

Mattishall Neighbourhood Plan

Examiner's Note to Breckland Council and Mattishall Parish Council requesting clarification on specific issues and policies – with responses from Mattishall Neighbourhood Plan Working Group

Context

The preparation of a clarification note provides an opportunity for me to understand the Plan in greater detail and to assist with its examination.

The issues and points for clarification in this Note arise from:

- my initial reading of the submitted Plan and its associated documents;
- my reading of the representations received; and
- my reading of the development plan and the emerging Local Plan

I recognise that some of the questions in this note will naturally fall to Breckland Council and some to the Parish Council. I address this matter later in the Note.

The initial questions raised are of a general and strategic nature. The remainder of the document addresses particular policies.

Strategic Issues

The development plan

What are the 'strategic' policies in the development plan? In particular, are they the Core Policies in the adopted Core Strategy 2009?

[Breckland will answer.](#)

The emerging Local Plan

Are there any further timetable updates over and above those on the BC website?

[Breckland will answer.](#)

New housing growth and commitments

I can see that there are differences between the figures in paragraph 1.7 in the submitted neighbourhood plan and in paragraph 17.1 of the emerging Local Plan (Preferred Site Options and Settlement Boundaries - September 2016). This may well reflect that the neighbourhood plan updates the information from September 2016.

Please may I have the most up to date information (including planning application reference numbers) showing sites that now have planning permission and those where planning applications are awaiting decisions. This information would usefully cross-relate to sites shown in figures 17.1 and 17.2 in the emerging local plan.

[MNPWG response on new housing growth and commitments:](#)

[The target figure quoted for Mattishall in the NP for the Plan period,141, is taken from the Preferred Sites doc.](#)

The information re completions, 15, and commitments, 62, came from an email from Sarah Robertson in Planning at Breckland in Oct 2016 to Richard Stephenson, who is a member of the Neighbourhood Plan Working Group, as follows:

From: "Robertson, Sarah" <Sarah.Robertson@capita.co.uk>

Date: 7 October 2016 at 16:18:59 BST

To: "Richard Stephenson" <richardrstephenson@gmail.com>

Subject: RE: Commitments in mattishall

Hi Richard

This is the list of committed developments and there planning applications. Apologies yesterday I said it was 64, but I believe that two of the sites have lapsed, so the correct number should be 62.

Query1					
Parish Number	Planning Application Reference	Approval date	Proposed dwellings	Number remaining	Site live
	61 3PL/2013/0410/D	13/06/2013	1	1	Yes
	61 3PL/2014/0080/F	17/04/2014	1	1	Yes
	61 3PL/2014/0288/F	29/04/2014	1	1	Yes
	61 3PL/2014/0463/F	20/08/2014	2	2	Yes
	61 3PL/2014/0495/F	12/12/2014	11	11	Yes
	61 3PL/2014/1067/F	02/02/2015	4	4	Yes
	61 3PL/2014/1287/F	18/03/2015	1	1	Yes
	61 3pl/2015/0034/F	17/06/2015	1	1	Yes
	61 3PL/2015/1175/F	21/12/2015	1	1	Yes
	61 3PL/2015/1337/F	08/03/2016	1	1	Yes
	61 3PL/2016/0247/O	02/06/2016	1	1	Yes
	61 3PL/2016/0651/F	29/07/2016	1	1	Yes
	61 3PL/2015/0279/O	08/08/2016	35	35	Yes
	61 3PL/2016/0871/D	12/09/2016	1	1	Yes

Kind Regards

Sarah

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These figures were for Oct 2016 and represent an update from information in the Preferred Sites document which used information from March 2016. The email contains the Planning references for the 62 commitments. I don't have the references for the completions, just the total of 15 from Sarah.

The two other planning applications mentioned in 1.7 of the NP refer to the Gladman application for 65 (3PL/2015/0498/O) and the Ed Bales application at Poplar Farm for 23. (3PL/2016/0395/O). This gives a total for the two sites of 88.

Consultation Statement

I have read Gladman Developments representation on how the Parish Council considered its earlier representation at the pre-submission phase of the Plan. Please can the Parish Council provide factual evidence on its consideration of that representation.

