



Worlingham Neighbourhood Plan Decision Statement

(The Neighbourhood Planning (General) Regulations 2012 – Regulation 18)

Date of Publication: 27th September 2022

1. Summary

1.1 Following an independent examination, East Suffolk Council and the Broads Authority now confirm that the Worlingham Neighbourhood Plan will proceed to a Neighbourhood Planning Referendum subject to the modifications set out in section 3.

2. Background

2.1 Worlingham Parish Council, as the Qualifying Body, successfully applied for Worlingham Parish to be designated as a Neighbourhood Area under The Neighbourhood Planning (General) Regulations 2012. The Neighbourhood Area was designated by (former) Waveney District Council and the Broads Authority and on 5th October 2016.

2.2 The Worlingham Neighbourhood Plan was published by Worlingham Parish Council for pre-submission consultation (Regulation 14) between 1st April and 9th June 2021.

2.3 Following the submission of the Worlingham Neighbourhood Plan (submission version) to East Suffolk Council and the Broads Authority the Plan was publicised and comments invited over a six week period commencing on 10th January, closing on 21st February 2022.

2.4 East Suffolk Council and the Broads Authority, with the agreement of Worlingham Parish Council, appointed an independent examiner, Christopher Lockhart-Mummery QC, to review the Plan and to consider whether it met the Basic Conditions required by legislation and whether it should proceed to Referendum.

2.5 The Examiner's Report received 13th July 2022 concluded that subject to modifications identified in the Report, the Worlingham Neighbourhood Plan meets the basic conditions.

- 2.6 The Examiner recommends that subject to the modifications listed in the Report, the Worlingham Neighbourhood Plan should proceed to referendum. He further recommends that the referendum area should be the same as the designated neighbourhood area, with there being no substantive evidence to demonstrate otherwise.
- 2.7 Following receipt of the Examiner's Report, legislation requires that East Suffolk Council and the Broads Authority consider each of the modifications recommended, the reasons for them, and decide what action to take. This is set out in the table below. Ahead of this consideration, the Examiner's Report and its findings have been subject to discussion between East Suffolk Council, the Broads Authority and Worlingham Parish Council.

3. Decision and Reasons

- 3.1 East Suffolk Council, under powers delegated to the Head of Planning and Coastal Management, and the Broads Authority (at their 21st September 2022 Committee Meeting) have considered each of the modifications recommended and concurs with the reasoning provided by the Examiner in his Report dated July 2022. With the Examiner's recommended modifications, East Suffolk Council and the Broads Authority have decided that the Worlingham Neighbourhood Plan meets the Basic Conditions as set out in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990, is compatible with the Convention rights and complies with provision made by or under Sections 38A and 38B of the Planning and Compulsory Purchase Act 2004.
- 3.2 As a consequence, the submission version of the Worlingham Neighbourhood Plan will be modified as recommended for it then to proceed to referendum.
- 3.3 East Suffolk Council and the Broads Authority have considered the referendum area as recommended by the Examiner and has decided there is no reason to extend the neighbourhood area for the purposes of referendum. The Referendum area will be the same as the designated Neighbourhood Area for the Worlingham Neighbourhood Plan.
- 3.4 The list of modifications and actions required are set out in the following table. As a consequence of these changes the Worlingham Neighbourhood Plan will be re-published and titled the Worlingham Neighbourhood Plan (Referendum Version).



