposals of a minor or domestic nature would not directly impact on pedestrian and cycle links. To remedy this matter, I am minded to recommend that it is applied in a proportionate way taking account of the scale, nature and location of the development concerned.

Does the Parish Council have any observations on this proposition?

*Policy HB5*

Does this policy add any value beyond that provided by Policy CE3?

*Policy HB6*

Should the first sentence of the policy be more prescriptive (rather than simply requiring a consideration of the matter)?

At the same time, is the second sentence too prescriptive?

*Policy TP1*

The policy reads as a community action.

As such, I am minded to recommend that it is deleted as a policy and repositioned as a community action

Does the Parish Council have any observations on this proposition?

*Policy TP2*

To what extent does the policy add any parish-based distinctive value to national and local planning policies?

*Policy RHC1*

Are the contents of paragraph 2.8.11 land-use based and/or capable of being delivered through the land use planning system?

*Policy RHC2*

The intention of the policy is clear. However, a policy cannot have a preference for a particular outcome. Is the implication of the policy that non-community uses will not be supported?

In any event, is the policy potentially unnecessary as the reoccupation of community facility by another community use may not need planning permission?

### *General matters*

The representation from Mr Stimpson comments about the extent to which in which landowners and/or non-residents were engaged in the preparation of the Plan. There is an opportunity later in this note for the Parish Council to respond to this or any of the other representations.

However, more generally, does the Parish Council wish to comment about the extent to which the Plan has secured 'a shared vision for their neighbourhood and shape(d) the development and growth of their local area' as set out in Planning Practice Guidance (ID:41-001-20190509)?

### ***Representations***

Does the Parish Council wish to comment on any of the representations made to the Plan?

In particular, does it wish to comment on the representations made by:

- Breckland District Council;
- Mr S Stimpson; and
- Norfolk County Council?

### ***Protocol for responses***

I would be grateful for responses and the information requested by 22 November 2021. Please let me know if this timetable may be challenging to achieve. It is intended to maintain the momentum of the examination.

In the event that certain responses are available before others, I would be happy to receive the information on a piecemeal basis. Irrespective of how the information is assembled, please could it come to me directly from the District Council. In addition, please can all responses make direct reference to the policy or the matter concerned.

Andrew Ashcroft

Independent Examiner

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28 October 2021