MNPWG response re Consultation Statement:

A fundamental point that Gladman have raised in both their representations – Reg 14 and Reg 16 - is about the allocation of sites in the Plan. The neighbourhood Planning Group discussed and agreed with BDC at an early stage that we would not be allocating sites in our plan. Site allocation has been done by BDC in the draft Local Plan. We assisted BDC in this by encouraging local residents and landowners to put forward sites to BDC which resulted in some smaller sites being submitted.

A notice put into the Village magazine (Miscellanea), which makes the position clear in terms of the roles of the Neighbourhood plan and Breckland District Council, is appended.

Gladman advise that it would be best to include the site, for which they have applied for planning permission, to '*minimise any potential conflicts with the emerging BLP going forward*'. We saw no reason to depart from our fundamental position of not allocating sites and to treat their interest in a particular site any differently from anyone else's. 4 developers (Tesni Homes; Abel Homes; BD&M(UK); and Gladman) have had interests in sites in Mattishall during the process of development of the Plan and were invited to put in responses to the consultations. No responses were received from the other 3 and certainly no requests for their application sites to be designated in the Plan.

Gladman make the point that they would like '*to discuss the neighbourhood plan and the delivery of land off Dereham Road and invite the Parish Council to contact us in this regard*'

The Chair of the Parish Council, Richard Norton, responded to a request from Gladman to meet the PC, to discuss their views on their development proposal and how it meshed with the developing Neighbourhood Plan, by asking them to attend an open PC meeting but Gladman refused. The Clerk to the Parish Council is on leave, but can no doubt give further information on dates on her return. We will ask her to pick this up on her return.

Below is a link to the minutes of the Working group meeting held on 21st Sept. 2016 which shows the action agreed re considering Gladman's Reg.14 response:

<http://www.np4mattishall.org/wp-content/uploads/2015/04/MNPWG-minutes-21.9.2016.pdf>

The actions from the meeting are listed at the end. The reference to 'Rachel' in the Gladman action is to Rachel Leggatt our consultant who helped with the development of the Plan. Her response in an e mail of 26th sept – which covered a number of issues was *'.... I think it would be best if each of the working group considered the policy responses in turn and weigh up whether they think the draft policy should be changed in light of the Gladman response and all the others. I'm happy to answer specifics.'*

This fitted with our approach to dealing with all consultation responses received – that the policy leads would take account of representations about their policy area. This they have done.

The minutes of this meeting also give a good sense of the close working with BDC, and shows how it is BDC who allocated preferred sites in the draft Local Plan and how we were clear that we would like applications to be measured against the policies in our plan. This was a healthy debate carried out with clear understanding of our respective roles. The reference to Ed Bales is about his application for a small development site (less than 25) that was not designated by Breckland as a preferred site because Transport objections had been received. The application has subsequently been approved.

In section 2 of both of Gladman's responses there is a standardised set of assertions about the need to conform to national and local planning guidance and frameworks. In both our Plan and in the supporting document, the Basic Conditions Statement it is made transparently clear that our plan is entirely compliant. Both BDC and our consultant, in addition to Gladman, have had a key role in ensuring this compliance and we have been grateful for their advice and assurance.

In section 3 of the reg. 14 response the specific issues raised are about overall target housing supply figures. This is a matter for Breckland not for our Plan. As previously stated, our Plan clearly states our acceptance of our share of the target number of houses to be developed and positively welcomes the status of being a Local Service Centre.

In the section about the SEA/SA Gladman's main point is about whether reasonable alternatives have been considered. This was the subject of discussion with Breckland and we have satisfied BDC that we properly explored reasonable alternatives.

In terms of the last part of Gladman's submission it simply provides a justification for their current application – and is not really appropriate as a comment on our Plan. The policies concerning the scale and phasing of development came from the overwhelming feelings of the residents of Mattishall who accept, indeed often welcome, the need for growth but wish it to happen in a way that enables the village to retain its essential character as a village and to be a flourishing sustainable community. The very extensive consultation we underwent to find out what the village wanted the Plan to achieve was crystal clear about this.

We do wish to highlight a statement made in the Reg. 14 submission which is just wrong – *'However, the Plan makes no provision for such sites and seeks to limit the total quantum of growth coming forward'*. The Plan does not, in any way, seek to limit the total quantum of growth in the village. We are committed to delivering our target and there is recent evidence that smaller sites, that have not been designated in the draft Local Plan, have been approved

for development (see ref. to the Ed Bales application). We are clear, with the benefit of local knowledge and the evidence of recent planning approvals, that the target can be delivered in a way that the village clearly wants.

