

Tivetshalls Neighbourhood Plan - Reg. 16 Consultation Responses

Ref	Respondent	Section	Comment
TNP1	South Norfolk Council	5.1 Housing & Design; Para 5.1.12; 5.1.13	<p>South Norfolk Council commented at the Reg. 14 stage and whilst the wording has been changed, this paragraph is in direct conflict with what South Norfolk Council is proposing within the Village Clusters Housing Allocations Plan (VCHAP). The current preferred site within Tivetshall is for 25 dwellings (Site: SN0319).</p> <p>The Council recognises that the development of the preferred site would represent a departure from the historic linear pattern of development, however for the reasons set out in its site assessment for its preferred option, it does not consider that a contained development of 25 dwellings would have a significant detrimental impact on the character and appearance of the area.</p> <p>The Council recognises the community preference for smaller sites. However, if the Council is to keep to the 25 homes overall that it is seeking to achieve within the cluster then it would be necessary to develop one or both identified sites below their potential capacity. Given that both have recognised constraints and below capacity development may not be possible. In addition, the suitability of site 2103 is linked in the site assessment to finding a solution that would not result in an unacceptable loss of frontage trees and hedgerows. The net result is that it is far from clear that Tivetshalls cluster would be able to achieve its interim housing requirement if the available sites are delivered in line with the aspirations set out in the Neighbourhood Plan.</p>
TNP2	South Norfolk Council	TIV1: Pattern and quantity of development	<p>South Norfolk Council notes that amendments have been made to this policy following its comments at the Reg. 14 consultation stage. The Council welcomes the explicit reference to the plan's commitment to meeting the total allocation of housing identified in the Local Plan, including for Affordable Housing.</p> <p>The second paragraph of the policy sets out primary considerations for the location, design and layout of development, by reference to the Design Guidance and Codes produced to support the plan. South Norfolk Council cannot be certain that the Neighbourhood Plan has established (other than by simplistic reference to shortlisted sites and without consideration of their constraints and challenges) whether the requirements of this element of the policy could be achieved, whilst also fulfilling the policy's commitment to meeting the Local Plan housing requirements. In this way the Council does not see how the plan is consistent with NPPF, in particular but not limited to paragraphs 16(b), 60, 68 and 79.</p> <p>The Council has similar concerns with the practical effects of the preference expressed for smaller sites in the third paragraph, where it is slightly unclear how the strong preference for smaller sites which reflect the overall scale, pattern and character of existing development can be realised in practical terms.</p> <p>In respect of the element of the policy that reads 'Housing should be arranged to have open views or views of significant green space.' South Norfolk Council identified previously that it is not always going to be practicable, viable or necessary to require all new dwellings to have an open view of the countryside or a view of significant green space, as set out in this policy. Moreover, a more concentrated form of development may have benefits in terms of other elements of the Design Guidance and Codes, e.g. Section 3 that seeks the promotion of walking and cycling. It is considered that a balanced reference within the policy that refers applicants and decision makers to consider the Design Guidance and Codes, taken as a whole, would be more appropriate and reflective of wider policy consideration.</p> <p>In this vein, the Council is also unclear how establishing a primary consideration of design is consistent with the requirement of paragraph 8 to pursue the three objectives of sustainable development in mutually supportive ways as opposed to explicitly favouring one aspect above another. The Council would recommend that this is reworded to read that "In determining planning applications, significant weight should be given to the desirability of maintaining and enhancing form, character ... Codes) there otherwise consistent with meeting the overall need for development including the need for new home s and affordable housing".</p>
TNP3	South Norfolk Council	TIV 4: Non-designated Herit	<p>South Norfolk Council previously commented at Reg.14 that the wording implies that all development proposals (irrespective of their proximity to any of the listed heritage assets) would need to demonstrate that consideration has been given to these factors, even where there is not likely to be any harm. No changes were made following this comment. The Council still feels that the wording should be amended to ensure the requirement is proportionate and that the policy is deliverable, as per the NPPF.</p> <p>The Council also commented previously that the Boudicca Way is not a heritage asset, but a relatively modern path. However, this is still listed as a Non-designated Heritage Asset. A heritage asset is defined in the NPPF as "A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest." The Council suggests that in order to be a heritage asset it does need to have some heritage value/age. Having only been created in 2000 the Council would not classify the trail as part of the county's "heritage". The PPG states "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" and that "it is important that the decisions to identify them as non-designated heritage assets are based on sound evidence." The Council therefore considers that this specific listing is not in accord with the NPPF or relevant PPG definitions, and therefore does not meet the Basic Conditions.</p>
