

**Strumpshaw Neighbourhood Plan:
Inspector's Report and Agreement to Proceed to Referendum**
Report by Planning Policy Officer

Summary: The report includes comments received as part of the Strumpshaw Submission consultation.

Recommendations:

- (i) That the Planning Committee notes the comments received.
- (ii) That, on receiving a verbal update on the content of the Independent Examiner's Report, members consider its findings and, if considered appropriate, agree that the Strumpshaw Neighbourhood Plan goes forward to the next stage of referendum.

1 Neighbourhood Planning

- 1.1 Neighbourhood planning was introduced through the Localism Act 2011. Neighbourhood planning legislation came into effect in April 2012 and gives communities the power to agree a Neighbourhood Development Plan, make a Neighbourhood Development Order and make a Community Right to Build Order.
- 1.2 A Neighbourhood Development Plan can establish general planning policies for the development and use of land in a neighbourhood, for example:
 - where new homes and offices should be built
 - what they should look like
- 1.3 To produce a Neighbourhood Plan, a number of steps need to be taken, as summarised in the following table:

Step	Task
1	Designating neighbourhood area and if appropriate neighbourhood forum
2	Preparing a draft neighbourhood plan of order
3	Pre-submission publicity and consultation
4	Submission of a neighbourhood plan or order proposal to the local planning authority
5	Independent Examination
6.	Referendum
7	Making the Neighbourhood Plan and bringing it into force

1.4 Strumpshaw Neighbourhood Plan is now approaching Step 6:

Steps 6 and 7: Referendum and Making the neighbourhood plan or order (bringing it into force)

- *relevant council publishes information statement*
- *relevant council publishes notice of referendum/s*
- *polling takes place (in a business area and additional referendum is held)*
- *results declared*
- *subject to results local planning authority considers plan / order in relation to EU obligations and Convention rights*
- *If the plan / order is compatible with EU obligations and does not breach Convention rights – local planning authority makes the plan or order*

2 Strumpshaw Neighbourhood Plan

- 2.1 The submission Version of the Strumpshaw Neighbourhood Plan was endorsed by the Broads Authority and Broadland District Council and consulted on between 13 January and 24 February 2014. The comments received can be found at Appendix A to this report.
- 2.2 The Neighbourhood Plan was submitted to the Independent Examiner (a suitably qualified individual) Liz Wrigley who undertook the examination using written representations.
- 2.3 Legislation directs that an Examiner must only consider:
- (i) whether the draft plan meets the ‘basic conditions’ of a Neighbourhood Development Plan;
 - (ii) whether the draft plan complies with the definition of a Neighbourhood Development Plan and the provisions that can be made by such a plan;
 - (iii) whether the area for referendum should extend beyond the neighbourhood area; and
 - (iv) whether the draft plan is compatible with the Convention rights.
- 2.4 Planning legislation states that once a local planning authority has been issued with an Examiner’s report, then it must consider the recommendations. If the authority is satisfied with the Examiner’s recommendations then any specified modifications can be made before the Plan proceeds to referendum.
- 2.5 At the time of writing this report, the Examiner’s Report had not been completed or received although it is expected.
- 2.6 The Report is programmed to be released by the end of March and members will be updated verbally on the outcome and recommendations. This will ensure that there is no delay to the process of moving towards a referendum.

2 Links of Relevance

- 2.1 The Broads Authority Neighbourhood Planning webpage:
<http://www.broads-authority.gov.uk/planning/future-planning-and-policies/neighbourhood-planning.html>
- 2.2 Some guidance/information on Neighbourhood Planning:
<http://www.rtpi.org.uk/planning-aid/neighbourhood-planning/>

3 Financial Implications

- 3.1 Occasional Officer time in supporting the process (as required by regulations).
- 3.2 There will be no cost to the Broads Authority for the referendum at the end of the process as Broadland District Council have agreed to take on this task and cost.

4 Conclusion

- 4.1 The Examiner's report has not been received at the time of writing. The findings will be presented to Planning Committee verbally on 28 March. Depending upon the content of that report members may be asked to agree that the Strumpshaw Neighbourhood Plan goes forward to referendum.

Background papers: None

Author: Natalie Beal
Date of report: 12 March 2014

Appendices: APPENDIX A – Comments received at Submission stage

Strumpshaw Neighbourhood Plan Publication - Response Summary

Environmental Objectives

ID	Title	Given Name	Family Name	Organisation	Response
STNP12	Ms	Janet	Nuttall	Natural England	We welcome the environmental objectives of the Plan, particularly to maintain and protect the marshes and nature reserves and to encourage green space provision.

