

## Comments

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

|                    |                                                                          |
|--------------------|--------------------------------------------------------------------------|
| Comment by         | Dereham Town Council Tony Needham (1203872)                              |
| Comment ID         | 21                                                                       |
| Response Date      | 16/03/19 10:37                                                           |
| Consultation Point | Policy ENV 04 Open Space, Sport & Recreation<br>( <a href="#">View</a> ) |
| 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

Policy ENV 04 Open Space, Sport & Recreation

Do you consider the proposed modification is:  Sound?  
(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?  Is it effective?

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

#### Existing Provision First Line.

The 2015 Open Spaces Assessment is not a comprehensive assessment – for example, there are two major omissions in Dereham – a piece of open space south of Middlemarch Road has been mistakenly omitted in the 2015 Open Spaces Assessment. Also a large parcel of land known as ‘Colin McLean meadow, adj. Dunlop Road/Wavell Road’ is also omitted from the 2015 study. There may well be other omissions across the district.

#### New Provision Third Paragraph.

The overriding principle of the policy is that all new residential developments over 11 units are expected to provide a contribution towards outdoor playing space equivalent to 25.6m<sup>2</sup> per person. By including an area reference it gives the misleading impression that developments may only need to provide 0.8ha per 1000 rather than 2.56ha per 1000. The removal of the end of the sentence would avoid ambiguity.

#### Fifth paragraph - last sentence

The overriding principle of the policy is that all new residential developments over 11 units are expected to provide a contribution towards outdoor playing space equivalent to 25.6m2 per person.

If a development is not making onsite provision - it is intended that the off-site contribution should include the value of land acquisition. This would enable either land to be purchased or other sites improved to allow for the increased intensity of usage, e.g. grass pitch could be changed to all weather pitch to allow for intensification of use.

Amending the wording would make it very clear that the value of land acquisition must be included in the commuted sum. If land acquisition value is not included then there would be a financial advantage for developers to argue that provision off-site is preferable. There would therefore be a perverse incentive not to provide outdoor playing space onsite.

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

Existing Provision First Line

Changing the definition of Open Space in this section to be that of either the Town and Country Planning Act 1980 or the Open Spaces Act 1908, provides the greatest protection for all open space including those omitted, though error from the 2015 Open Spaces Assessment.

New Provision Third Paragraph.

The last sentence should finish after the word 'dwellings'.

Fifth paragraph - last sentence

Last sentence reads "having regard for the need for land acquisition"  
the words "need for" in this sentence should be replaced with "value of".

**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

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|                           |                                                              |
|---------------------------|--------------------------------------------------------------|
| <b>Comment by</b>         | Dereham Town Council Tony Needham (1203872)                  |
| <b>Comment ID</b>         | 20                                                           |
| <b>Response Date</b>      | 16/03/19 10:23                                               |
| <b>Consultation Point</b> | Policy TR 02 Transport Requirements ( <a href="#">View</a> ) |
| <b>Status</b>             | Processed                                                    |
| <b>Submission Type</b>    | Web                                                          |
| <b>Version</b>            | 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**

Policy TR 02 Transport Requirements

**Do you consider the proposed modification is:**  Sound?  
**(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?**  Is it effective?

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

The proposed amendments are welcomed as they make the policy more effective. There is concern about TAs using "appropriate methodologies". "appropriate" could mean anything that somebody feels is appropriate rather than something that is effective. This is an engineering discipline with ample guidance on the subject.

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

change word "appropriate" with "industry recognised" or "nationally recognised" this would provide a much more scientific approach to the Transport Assessment.

**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

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|---------------------------|------------------------------------------------------------------------------------------------------|
| <b>Comment by</b>         | Dereham Town Council Tony Needham (1203872)                                                          |
| <b>Comment ID</b>         | 19                                                                                                   |
| <b>Response Date</b>      | 16/03/19 09:55                                                                                       |
| <b>Consultation Point</b> | Policy HOU 05 - Small Villages and Hamlets Outside of Settlement Boundaries ( <a href="#">View</a> ) |
| <b>Status</b>             | Processed                                                                                            |
| <b>Submission Type</b>    | Web                                                                                                  |
| <b>Version</b>            | 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**

Policy HOU 05 - Small Villages and Hamlets Outside of Settlement Boundaries

**Do you consider the proposed modification is:**  Sound?  
**(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?** . Is it justified?

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

**HOU 05** – while the Town Council had previously had concerns regarding this policy it had not strongly objected because the policy contained the condition that any development required the support of the parish council. now this condition has been removed, it is of concern to the Council.

The policy as worded will affect Dereham because in could include the hamlets of Etling Green and Northall Green which are currently outside a settlement boundary. The stated purpose of the policy is to 'address the social and economic viability of these small hamlets in rural areas'. These two hamlets have access to all services, social activities and employment, within the Town, they do not need growth to address these needs. Dereham has allocated housing growth planned in such a way that it does not impact on surrounding open countryside.

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

The wording of the policy or the supporting text should be amended to make it clear that this policy does not apply to villages an hamlets either within the parish of town or service centre or within reasonable walking or cycling distance of a town or service centre.

**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 agent's email address

## Comments

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

|                           |                                                                                      |
|---------------------------|--------------------------------------------------------------------------------------|
| <b>Comment by</b>         | Dereham Town Council Tony Needham (1203872)                                          |
| <b>Comment ID</b>         | 22                                                                                   |
| <b>Response Date</b>      | 16/03/19 10:48                                                                       |
| <b>Consultation Point</b> | Table 5.3 Summary of exceptions to open space contributions ( <a href="#">View</a> ) |
| <b>Status</b>             | Processed                                                                            |
| <b>Submission Type</b>    | Web                                                                                  |
| <b>Version</b>            | 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**

Table 5.3 Summary of exceptions to open space contributions

**Do you consider the proposed modification is:**  Sound?  
(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?**  Is it effective?

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

Amenity outdoor space requirement is mentioned in the supporting text at 5.52, but the 5.3 suggests that no open space is required sheltered housing schemes etc. This could lead to confusion.

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

For Sheltered housing schemes, nursing homes, controlled hostel accommodation either insert – “refer to paragraph 5.52” or move this to the left hand column.

**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