It is unfortunate that Gladman are clearly not aware of the close way in which we have worked with BDC in the development of our Plan which is happening in parallel with the development of the Local Plan. We have had numerous, very productive and helpful meetings with officers from Breckland, with the result that we have a robust Plan which is capable of delivering what BDC needs in a way that the local community wishes.

Policy Issues

Policy ENV2

Is the [second] first paragraph of the policy suggesting that the landscape is more important than how it was identified in the 2007 Landscape Assessment?

If so is there any other evidence for this assertion (and the second and third paragraphs of the policy) over and above the comments of local residents? In particular, has a technical assessment been undertaken?

MNPWG response re ENV2:

ENV2 is not saying that something has changed since the 2007 Landscape Assessment to make the landscape now more important. The intention of the second paragraph is to indicate that while recognising the outcome of the assessment made of the landscape surrounding Mattishall village by a firm of consultants engaged by Breckland Council as part of a much larger study (Breckland District), the opinion of the community may differ regarding certain views and vistas, i.e. with the community giving more importance to these than may be the case in the 2007 Landscape Assessment.

We are not aware of any further technical assessment of the landscape having been made since the 2007 study. The second and third paragraphs of ENV2 were based on comments from local residents during consultation.

Policy ENV4

Is the proposed local green space (LGS) seen as a higher status open space?

If so how was the school playing field identified as LGS above the other open spaces?

Is there any published assessment of the proposed LGS against the criteria in paragraph 77 of the NPPF?

MNPWG response re ENV4:

We are not sure what is meant by 'higher status open space', but assume that the comparison is being made between the open green space shown in light green on Figure 13 of the NP and the proposed LGS, shown in dark green. Note that the open space shown in light green is space already included in Breckland's Open Space Parish Schedule 2015 (and this reference should have been included on Figure 13).

There is no intention to suggest that the proposed LGS necessarily has higher status than the open space included in the Parish Schedule 2015. The school playing field was one area identified at consultation that residents wished to designate as LGS and the school governing body were consulted and were supportive (see para 7.9 of the draft NP).

There is no published assessment of the proposed LGS against the criteria in para 77 of the NPPF other than the statement in the draft NP at para 7.9, i.e. *'In accordance with requirements in the NPPF (paragraph 77), the playing field is in close proximity to the community it serves, is special to the community in view of its recreational value, is local in character and is not an extensive tract of land'*. Figure 13 demonstrates that the proposed LGS is at the heart of the village (therefore close to the community it serves), is special to the community in view of its recreational value (as indicated by residents during consultation) and is local in character (by its very nature). Regarding size of the LGS, we note that BDC in its Reg 16 comments are now saying that it is an extensive tract of land which would disqualify it from being designated. However, we are not aware that there is any NPPF definition of 'extensive tract of land' and given that the second bullet point of NPPF para 77 specifically refers to playing fields, we believe that the size of the proposed LGS does not contravene the NPPF.

Policy ENV5

I fully understand the purpose behind the policy.

Nevertheless:

- is the separation/visual break area identified on any map base?
- to what extent are current and future local plan countryside policies insufficiently robust to address this matter?
- what is meant by 'significantly reduce this separation'? How would it be applied consistently by the decision-maker?

MNPWG response re ENV5:

- No, the separation/visual break area is not identified on any map base although Figures 6 and 10 illustrate the existing separation between Mattishall village and surrounding villages/settlements and the policy itself names some of those villages/settlements. Basically, we are seeking to maintain this separation and avoid coalescence.
- We do not know the extent to which current and future local plan countryside policies are insufficiently robust to address this matter but are aware that other rural parishes have felt the necessity of including similar policies. For example:
 - Blofield Parish in the Broadland district of Norfolk – its NP passed referendum in July 2016 and included the following policy on distinct villages:

"The Neighbourhood Plan seeks to retain a physical separation between the settlements of Blofield, Blofield Heath and Brundall. Developments that reduce the separation of the settlements should not be permitted."