TNP4	South Norfolk Council	TIV5: Employment	<p>South Norfolk Council commented at Reg.14 with regards to proposals for home working / incorporation of home office space (final sentence) and whether this purely relates to enabling home-office working, or whether it also incorporates live-work style development, which might require a building extension or out-building relating to a particular type of employment. This has not been clarified and the Council feels this clarity would help to bring the policy in line with the requirements of the NPPF para. 16(d).</p>
TNP5	South Norfolk Council	TIV6: Potential employment sites	<p>As the Council has stated previously, it is felt that the sentiment of TIV6 is already adequately covered in TIV5. TIV 6 is therefore duplicating TIV5 meaning there is no need to include this policy. NPPF para. 16 (f) states that plans and policies should serve a clear purpose and avoid unnecessary duplication of policies.</p>
TNP6	South Norfolk Council	TIV7: Walking and cycling and horse riding	<p>The Council notes that the wording of the second paragraph of this policy has been amended to address concerns that it previously read more as a list of projects than as a list of potential considerations for new development.</p> <p>However, it is felt that (in a similar fashion to paragraph one of the policy) the words 'Where appropriate,' should be added to the start of the second paragraph, to ensure that these requirements are proportionate.</p>
TNP7	South Norfolk Council	TIV10: Landscape setting and views of community importance	<p>South Norfolk Council previously stated at Reg.14 that many of the photos illustrate views that have seen the loss of hedgerows and trees, and so it could be argued that adding such features (as expressed elsewhere within this chapter) would not conserve the view, indeed could block it. This would mean there is potential conflict with what is said elsewhere in the Neighbourhood Plan. We would suggest that a statement is added, explaining that whilst restored/new vegetation is encouraged, it should not interrupt identified views.</p>
TNP8	South Norfolk Council	TIV12: Local Green Space	<p>With reference to Site 9, and despite the inclusion of the final paragraph in the policy, the Council would raise again that school playing fields are not considered to be suitable for listing as proposed Local Green Space. The site's inclusion would be inconsistent with the NPPF and the related requirements of section 8(2)(a) of Schedule 4B of the Town & Country Planning Act 1990.</p> <p>As stated previously, in his report of April 2020 into the proposed Taverham Neighbourhood Plan (adopted May 2021), the independent examiner appointed made the following comments regarding school playing fields that were proposed as Local Green Spaces:</p> <p>'(...) Site Nos. 14, 26, 30 and 32 are all school playing fields (...).Paragraph 94 (now Para. 95) 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 (...). I therefore recommend modification PM7(a) to delete (these) proposed Local Green Spaces (...) from the Policy and accompanying material in the draft Plan.'</p> <p>For the same reasons, we would recommend that this site is removed from the list.</p>

TNP9	South Norfolk Council	TIV14: Surface water drainage	<p>At Reg 14. the Council made comments regarding the enhancement of this policy. Whilst the policy content has been swapped around, in line with the Council's previous suggestion, it is still felt that a statement should be added to the first part of the policy, explaining that such measures should take account of all relevant evidence of flooding.</p> <p>It would also be useful to have some clarity within supporting text over how the main policy text adds to existing South Norfolk Development Management Policies and is therefore in conformity with NPPF Para 16(f), which states that when plan making, a policy should serve a clear purpose, avoiding unnecessary duplication of policies that apply to a particular area.</p>
TNP10	Natural England	All	Natural England does not have any specific comments on this neighbourhood plan.
TNP11	Water Management Alliance	All	Please refer to the Board's previous comments submitted on 21/10/2021 (ref 21_05254_P) for advice on future developments within the Parish. The sites identified for potential development under sections 5.1 and 5.2 of the Plan are located outside of the district of the Waveney, Lower Yare and Lothingland IDB, please therefore refer to the appropriate advice within the Board's comments.
TNP12	Highways England	All	We have reviewed the plan and note the area and location that is covered is remote from the SRN. Consequently the draft policies set out are unlikely to have an impact on the operation of the trunk road and we offer No Comment.
