

The Tivetshalls Neighbourhood Plan Examination

11th July 2022

Dear Qualifying Body

Clarification Note from the Examiner to Tivetshall Parish Council

Further to reviewing the Tivetshalls Neighbourhood Plan and supporting information, I am contacting Tivetshall Parish Council (as Qualifying Body) in respect of the matters set out below.

Having considered the submitted information, I am not calling for a public hearing as part of the examination process. However, Neighbourhood Planning Independent Referral Service (NPIERS) Guidance¹ Paragraph 1.11.4 states that:

“The Qualifying Body will normally be given the opportunity to comment on the representations made by other parties...The opportunity for the Qualifying Body to comment on representations could be incorporated within an independent examiner’s clarification note...”

Therefore, I confirm that there is an opportunity for Tivetshall Parish Council to respond to me in respect of the representations made during Regulation 16 (the Submission stage) consultation, should you wish to do so.

In addition to the above, I note that the examination of the Tivetshalls Neighbourhood Plan is progressing well. In this regard and in the interests of clarity, I would be grateful for any assistance Tivetshall Parish Council can provide in respect of providing brief responses to the points raised below. If in doing so there is a need to refer to evidence relating to the Tivetshalls Neighbourhood Plan, please note that this should only comprise evidence that is already publicly available.

Thank you very much for your consideration of this Clarification Note. I am not imposing a deadline for responses, but your earliest consideration will enable the examination to be concluded in as timely a manner as possible. Thank you.

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¹ NPIERS “Guidance to Service Users and Examiners.”

I am especially interested in seeing the Parish Council's response to a number of the representations to the Submission Neighbourhood Plan made by South Norfolk Council

These relate to the points made in respect of the following Policies:

- TIV1
- TIV4
- TIV5
- TIV6
- TIV10
- TIV12
- TIV14

I am also interested in the Parish Council's response in respect of Norfolk County Council's comments re: the following Policy:

- TIV15

In the addition to the above, I also have the following questions:

Policy TIV3 – Please can you point me to information in respect of what “*the best*” environmental standards are, who is the judge of this and how the Policy will deliver the “*encouragement*” of such ?

Policy TIV4 – National policy sets out a carefully worded approach to the conservation of heritage assets, providing for the appropriate balancing of harm and benefits. Policy TIV4 sets out a completely different approach, whereby all harm should be avoided. Please can you point me to the justification for this contrary approach ?

Policy TIV7 – Please can you point me to information in respect of when it would be appropriate for development to meet the requirements of the first paragraph of Policy TIV7, as the Policy appears vague in this regard (in conflict with national policy and guidance) ?

Please can you point me to evidence demonstrating that it is deliverable and relevant for all development to meet the requirements of Policy TIV7 ?

Is the overall aim of Policy TIV7 to protect and enhance the right of way network ?

Policy TIV8 – Please can you point me to information demonstrating that the obligations set out in Policy TIV8 are deliverable by and relevant to, all commercial development and for all residential applications for two or more homes ?

Is the overall aim of Policy TIV8 to provide for safe access and egress and to ensure highway safety ?

Policy TIV9 – The opening sentence of the Policy does not make sense. Is it the aim of this part of the Policy to seek to prevent development resulting in additional on-street parking ?

Please can you point me to evidence demonstrating how it would be deliverable for all development to provide a parking bay, drive, garage and electric car parking points and why such obligations are relevant to all development ?

Please can you point me to information in respect of when it would be appropriate for parking spaces for visitors and deliveries to be designed into new developments ?

Policy TIV11 – Please can you explain how a decision maker should treat the phrase “*all avenues should be explored to promote positive conservation of the assets, where possible*” and evidence of how such an approach is relevant and deliverable, in respect of what types of development proposals ?

Please can you point me to that part of the Environment Bill which BNG should be in line with ?

Policy TIV14

Please can you point me to information in respect of what a “*surface water drainage area*” is ?

Figure 29 shows dots on a plan. Please can you point me to precise information in respect of the exact areas affected by surface water drainage issues and what each of these issues are ?

Please can you point me to information in respect of when it will be appropriate for development to “*alleviate*” issues and precisely what the issues in need of “*alleviation*” are ?

Thank you for your consideration of all of the above.

Please note that the questions above do not seek to imply criticism of the Neighbourhood Plan, rather their purpose is simply to help my understanding of the Policies and to help to support the Neighbourhood Plan’s positive examination against the basic conditions.

Thank you.