[See

https://www.broadland.gov.uk/downloads/download/50/blofield_neighbourhood_plan_documents]

- The Yaxham Neighbourhood Development Plan includes a policy (STR1) which aims to help prevent coalescence of settlements and with the town of Dereham. This NP goes to referendum on 4 May 2017. Yaxham Parish is immediately to the west of Mattishall Parish and also in Breckland. It has identified three 'strategic gaps' to which the policy applies. Initially, Yaxham delineated these gaps on a map (i.e. as physical spaces) along with policy wording. However, after examination, only one gap remains delineated on a map (and is smaller than initially proposed), the others

being replaced by policy wording. The wording of the policy addressing all three gaps is follows:

STRATEGIC PLANNING POLICY STR1 – THE GAPS BETWEEN SETTLEMENTS

1. The objective of this policy is to direct development in such a way as to respect and retain the generally open and undeveloped nature of the gaps between settlements to help prevent the coalescence and retain the separate identity of the settlements of Yaxham and Clint Green from the neighbouring settlements of Dereham and Mattishall and from each other.

2. Within the Strategic Gap between Yaxham and Dereham defined on Map 10 development will only be permitted if: a) it is consistent with policies for development in the countryside and b) it would not undermine the physical and/or visual separation of Yaxham and Dereham and c) it would not compromise the integrity of the strategic gap, either individually or cumulatively with other existing or proposed development; and d) it cannot be located elsewhere.

3. Development that would, individually or cumulatively with other development, substantially undermine the physical and / or visual separation of Clint Green and Mattishall or Yaxham and Clint Green will only be permitted where the harm would clearly be outweighed by the benefits of the development.

For Yaxham's NP and the examiner's report see <http://www.breckland.gov.uk/article/4284/Neighbourhood-Plans>

- Given the relatively small distances between Mattishall and some nearby villages/settlements, we believe that in practice, when a development proposal is submitted, it will be clear whether the separation will be significantly reduced. And of course the impact on separation would to some extent be determined by the nature of the development (e.g. an industrial estate vs several bungalows). But we would be prepared to consider wording similar to that of Yaxham's NP if that would provide further clarity, e.g. 'Development that would, individually or cumulatively with other development, substantially undermine this visual separation will not be permitted.'

Policy ENV7

The thrust of this policy is appropriate. I can see that the SSSIs and CWS are identified in figure 15

Is there similar information for water courses, significant ponds and wildlife corridors?

MNPWG response re ENV7:

We are not aware of any comprehensive environmental surveys of water courses, significant ponds and wildlife corridors within the parish. The intention of the policy is to put the onus on the developer to establish the ecological importance of elements within development sites or those outside that might be impacted and to prevent or mitigate against these adverse effects.

The rationale for this is that while we can identify where the SSSIs and the CWS are and provide information on their ecological importance, we are not able to do the same for water courses, significant ponds and wildlife corridors as BDC are asking us to do in their Reg 16 comments because the work has not been done. Furthermore, even if such assessments had been done, it may not be sufficiently comprehensive and/or adequately current. For example, a very small pond with a population of great crested newts would be ecologically

significant although not large enough to have been included in a wider survey but should be covered in a site-specific assessment.

Policy ENV9

Your comments on the proposed modification submitted by the County Council would be appreciated.

MNPWG response re ENV9:

We appreciate the comments and proposed modification submitted by Norfolk County Council. However, we believe that the proposed NCC text is perhaps more detailed and technical than is necessary for a NP and wonder whether much of what the NCC has written is already a requirement for developers? If the latter is the case, it should not be necessary for it to be repeated in the NP. In addition, the NCC proposed text focuses only on flooding issues and does not address sewerage issues which are a problem for Mattishall. The second para of ENV9 does address sewerage.

When writing the NP we have tried to keep our policies as clear and concise as possible and to use language which will be easily understood. We consider that ENV9 as currently drafted largely covers the issues raised by NCC but without identifying mechanisms to manage surface and fluvial water. We also note that at present, ENV9 takes a stronger stance regarding the siting of development in that we state that development should avoid areas at risk of flooding from any source, but that where development is necessary (which would have to be demonstrated by the developer), it should be shown that these risks can be adequately managed.

Given the above, we would prefer the current wording of ENV9 (which also takes account of comments submitted by BDC at Reg 14), although note that we agree with BDC (Reg 16) that in the last para, 'freestanding' would be better replaced with 'hardstanding'.

Policy HOU1

I can see the survey evidence in 8.7 and the factual updates in 1.7

Nevertheless:

- Is there any evidence on the location of such sites?
- If so are they deliverable?