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Dated: 21/09/2022



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Dated: 21/09/2022

| Examiner's recommended modification | Reason for change (summarised) | Action by ESC and BA |
|---|---|--|
| <p>Contents Page To be added below the contents</p> <p>Neighbourhood Plan Policies: Policy WORL1: Village Identity - 26 Policy WORL2: Housing Mix - 29 Policy WORL3: Lifetime Design - 30 Policy WORL4: Housing Design and Character - 34 Policy WORL5: Heights of dwellings - 35 Policy WORL6: Housing Design – Security - 36 Policy WORL7: Sports Facilities - 37 Policy WORL8: Parking Standards - 40 Policy WORL9: Design of On-Street Parking Provision - 41 Policy WORL10: The Design of Parking Courts - 41 Policy WORL11: Protection and Enhancement of Key Pedestrian and Cycle Routes - 42 Policy WORL12: Landscaping - 47 Policy WORL13: Country Park Landscaping and Management - 50 Policy WORL14: Wildlife Corridors - 51 Policy WORL15: Protection of Local Green Spaces - 57 Policy WORL16: Drainage - 59</p> <p>Spending Priorities: Spending Priorities; Walking and Cycling Routes - 44</p> | <p>It is helpful for neighbourhood plans to have a paginated reference to each of the policies, and for the purpose of clarity and easy navigation.</p> | <p>Agree. Contents amended as recommended.</p> |
| <p>Policy WORL1 Part A</p> <p>A. As appropriate to their nature and size, development proposals in Worlingham must demonstrate how the identity of Worlingham is</p> | <p>Application of part A to all types of development, such as householder development, is too onerous. The</p> | <p>Agree. Policy amended as recommended.</p> |

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| <p>to be respected, meeting as far as possible feedback as gathered through community engagement. Particular attention must be shown as to how the proposals: demonstrate that new community facility proposals have been informed by engagement with the community and positively respond to the community's needs and aspirations as set out in the Neighbourhood Plan Objectives.</p> <p>• Demonstrate that new community facility proposals have been informed by engagement with the community and positively respond to the community's needs and aspirations as set out in the Neighbourhood Plan Objectives.</p> | <p>change allows for proportionate use of part A.</p> <p>Part A suggests that there is to be a number of bullet points, but there is only one. For clarity the existing text should be presented as a single paragraph.</p> | |
| <p>Policy WORL1 Part B</p> <p>B. Proposals for major development (as defined in NPPF) in Development proposals for the Beccles and Worlingham Garden Neighbourhood within the Worlingham Neighbourhood Plan area must demonstrate how they will promote the local distinctiveness of Worlingham, in particular addressing the importance of:</p> <ul style="list-style-type: none"> • the parish boundary. Proposals for the new development must demonstrate a strategy to effectively delineate the parish boundary and support appropriately designed, locally distinctive development in the parish of Worlingham. • meeting the design requirements of Policy WORL4; • having a clear predominance of within-curtilage parking in a mix of residential parking solutions; • a high proportion of homes having gardens of sufficient size, shape and access to sunlight for the provision of recreational benefits to the occupants; | <p>Part B appears to be written for large scale development - the amendment restricts its use to major development only.</p> | <p>Agree. Policy amended as recommended.</p> |

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| <ul style="list-style-type: none"> • there being a clear demarcation between public and private land; • trees forming the core of landscaping; • achieving an overall density of dwellings commensurate with an outer-suburban area type of about 30 dwellings per hectare. | | |
| <p>Policy WORL2</p> <p>The mix and type of new housing units proposed for the Worlingham Neighbourhood Plan area, including on the part of the Beccles and Worlingham Garden Neighbourhood (Policy WLP3.1 of the East Suffolk (Waveney) Local Plan) within the Neighbourhood Plan area, must be based on evidence contained within both the Worlingham Housing Needs Assessment (2017 or successor document) and the District level Strategic Housing Market Assessment (or successor document). In particular, schemes must demonstrate how they have considered and addressed the need for provision of:</p> <ol style="list-style-type: none"> a. One and two bedroom dwellings suitable for older people; b. Bungalows; c. Semi-detached and terraced properties suitable for young people; and d. Three-bedroom, family-sized housing. <p><u>Such a mix will have regard to local market circumstances, the viability of the development and any additional localised housing need information at the time of the determination.</u></p> | <p>The requirement to “consider and address” the mix seemingly hardens to a more rigid requirement for housing mix and the development’s viability also needs to be considered..</p> | <p>Agree. Policy amended as recommended.</p> |
| <p>Policy WORL12</p> <p>A. For all major development proposals (both residential and non-residential, as defined by the NPPF) in Worlingham, the applicant must</p> | <p>The last sentence in WORL12 B ii) could act as an unjustifiable constraint or delay to needed, sustainable development.</p> | <p>Agree. Policy amended as recommended.</p> |