TNP13	Norfolk County Council - Historic Environment	TIV4: Non-designated heritage assets	<p>The Historic Environment related policy (TIV4) the issue of proposed developments impacting upon buried remains of previously known or unknown non-designated heritage assets is not addressed. In line with Historic Environment team's previous advice, we would recommend that a statement similar to the below is included;</p> <p><i>'The Norfolk County Council Historic Environment Service will continue to advise South Norfolk District Council on the historic environment implication of all significant development plans in the area, and advise on suitable mitigatory measures (for example archaeological recording of any remains).'</i></p> <p>The Tivetshalls area has the Roman Road and other remains, excellent coaxial field system originating in the pre-Roman period and a wealth of medieval and later settlement sites. The Historic Environment team recommended the Norfolk Historic Environment Record is consulted.</p>
TNP14	Norfolk County Council - NPS Property Consultants	TIV15: Community Infrastructure	<p>Concerns were raised during the Reg 14 stage regarding contradictory text. These concerns have not been addressed in the Reg 16 version.</p> <p>Community infrastructure (TIV15) identifies a list of community facilities (including the school) and states 'Improvements to existing community infrastructure will be supported'. Whereas the neighbourhood plan seeks to designate a Local Green Space (LGS) site at Tivetshall Primary School and playing field, which could restrict future development. The LGS designation for the school and playing field could impede future growth of the school, if ever required.</p> <p>To not hinder any development on this site for education provision, it is suggested that the following statement is added to TIV12: Local Green Space (pg.57) <i>"there is an exception to allow development on school sites to enhance education provision"</i>.</p>
TNP15	Historic England	TIV4: Non-designated heritage assets	<p>We welcome the production of this neighbourhood plan, and are pleased to note that it contains what we consider to be a positive strategy towards the historic environment, in line with the requirements of the NPPF. In particular, we welcome the identification and protection of local heritage assets within the parish, as described and set out in Policy TIV4 and its supporting text. We note that further information regarding each asset is provided in Appendix B, and consider that the approach adopted here, using tabulated criteria to underpin the identification of each asset, is robust. Overall, we consider that this plan meets the Basic Conditions with regard to the historic environment.</p> <p>We would refer you also to any comments made at Regulation 14 stage, as well for general advice to our detailed guidance on successfully incorporating historic environment considerations into a neighbourhood plan, which can be found here: https://historicengland.org.uk/advice/planning/plan-making/improve-your-neighbourhood/</p>
TNP16	Norfolk and Waveney Healthcare Partnership	Community Infrastructure and Implementation	<p>The Tivetshalls are currently serviced by Church Hill Surgery. In terms of premises space this GP surgery is already oversubscribed and the addition of any new developments within the Tivetshalls and surrounding areas will only compound this issue further. The PCN are looking at ways to better integrate with the community teams with Primary care provision. As stated on page 68 point 5.5.2 there are further GP surgeries located in Long Stratton and Diss and additionally within Harleston however these do not fall within the catchment area of the Tivetshalls and would require patients to travel up to 8 miles for Primary care provision.</p> <p>We have reviewed the information available throughout the neighbourhood plan and note aim 4: 'Identify community needs for the use of developer contributions and other possible funds' and page 74 (7.4) 'Where appropriate and possible, Tivetshalls Parish Council will use CIL as well as working with agencies and neighbouring Parish Councils to deliver local priorities'. The NHS ICS would welcome working with the Tivetshalls Parish council to help identify healthcare needs in the area and would welcome support in mitigating any impacts housing developments may have on Healthcare provision/services by use of developer contributions via CIL or section 106 agreements.</p> <p>The Norfolk and Waveney ICS welcome Aim 4 and point 7.4 regarding the use of developer contributions/CIL and would seek support to ensure CIL requests are secured to help mitigate the impact of planned growth on the Healthcare provision/services in the Tivetshall area and neighbouring parish where the nearest GP surgery is located. The exact nature and scale of the contribution and the subsequent expenditure by healthcare providers will be calculated at an appropriate time as and if schemes come forward over the plan period to realise the objectives of the Neighbourhood Plan.</p> <p>We would welcome the addition of a simple statement to confirm that Tivetshall Parish Council will support the ICS in ensuring suitable and sustainable provision of Healthcare services for its residents. It should also be noted that, if unmitigated, the impact of developments on healthcare within the Tivetshalls neighbourhood would be unsustainable, including that of Primary Care, Community Care, Mental Healthcare, and the Acute Trusts.</p>