MNPWG response re HOU1:

Evidence related to the location of sites of the 'preferred' and 'acceptable' sizes defined in the policy and already put forward for planning permission was addressed in our response to the consultation on the BDC Local Plan Preferred Site Options and Settlement Boundaries 2016. (See text from the consultation response below in italics. Note the first site addressed is not relevant to your Q but has been left in to give the full response to Q17, unedited,). And of course it is not unreasonable to expect that other small sites will likely be put forward during the remainder of the Plan period.

The issue of deliverability of these sites is, at least partially for some sites, addressed in our consultation response (see below in italics). And it is particularly worthy of note that a site, LP[061]016, classified as 'unreasonable' in the Preferred Sites doc was granted outline

planning permission for 23 dwellings in 2016, and that the concerns re acceptability of this site related to transport issues and the same concerns were applied to other sites close by. Given the relatively small number of sites that would be necessary to meet the housing allocation, even with the relatively low number of dwellings per site, it seems very unlikely that sufficient deliverable sites would not be available.

Q17 Are there any additional development considerations which need to be addressed for the preferred site(s)?

LP[061]019 (Preferred)

This site has previously been refused and an appeal was rejected by the Inspector on the basis of flood risk and other environmental grounds.

Both of the above reasons for refusal remain relevant.

The current application for some 65 dwellings is significantly larger than the maximum size (24) of developments supported by the draft Neighbourhood Plan and would, with the present committed/completed total of 77 deliver over 100% of the current proposed housing target of 141 for the plan period. On both these grounds, size and phasing, the proposal is considered unreasonable.

It is also noted that the number of dwellings proposed for the site is 'approximately 65'. Are you able to advise how this number was determined?

The proposed development site is distant from the majority of village services and facilities only having access to bus stops and one shop within 800m. It is noted that when referring to this site in para 17.7 reference is made to the availability of the above limited services but no mention made of the greater distance to all of the other key services such as the school, doctors' surgery, public house, cafes, sports and social club and additional shops which are at the east end of the village at a distance of more than 1,000m, and some much further. The distance to many of these facilities is such that many would need, or choose, to access them by motorised transport rather than walking or cycling. The Local Plan Transport Study: Dereham, Study Report (August 2016, RT94136-02) also states a preference for developments to be to the east of the centre of the village to reduce traffic in the village.

On the basis of the above it is considered that this site should not be 'preferred' and is unreasonable for 65 dwellings.

LP[061]015 (Preferred)

Any development on this site would need to take due account of the Conservation Area and the immediately adjacent listed buildings. Additionally, the draft Neighbourhood Plan recognises the view when approaching Mattishall from the east as one that is particularly important to residents. However there is no objection in principle to the development of this site. It has been suggested, although not explored, that the site could be suitable for a new medical centre. Therefore housing or non housing development could be indicated.

LP[061]004 (Unreasonable)

This site is located off Mill Road/Dereham Road not Norwich Road/Burgh Lane and hence the rationale given for considering it 'unreasonable' is unsound.

LP[061]011, 012, 016, 017, 018, 020 (Unreasonable)

Recognising the need to identify sites sufficient to meet the Local Plan target for Mattishall and bearing in mind the size of development supported by the draft Neighbourhood Plan there is a strong rationale, where reasonable, to seek to classify some smaller sites as 'preferred' or 'alternatives' rather than 'unreasonable'.

All of the above sites are classified as 'unreasonable' on a single rationale:-

'Due to severe highways constraints regarding Mill Street/Church Plain it is considered that the site is an unreasonable option for allocation through the Local Plan.'

The Local Plan Transport Study: Dereham, Study Report (August 2016, RT94136-02) p83-84 addresses the matter of constraints at Mill Street/Church Plain and makes the following points:

- 'It is difficult to judge how much 'capacity' Mill Street has to cope with additional traffic from a development in that part of the village. Congestion and road safety are not major issues on these roads but Mill Street is a constrained environment where pedestrians and vehicles share the same space. Shared surface streets can be very successful in the right circumstances and with the right design.'*
- '...site observations suggest that vehicle speeds are generally lower than 20mph because of the alignment of roads and buildings. Speeds could be reduced further if speed reduction measures were put into Mill Street.'*
- 'If a shared surface were to be ruled out..... A solution may be possible here, by narrowing the carriageway to one lane for instance, but it would need to be well designed to balance the needs of increased numbers of vehicles and pedestrians.'*

All of these sites, being in the south east of the village have reasonable pedestrian and cycling access to the majority of village facilities which lie to the east of the village centre.