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| <p>demonstrate how the design of landscaping throughout the built environment will reference as far as possible, and as most appropriate, the surrounding semi-rural, rural or Broads settings that constitute the majority of the neighbourhood plan area.</p> <p>B. Development proposals for the Beccles and Worlingham Garden Neighbourhood within the neighbourhood plan area must:</p> <p>i) Incorporate a comprehensive soft landscaping scheme at the edge of the Beccles and Worlingham Garden Neighbourhood site (described by Local Plan Policy WLP3.1) to achieve a verdant setting for the existing dwellings in the neighbourhood area and which supports routes for movement as indicated on the Beccles and Worlingham Garden neighbourhood outline masterplan. The landscaping scheme must take into account the topography of the area.</p> <p>ii) Demonstrate how the comprehensive landscape scheme for the part of the Beccles and Worlingham Garden Neighbourhood that lies in Worlingham has been shaped by the views of the community as captured in this neighbourhood plan and as further gathered from the community during the masterplan-development process. Evidence of views being sought from the occupants of all adjoining homes must be provided.</p> <p>iii) Demonstrate that the comprehensive landscape scheme for the part of the Beccles and Worlingham Garden Neighbourhood that lies in Worlingham includes a diverse range of shrub/tree</p> | | |

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| <p>species in order to maximise resilience to the risks of disease, pests and climate change, and to benefit native pollinator species.</p> | | |
| <p>WORL13</p> <p>A) Landscaping proposals for any part of the Beccles and Worlingham Garden Neighbourhood Country Park (which is required by Local Plan Policy WLP3.1) lying in the Worlingham Neighbourhood Plan area must reflect as far as possible the feedback from the local community as captured within this neighbourhood plan and as further sought and gathered from the community during the masterplan development process. Such proposals should take as their starting point the planting of the native species of trees found along the Lowestoft Road through Worlingham and on the parkland associated with Worlingham Hall.</p> <p>B) The layout of the above multi-functional country park must as far as possible take on the character of a landscaped open space (for walking, dog-walking, jogging, casual ball games and the encouragement of wildlife) as/if it approaches the existing housing to the north of the site in Worlingham.</p> <p>C) A suitable mechanism for the management of the country park should be developed through close engagement with the local community and the parish council.</p> | <p>To ensure the policy effectively addresses management of the country park.</p> | <p>Agree. Policy amended as recommended.</p> |
| <p>Section title on page 50</p> <p>Wildlife Corridors Biodiversity and Wildlife Corridors</p> | <p>Policy amended in response to the NPPF and Environment Act 2021 to achieve development that provide biodiversity net gain.</p> | <p>Agree. Title of section amended as recommended.</p> |

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| Existing paragraph 8.15-8.28 be renumbered as 8.23-8.36 | Paragraph numbers to be updated following the inclusion of new text. | Agree. Paragraph numbers amended as recommended. |
| <p>Add new supporting text paragraphs 8.15 – 8.22.</p> <p><u>8.15 The Local Plan for the Broads and the East Suffolk (Waveney) Local Plan have policies (SP6 and WLP 8.34 respectively) that specifically cover matters surrounding biodiversity protection and enhancement.</u></p> <p><u>8.16. The NPPF (particularly para. 174(d)) says that planning policies and decisions should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity. NPPF paragraphs 176 and 177 emphasise the importance of landscape and wildlife enhancement for National Parks, the Broads and Areas of Outstanding Natural Beauty.</u></p> <p><u>8.17 The Environment Act 2021 contains provisions for the protection and improvement of the environment, including the elevating of “Biodiversity Net Gain” (BNG) to a statutory footing. However, secondary legislation will need to pass through the parliamentary process to bring the mandatory Biodiversity Net Gain requirement into force.</u></p> <p><u>8.18 There are several Priority Habitats in Worlingham Parish, including floodplain grazing marsh, ponds, wet woodland, mixed deciduous woodland and the historic parkland surrounding Worlingham Hall.</u></p> <p><u>8.19 The neighbourhood plan area is spanned by part of the Broads. As nature is clearly blind to organisational boundaries, the proximity to</u></p> | New paragraphs added to support development to achieve biodiversity net gain, in response to the NPPF and the Environment Act 2021. | Agree. Supporting text amended as recommended. |