General

ID	Title	Given Name	Family Name	Organisation	Response
STNP14	Ms	Janet	Nuttall	Natural England	Thank you for consulting Natural England on the Neighbourhood Plan. You will be aware that Natural England recently submitted comments to Broadland District Council on the Strumpshaw Neighbourhood Plan Sustainability Appraisal (SA) Scoping Report and Habitats Regulations Assessment Screening Opinion. We have also provided comments to Strumpshaw Parish Council on the pre-submission Plan. Given the location, scale and nature of development proposed through the Plan policies, we are satisfied that the Plan is unlikely to have a significant effect on designated conservation sites.
STNP3	Ms	Elizabeth	Cameron		My only concern with this development plan is: Where is there provision for affordable housing?
STNP6	Mr	Stephen	Faulkner	Norfolk County Council (Policy)	I can confirm that the County Council does not have any objection to the Plan and welcomes those amendments/changes arising from the County Council's previous comments in respect of minerals & waste and infrastructure delivery.

Policy 1; Policy 2

ID	Title	Given Name	Family Name	Organisation	Response
STNP15	Ms	Janet	Nuttall	Natural England	Natural England is satisfied that policies within the Plan, particularly policies 1 and 2, seek to protect and enhance the natural environment, including designated sites such as The Broads National Park, Broadlands Special Protection Area (SPA) and Ramsar site, The Broads Special Area of Conservation (SAC), the Yare Broads and Marshes Site of Special Scientific Interest (SSSI) and Cantley Marshes SSSI.

Policy 10

ID	Title	Given Name	Family Name	Organisation	Response
STNP4	Mr	David	Grech	English Heritage	<p>English Heritage were consulted by the Parish Council on an early draft of their plan of the historic built environment. Reading the current version of the plan, I was particularly concerned to note that Policy 10 has not been updated to reflect our previous comments. The policy as written in the plan is very prescriptive and specific, stating that the facilities for the church will be in the form of an extension on the south side of the church. As noted in our letter of 1st August 2013; English Heritage would not wish to oppose the principle of providing toilets and a small kitchen at St Peter's church, but it must be understood that this church is a Grade I listed building and an extension on the south side of the church might not be the least harmful way of providing these facilities. An alternative solution of providing these facilities within the envelope of the existing building might be preferable. It is important that the Neighbourhood Plans are in line with the National Policy Framework (NPPF) and the current Policy 10 is potentially in conflict with the core planning principle set out in paragraph 17 of the Framework, requiring conservation of heritage assets in a manner appropriate to their significance, and also paragraph 132. We therefore repeat our request that the wording of Policy 10 be revised along the lines of : "The principle of providing toilets and a small kitchen at St Peter's church will be supported, subject to design and a study to investigate the most suitable way of providing these facilities with least harm to the significance of the existing Grade I church".</p>

Policy 2

ID	Title	Given Name	Family Name	Organisation	Response
STNP10	Mr	John	Hiskett	Norfolk Wildlife Trust	<p>Thank you for consulting Norfolk Wildlife Trust on the Strumpshaw Neighbourhood Plan. We are pleased to see the strong references to the importance of the local environment and wildlife sites within the descriptive sections of the plan and within the Spatial Planning Objectives. Our only comment is whether reference should be made to wildlife sites within Policy 2. However, if it is thought that this is adequately covered through policies in the Local Plan then you may consider that this addition is not necessary.</p>

Policy 4

ID	Title	Given Name	Family Name	Organisation	Response
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STNP1 Mr Michael Manley

Below is a summary of comments, please see attached for full response. I continue to find myself unable to support Policy 4 for the following reasons: - It runs contrary to policy 3 as it is an enlargement of the development footprint. - Concerned that the decision by the Neighbourhood Plan Steering Group to carry out their process has led to an atmosphere of rumour conjecture rather than fact. - I feel the early questionnaire in which I supported the provision of a new village hall was polled at a time when not all the available information was on display. - Consider that some comments made earlier by members of the Steering Group and Parish Council may have influenced voting rather than being impartial. I still maintain that for a village of our size, the loss of agricultural land and the increase in housing is too high a price to pay for a new hall when the existing one is only used about fifteen times a year. I enclose my response to the draft document of which of my queries still remain unanswered.