In the light of the above it is not reasonable to consider these sites 'unreasonable' on the present basis and without further examination.

Since the publication of the 'Preferred Sites' document, site LP[061]016, although classified here as 'unreasonable', has been granted outline planning permission, and this brings in to question the validity of the classification of other sites to the south of Church Plain/Mill Street. Furthermore, this potentially adds 23 homes to current completions and commitments, significantly worsening the phasing issue in Mattishall with the potential now for 100 dwellings of the current target of 141 to be completed in the next few years.

LP[061]024 (Unreasonable)

This site is considered unreasonable 'Due to its distance from the existing settlement and the services and facilities....'

In fact, whilst immediately outside the settlement boundary the site has residential development immediately adjacent on the opposite side of Occupation Road.

Additionally, the site is closer to the majority of village facilities than the 'preferred' site LP[061]019 and the two 'alternative' sites LP[061]022 and 025.

On the basis of the above it is not clear why this site should be classified as 'unreasonable'.

- How would the policy be applied by the decision-maker?

MNPWG response re HOU1:

One mechanism would be to classify sites of 'up to 12 homes' as 'Preferred', those 'of 13-24' as 'Alternative' and those 'over 24' as 'Unacceptable'. This would be in line with the approach taken by BDC in the Preferred Sites doc.

- Is there a residual housing target to which development arising from HOU1 would contribute?

MNPWG response re HOU1:

Yes. In line with BDC approach the current residual target would be 141 (the current overall target) minus current number of completions and commitments, which in the NP, based on information from BDC was 77 in Oct 2016. This would give a residual target of 64. It is recognised in the NP that this figure might be increased at some point in the future if there was a clearly demonstrable need for it.

- Is the policy intended to deliver housing within the built-up areas or would it apply across the Plan area?

MNPWG response re HOU1:

The objective would be to deliver the great majority, within, or immediately adjacent to, the current settlement boundary, thereby maximising ease of access to village services. However, it is recognised that a small number of small and appropriate developments may be permitted across the Plan area, where this can be delivered without contravening other NP policies.

Policy HOU2

How would the first and second paragraphs of the policy work?

MNPWG response re HOU2:

As noted in the Policy, it is proposed that this would be done in line with the developing Local Plan's approach. Again this matter was addressed in part in our response to the consultation on the Preferred Sites doc. (See below in italics). In addition, it can be noted that the Preferred Sites doc BDC has already proposed '*...locations for delivery to be delayed...*'[see page 9, para 2.18, 3rd bullet point.]

Question 3 Do you agree with the phasing strategy?

The text in para 2.18 recognising the importance of phasing in relation to the delivery of the allocation is welcomed ie 'If the level of completions or commitments is significantly higher than expected, we would look to phase the allocations later in the plan period (but still ensuring there is sufficient time for the houses to be completed before 2036 and that a five year land supply is maintained).'

Currently para 2.18 of the draft proposes:-

'Locations for delivery to be delayed until 2026 due to a high level of commitments/completions (over 50% more than expected after 10 years of the plan, based on expected delivery of outstanding permissions)...'

It is proposed that this be replaced by a more graded response, for example, if completions and commitments are >25% more than expected after 10 years, delivery could be reduced and where they are >50% delivery delayed.

In relation to phasing it should be noted that Mattishall has, from 2011 to October 2016, achieved 15 completions and 62 commitments. This total of 77 equates to some 55% of the target (141) allocated for the plan period, 49 (175%) above the expected target after 5 years (2016) and 21 (38%) above the expected target after 10 years (2021).

It is also noted that recently outline permission was given for 23 dwellings and there are also outline planning applications for a further 70 dwellings (65 on one site and 5 on another) which if permitted, would with the current 77 commitments/completions deliver 170 dwellings, significantly more than the present target of 141 for 2036.

It should be noted that the cut off point for commitments and completions used in the draft is March 2016 whereas the above in relation to Mattishall is based on the situation in October 2016. It is assumed that a revised cut off date will be used in the final version of the Plan.

How would the proposed relaxation in paragraph 8.10 work in practice?

MNPWG response re HOU2:

In the first instance, given the current situation in relation to the proposed target of 141 for the Plan period and the current levels of completions and commitments, 77, it seems unlikely that such relaxation would be necessary. However, should it prove to be necessary it is envisioned that relaxation of phasing would, at least to some extent, be determined by the factor(s) considered to be causing the failure. For example, if due to a shortfall in suitable sites, calls for more sites could be made, potentially along with an increased preparedness to agree to sites with 13-24 dwellings.

