

Comments

Main Modifications to the Local Plan (18/02/19 to 01/04/19)

Comment by	Armstrong Rigg Planning (Mr Geoff Armstrong - 1205184)
Comment ID	69
Response Date	27/03/19 15:27
Consultation Point	Dereham Housing Allocation 3 (View)
Status	Processed
Submission Type	Web
Version	0.1

To which proposed Main Modification does your representation relate? Please state the relevant reference number that you are commenting on from the Schedule of Proposed Main Modifications e.g. MM1

Dereham Housing Allocation 3 (Criteria 9). Page 80

**Do you consider the proposed modification is:
(please mark the appropriate box)**

If you consider the proposed Main Modification to be UNSOUND, please identify which test of soundness your representation relates to?

Please give us details as to why you think the Local Plan with proposed modifications is NOT legally compliant or sound?

We recognise the opportunity provided by the development of our client's site to provide ecological connections between Neatherd Moor to the south and the Mid-Norfolk Railway line to the west. Indeed, such connections are proposed through open space shown on the illustrative masterplan submitted with our client's planning application. This said, we object to this proposed main modification as it is confusing and potentially dangerous in its approach. The glossary of the Local Plan defines Green Infrastructure as referring to multi-functional spaces that provide connections for wildlife and for people. In this respect, we must stress that the Mid-Norfolk Railway Line is an active railway line providing heritage railway services. There is no public access to the line and it is dangerous to suggest otherwise. The railway line provides important ecological connections, but is not publicly accessible green infrastructure. In this context, we consider that reference to the Mid-Norfolk Railway line should be removed from this main modification at the very least and preferably that the whole modification be deleted as it simply serves to duplicate Policy ENV 01.

Please set out what changes you consider necessary to make the proposed main modifications to the Local Plan legally compliant or sound.

delete this main modification or alternatively remove reference to the Mid-Norfolk Railway Line to ensure there is no confusion regarding the public accessibility of this route.

Would you like to be notified of future stages of the Local Plan? Yes

How would you like to be notified? . By email to my email address

Comment by	Armstrong Rigg Planning (Mr Geoff Armstrong - 1205184)
Comment ID	68
Response Date	27/03/19 15:26
Consultation Point	Dereham Housing Allocation 3 (View)
Status	Processed
Submission Type	Web
Version	0.1

To which proposed Main Modification does your representation relate? Please state the relevant reference number that you are commenting on from the Schedule of Proposed Main Modifications e.g. MM1

Dereham Housing Allocation 3 (Criteria 5). Page 80

Do you consider the proposed modification is: (please mark the appropriate box)

If you consider the proposed Main Modification to be UNSOUND, please identify which test of soundness your representation relates to?

Please give us details as to why you think the Local Plan with proposed modifications is NOT legally compliant or sound?

As confirmed in the committee report for our client's application, Anglian Water have a strategy in place to deal with the anticipated increase in flows from development in Dereham by 2019 which includes utilising increased capacity at Swanton Morley. Furthermore, Anglian Water are obligated to accept the foul water flows from development with the benefit of planning consent and would therefore take the necessary steps to ensure that there is sufficient treatment capacity to accommodate flows from new development. In this context, we do not consider this revised requirement to be sound as there is both no need for this added level of assurance regarding waster water treatment capacity and it is Anglian Water's statutory responsibility to meet these flows. It should therefore be Anglian Water that provide advice on requirements through the planning application process and the weight of this responsibility should not be placed unjustly on developers' shoulders. This requirement serves to place an unnecessary burden on the development of the site which could affect the deliverability of the site in terms of adding costs and time to the planning application process. The requirement is therefore not effective and unsound.

Please set out what changes you consider necessary to make the proposed main modifications to the Local Plan legally compliant or sound.

delete this main modification in favour of the previous policy wording.