STNP11 Mrs Rita Bedford

There are many grounds for questioning the justification of this development, but my chief objection is as follows: The site is cultivated farmland. It is a sloping field and as well as draining rainfall it also channels groundwater and a certain amount of surface water from the existing land behind it. At times this field has not been able to absorb excessive water, with obvious consequences to nearby properties. Your records will show that two applications for building permission on the corner section of Norwich Road and Mill Road (which adjoins this proposed development) were rejected as the site was waterlogged. To concrete over the arable farmland will increase this problem as it will obviously restrict the area able to absorb the water. Adequate drainage has been an ongoing problem, and it would seem madness to interfere with what is already a very fragile situation by allowing development here. I would suggest that building permission for this field is refused.

STNP13 Mrs Maureen Smith

Policy 4 There is not, in my opinion, a sound base of proof that a new Community Room is needed or will be used to a greater extent than the present Parish Room. The Parish Room has limited usage mainly because it is small, the new proposed Community Room is to be of the same size. The straw poll taken at a meeting is not a strong evidence to use as a statistical proof that a new room is necessary and neither does it give any accurate indication of usage. This appears to be an inadequate basis on which to place a proposal for making an exemption to building on green belt land. There are two serious issues concerning drainage on the slope from the proposed site. These are a heavy clay subsoil and the present state of the drainage system in the village. Although I realise that modern engineering methods may be able to solve these problems, in the light of the serious flooding in other parts of the country, I feel that problems will be being stored-up for the future when there is no need to build in the first place. There will be villagers, small in number, who will be inconvenienced by the siting of this room should the proposal be accepted, whether or not the room itself is a viable concept. If the room is viable these villagers will have had their outlook and harmony disrupted, but if as we have been told there will be minimal disruption then there will be an under use of the room and there will be a new estate of 10 houses which are only being built as a means to provide a site for the Community Room.

STNP16	Ms	Janet	Nuttall	Natural England	We welcome the Concept Statement in Appendix 2 which requires development of the community room, allotments and housing to minimise impacts on the natural environment and landscape, by addressing the effects of development on flora and fauna, implementation of SUDS and minimising light pollution. Natural England advises that SUDS should be multi-functional where possible to provide benefits for drainage, biodiversity, landscape and amenity. Poor water quality is one of the largest threats to the natural environment in the Strumpshaw parish, hence the implementation of SUDS as part of development should seek to protect and improve the water quality of the area. We trust these issues will be addressed through the relevant planning applications.
STNP5	Mr	Stephen	Barker		Question 2 I am concerned about Policy 4 which deals with the need for a new community room. The existing room belongs to the Church and now has structural problems so there is obviously a need to address this issue but I would suggest that the decisions regarding a room should be made by Strumpshaw villagers. This Neighbourhood Plan is for a larger area than the village itself and it seems that the Plan should recognise that a new room be considered but that the details of use, location and funding should be dealt with elsewhere. Question 3 1. There should be a full discussion within the village regarding the need, use, location and funding of a new community room. If it then becomes apparent that the current proposal, which depends on more housing, is the best solution, the project would go for normal planning approval, and concerns regarding the suitability of the site could be pursued. In the Joint Core Strategy it would seem that no housing outside the development boundary is anticipated for Strumpshaw so one must question whether this proposal is merely a means for a developer to circumvent planning restrictions. 2. There are concerns regarding the proposed site, in particular the access down Mill Lane, which would seem to all who use the lane to be inadequate for the houses proposed, not to mention the number of cars who could use the community room and allotments. 3. The inadequate drainage and sewage infrastructure is another major concern. There are already issues on Norwich Road. From the point of view of the houses immediately to the north of the proposed site there are serious concerns regarding the strength of the 'bank' at the back of Brickfields and the likelihood of this being destabilised by work and buildings on the field. As flooding was an issue in the past there is a concern that there may be flooding from the field into the gardens in Brickfields. A fence has been suggested between the existing hedge and the proposed allotments but this would need to be carefully situated to avoid destabilising the bank 4. The use of the allotments would need to be looked at in detail as it would seem that the proposed restrictions regarding structures might not be enforceable. 5. In view of the potential costs regarding the drainage issues and the stability of the land at the north of the site, it is possible that the developer might feel that he would need to erect more houses than currently proposed. How would the village be protected from this happening? 6. How would a community room be funded? Would more housing be needed to fund it? Question 4 I feel that the issue of a new Community Room should be raised elsewhere and Policy 4 should not be included in a Neighbourhood Plan.