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| <p>County Wildlife Sites (CWS) such as the River Waveney CWS and the North Cove Alder Carrs CWS should be recognised in local assessments of biodiversity.</p> <p>8.20 Wildlife corridor creation should focus on linking and buffering the existing ecological assets of the neighbourhood plan area, including Priority Habitats and local green spaces and future green space creation within the Beccles and Worlingham Garden Neighbourhood. This could be achieved with native planting and wildlife friendly verge management as well as the creation of nectar rich arable field margins and ponds.</p> <p>8.21 Worlingham is a stronghold for species such as hedgehogs, with a high number of records across the parish (Suffolk Biodiversity Information Service), that depend on the protection, enhancement and creation of wildlife corridors. Birdlife is well documented with some 76 species recorded adjacent to or on the proposed development site in Worlingham for the Garden Neighbourhood (Policy WLP3.1).</p> <p>8.22 Worlingham has experienced a high level of development (housing and industrial) since 2001. The Beccles and Worlingham Garden Neighbourhood development (Policy WLP3.1) requires much built infrastructure and the largest housing development so far experienced within the neighbourhood plan area. Provision of biodiversity net gain will be an important element in delivering this site.</p> | | |
| <p>Policy WORL14: Wildlife Corridors Biodiversity Net Gain and Wildlife Corridors</p> | <p>Policy text amended in response to the NPPF and Environment Act 2021</p> | <p>Agree. Policy amended as recommended.</p> |

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| <p>A. Proposals that identify, protect and enhance wildlife corridors in the Worlingham Neighbourhood Plan area will be supported. These must be designed and implemented to maximise their wildlife value and provide connectivity through the site for terrestrial and aerial species. They must exploit suitable opportunities to link with the maintained and varied habitats provided by established residential gardens adjacent to the site. They must also be maintained as dark corridors as far as possible to increase their value for nocturnal species</p> <p>B. Development proposals for the part of the Beccles and Worlingham Garden Neighbourhood (described under Local Plan Policy WLP3.1) in the Worlingham Neighbourhood Plan area must demonstrate through a biodiversity strategy supported by field surveys that they have maximised the opportunity to protect and facilitate wildlife corridors that link the site with key wildlife features on or close to its boundary.</p> <p>A. <u>Proposals for major development (e.g. 10 or more dwellings) in the Worlingham Neighbourhood Plan area must provide for a minimum Biodiversity Net Gain of 10% that is secured for at least 30 years and is subject to the following criteria:</u></p> <ul style="list-style-type: none"> <u>The whole of the net gain must be delivered on site unless exceptions permitting off-site delivery within the neighbourhood plan area are formally agreed with the Local Planning Authority;</u> <u>In the case of a development site spanning the neighbourhood plan boundary, the 10% (minimum) Biodiversity Net Gain</u> | <p>to achieve development that provide biodiversity net gain.</p> | |

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| <p><u>requirement of this policy applies to that part of the site lying within the neighbourhood plan area;</u></p> <ul style="list-style-type: none"> • <u>Biodiversity Net Gain should be measured using the most recently available Biodiversity Metric at the time of the submission of the planning application, unless otherwise agreed with the Local Planning Authority.</u> <p><u>The requirements of this policy will be superseded by legislative requirements once mandatory Biodiversity Net Gain comes into force.</u></p> <p><u>B. Proposals that identify, protect and enhance wildlife corridors in the Worlingham Neighbourhood Plan area will be supported where they provide a net gain in biodiversity, through creation and enhancement of natural habitats, and restoring fragmented biodiversity networks. These must be designed and implemented to maximise their wildlife value, provide connectivity through the site for terrestrial and aerial species. They must exploit suitable opportunities to link with the maintained and varied habitats provided by established residential gardens adjacent to the site. They must also be maintained as dark corridors as far as possible to increase their value for nocturnal species.</u></p> <p><u>B. C. Development proposals for the part of the Beccles and Worlingham Garden Neighbourhood (described under Local Plan Policy WLP3.1) in the Worlingham Neighbourhood Plan area must demonstrate through a biodiversity strategy supported by field surveys that they have maximised the opportunity to protect and facilitate</u></p> | | |

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| wildlife corridors that link the site with key wildlife features on or close to its boundary. | | |