Would you like to be notified of future stages of the Local Plan? Yes

How would you like to be notified? . By email to my email address

Comment by	Armstrong Rigg Planning (Mr Geoff Armstrong - 1205184)
Comment ID	67
Response Date	27/03/19 15:24
Consultation Point	Dereham Housing Allocation 3 (View)
Status	Processed
Submission Type	Web
Version	0.1

To which proposed Main Modification does your representation relate? Please state the relevant reference number that you are commenting on from the Schedule of Proposed Main Modifications e.g. MM1

Dereham Housing Allocation 3 (Criteria 5) P.80

Do you consider the proposed modification is: (please mark the appropriate box)

If you consider the proposed Main Modification to be UNSOUND, please identify which test of soundness your representation relates to?

Please give us details as to why you think the Local Plan with proposed modifications is NOT legally compliant or sound?

This is a worrying addition to the policy as with the exception of the policies map which identifies Neatherd Moor as a County Wildlife Site and Local Nature Reserve, the Local Plan includes no mention of Neatherd Moor with respect to its specific qualities that development should have regard to. This lack of clarity could affect the deliverability of the site for housing over the plan period and as such we consider that it is not effective and therefore unsound against the tests set by paragraph 35 of the new NPPF. Furthermore, the requirement is completely unnecessary as Policy ENV 02 provides adequate provision for the protection and enhancement of biodiversity.

Please set out what changes you consider necessary to make the proposed main modifications to the Local Plan legally compliant or sound.

delete this main modification in favour of the previous policy wording.

Would you like to be notified of future stages of the Local Plan? Yes

How would you like to be notified? . By email to my email address

Comment by Armstrong Rigg Planning (Mr Geoff Armstrong - 1205184)
Comment ID 66
Response Date 27/03/19 15:22
Consultation Point Dereham Housing Allocation 3 ([View](#))
Status Processed
Submission Type Web
Version 0.1

To which proposed Main Modification does your representation relate? Please state the relevant reference number that you are commenting on from the Schedule of Proposed Main Modifications e.g. MM1

Criteria 2 of Dereham housing Allocation 3

Do you consider the proposed modification is: (please mark the appropriate box)

If you consider the proposed Main Modification to be UNSOUND, please identify which test of soundness your representation relates to?

Please give us details as to why you think the Local Plan with proposed modifications is NOT legally compliant or sound?

We do not consider this amendment to be sound as it is not justified. To be consider justified Paragraph 35 of the NPPF (February, 2019) requires plans to be based on proportionate evidence. The Dereham Transport Study provides this proportionate evidence base for transport in Dereham. It is a comprehensive study that identifies mitigation measures for allocated sites to contribute towards. These measures are specific to the level of development proposed in the town and it would be unsound to require allocated sites to conform to a future transport study that would not have been through a Local Plan examination to test its soundness.

Please set out what changes you consider necessary to make the proposed main modifications to the Local Plan legally compliant or sound.

delete this main modification in favour of the previous policy wording

Would you like to be notified of future stages of the Local Plan? Yes

How would you like to be notified? . By email to my email address

Comment by	Armstrong Rigg Planning (Mr Geoff Armstrong - 1205184)
Comment ID	65
Response Date	27/03/19 15:20
Consultation Point	3.119 Paragraph (View)
Status	Processed
Submission Type	Web
Version	0.1

To which proposed Main Modification does your representation relate? Please state the relevant reference number that you are commenting on from the Schedule of Proposed Main Modifications e.g. MM1

MM34. Dereham Housing Allocation 3 (p.80)

**Do you consider the proposed modification is:
(please mark the appropriate box)**

If you consider the proposed Main Modification to be UNSOUND, please identify which test of soundness your representation relates to?

Please give us details as to why you think the Local Plan with proposed modifications is NOT legally compliant or sound?

In relation to the first sentence of 'Dereham Housing Allocation 3' - We support this proposed amendment as it ensures that the proposed policy is in full accordance with the soon to be approved planning application on the site.

Would you like to be notified of future stages of the Local Plan? Yes

How would you like to be notified? . By email to my email address