STNP9 Ms Jenny Manley

Strumpshaw already has planning permission granted for 13 houses on brownfield site at Hamper People site and a further 3/4 to my knowledge elsewhere in the village. I cannot therefore support the need for a further 10 houses. We are within easy reach of a number of village halls, parish rooms, scout huts, community rooms etc. within a radius of 2/3 miles, many walking distance. I therefore cannot see the necessity for a village hall in Strumpshaw at the expense of loss of agricultural land. Here is a summary of my concerns previously submitted to the steering group. Presumably my full response is already in your hands. 1. The basis of the justification for the provision of a new village hall. 2. How the suggested need for a new village is being used to justify the development of housing outside of the village development boundary. 3. Other opportunities for accommodating the suggested uses of the hall appear not to have been adequately considered. 4. Mill Road being narrow is not suitable for the additional traffic which would be generated by the development and the junction with Norwich Road is similarly poor. 5. The current sewer drainage system serving this locality is already problematic, the addition of further development would almost certainly involve major improvements which to date appear not to have been fully considered. 6. There is currently no identification of the build cost of a new hall and no identification of a funding source, therefore, no guarantee that even if the housing goes ahead, the hall will actually get built.

Policy 4; Policy 3

ID	Title	Given Name	Family Name	Organisation	Response
STNP2	Dr	Celia	Miller		Housing and Allotment provision: The above are identified as key issues in the Strumpshaw Neighbourhood Plan but they were supported by very small numbers of respondents in the 2010 questionnaires. They were 'promoted' between August 2011, and July 2013 by SNPSG in so-called consultations and eventually emerged as key issues in the pre-consultation draft plan of July 2013 - See pp 1-2,3 and 5 of the attached document. Parish Room: The need for re-provision of the facility is a contentious issue because it has become the foundation upon which the case for provision of housing outside the current settlement is being made. The need for reprovision has not been proved by the SNPSG. Use of the facility appears to be minimal. See pp 1-2,3 and 5. Objections made by residents to the pre-consultation Strumpshaw Neighbourhood Plan July - August 2013: The summary of residents objections made by SNPSG failed to summarise objections adequately, and did not answer many of the points made. No other explanation was offered to residents whose comments were ignored. Broadland District Council should be aware that there is opposition amongst Strumpshaw residents to any housing provision outside the current settlement limits. Please see attached for further comments.

Policy 4; Spatial Planning objective B.1; Community Room concept statement

ID	Title	Given Name	Family Name	Organisation	Response
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STNP8	Mrs	Jill	Hammond	Strumpshaw and District Association	The Strumpshaw Neighbourhood Plan was discussed at a committee meeting of the Strumpshaw and District Association (SADA) held on February 12th 2014, in relation to proposals for a new community room. The views of the committee continue to be the same as they were when the pre-submission consultation was held. These are as follows: - The Strumpshaw and District Association (SADA) is 10 years old this year. SADA was started because there was no social group in the village other than the ones connected to the church or the public house. - There will be difficulties in the future if there is no community room in Strumpshaw because this strand of social life would not exist in the village. - SADA would not have been started if there had not been a Parish Room in Strumpshaw in which it could meet. - There was agreement that it would be nice to have a community room in Strumpshaw, and if a new community room is provided, SADA would use it. - However, if Strumpshaw does not have a community room an alternative meeting venue in another village in the district would have to be found. SADA is not dependent on there being a meeting room in Strumpshaw. - SADA's principle objective would be to continue in existence.
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Policy 6

ID	Title	Given Name	Family Name	Organisation	Response
STNP17	Mrs	Maureen	Smith		As far as I am aware the key green feature mentioned on NW corner of Hemblington Road and Norwich Road is part of Mrs Cameron's garden. If this is the case I cannot understand how the steering committee can guarantee it's status.

Policy 8

ID	Title	Given Name	Family Name	Organisation	Response
STNP7	Miss	Natalie	Beal	Broads Authority	It is suggested that Strumpshaw PC should consider the following with regard to Policy 8: POL8 supports economic development in the Parish (in and out of development boundary). Going on experience, if the enterprise is successful, they may outgrow the site. It would be useful if the Neighbourhood Plan acknowledged the issue of succession what if the enterprise starts 'small scale' but grows? Indeed, it might be useful to understand what is meant by 'small scale'. These comments do not affect the 'soundness' of the Neighbourhood Plan, but aid clarity.