Policy HOU4

Is there a conflict between the first and third sentences of the first paragraph?

MNPWG response re HOU4:

There is perhaps a need for a little clarification. The first sentence is simply intended to encourage affordable housing, in terms of numbers, recognising that the encouraging of smaller developments could work to reduce this. The second sentence is intended to reinforce this desire to encourage an element of affordable housing even where no requirement is set at Local or National levels. The third sentence is more about the nature of affordable housing meeting local need in terms of nature eg size and location, rather than number.

Does this policy apply to affordable housing arising from open market housing or is it intended to apply to rural exception sites?

MNPWG response re HOU4:

Both.

What is the basis for a target of 20% as applied in the third paragraph of the policy?

MNPWG response re HOU4:

This is based on the fact that 14% of residents indicated that if they were to move within Mattishall they would look to rent or buy affordable dwellings, (see para 8.14), and given that there were some 1,160 households in the 2011 census, this could represent some 100 plus households. Given the number of new homes targeted to be built over the Plan period, 141, of which significantly less than half could reasonably be expected to be affordable, the 20% for local allocation would represent significantly less than 14 homes i.e. less than 1 per annum. With more than 100 residents having indicated a potential desire to move to affordable housing this does not seem an unreasonably high ratio. In addition, the term 'local connection' was used to widen the population that might be considered to meet the requirement, ensuring that it was not limited to those currently living in the parish, or indeed those with a connection to the parish, other than being 'local'.

Finally, it seems desirable to demonstrate some commitment to the provision of some affordable housing to local people.

How does this approach relate to Breckland Council's discharge of its role as the housing authority under the Housing Act 1996?

MNPWG response re HOU4:

Given the very small numbers of dwellings concerned this is not judged to have an impact in relation to BDC's role, and indeed again 'local' could be judged to apply at the Breckland level if other factors in specific cases required that to be the case.

Policy HOU7

Please can I have your observations on how this policy relates to the Written Ministerial Statement of March 2015 on building sustainability? (see Plan Making heading in link below)

<https://www.gov.uk/government/speeches/planning-update-march-2015>

MNPWG response re HOU7:

The intention of the Policy is not to require full compliance with BfL 12 but to encourage as high quality sustainable building as reasonably practicable, through the use of terms such as '*...should aim to be exemplary and ideally...*' and '*Where 12 Greens cannot be achieved.....show how the scheme achieves a high quality design.*'

In this light it is believed that the Policy is not in conflict with the Plan Making section of the above WMS of March 2015.

Policy HOU8

In b) what is meant by 'accessibility'? Is it a general sustainability test (access to shops/services/community facilities)?

MNPWG response re HOU8:

Exactly that. And, we are aware that BDC use 800m as a criterion for this.

Policy HOU9

Is 'sufficient' intended to be the application of BC parking standards?

[MNPWG response re HOU9:](#)

Yes, as a minimum, but the later part of the sentence is also relevant in terms of ensuring safety (e.g. line of vision) and a more pleasing street scene.

Policy TRA2

I can see the commentary in 11.9.

However, is the policy essentially requiring that new developments provide their own parking facilities to BC standards? Or is the policy flagging up the need for additional/improved public car parking? If it is the latter have any sites been identified?

[MNPWG response re TRA2:](#)

Both of the above. For example, the new medical facility, should it come to pass, would be expected to have adequate parking. And, Church Plain, which has a General Store, Butchers and Church immediately adjacent to its car parking area has no identified disabled parking.

On the wider issue of additional public parking, no sites have been identified, and as the Policy indicates, '...only provision of essential public parking...whilst not unduly encouraging car use....' are important limiting criteria as for the NP.

Protocol for responses

For the avoidance of any doubt the responses to the points raised will have a bearing on the preparation of my examination report.

I would be grateful for comments from either Breckland Council or the Parish Council as you see fit by Monday 10 April. In the event that there are different responses between the two councils to any of the points raised please make this clear. Please let me know if this timetable may be challenging to achieve. It is intended to maintain momentum on the examination.

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

Andrew Ashcroft

Independent Examiner

Mattishall Neighbourhood Plan

31 March 2017