

Swanton Morley Neighbourhood Plan
Reg.16 Basic Conditions Statement – June 2017

From: Breckland District Council (the Council).

While we welcome the production of this document, the Parish Council has not taken up Breckland Council’s offer to review this document before it was submitted for Reg.16 consultation. Subsequently this means that there has not been the opportunity to improve the content of this document and the Council can only make the Examiner aware of any concerns it has, therefore these representations include both technical and policy comments.

Page and Policy/ Paragraph No	Comment	Justification	Suggested amendments
Whole Plan	This is the first opportunity that the Council has had to review this document. It therefore contains a greater number of formal, rather than informal, representations concerning both policy and technical issues and errors.	To reduce the number of issues and errors within the document.	See below.
Whole Plan	In light of previous advice provided in relation the Reg. 14 Plan, the text in the document is still justified on the right and that national advice on the issue has not been taken account of.	<i>Text should be left aligned. Text that is centred or aligned on the right could be missed.</i> Accessible information on clear print (Sensory Trust information sheet).	Remove justification on the right hand side.
p2	This document, unlike all the other submitted documents, does not make it clear it is available in other formats.		Add text contained in the other documents regarding being available in other formats.
p5, Legal Requirements	It is not clear why para 2.4 and 2.5 are separate paragraphs as they cover the same issue e.g. “excluded development”	Planning & Compulsory Planning Act 2004, 38B 1 (b).	Include in the same paragraph.
p6, Basic Conditions	It is not clear why, in para 3.2, reference is made to the Town & Country Planning Act 1990, Schedule 4B, para 8 (2) (b) & (c) when they do not apply to Neighbourhood Development Plans and this is not addressed here (See comments re p63).	Planning & Compulsory Planning Act 2004, 38C (5) (d).	In para 3.2 remove reference to Town & Country Planning Act 1990, Schedule 4B, para 8 (2) (b) & (c). (See comments re p63).

p60, para 3.8 & 3.9	It is not clear where the Parish have obtained this information regarding which are considered to be 'strategic policies', as there is no record of this being requested from either the Local Plan team or the Neighbourhood Planning Co-ordinator.	Polices Core Strategy & DM polices DC 3, 5,7,8,9,10,12, 18, 9,20 & 21, as well as all the Site Specific Policies are not considered to be Strategic.	
p60, para 3.9	This title would have benefitted from including the date of the document.	To assist referencing.	Add "2009" to end of title.
p61, para 3.10	This title would have benefitted from including the date of the document.	To assist referencing.	Add "2012" to end of title.
p61, para 3.11	This title should make it clear that it is referring to two separate documents by adding the dates of the documents.	To aid clarity.	Add "2015" to end of title of the former and "2016" to end of title of the latter.
p63, para 3.12-4	Paragraph 3.14 is misleading. "The Order" relates to a completely different document; it would never be sought <i>"in relation to the Swanton Morley Neighbourhood Development Plan"</i> .	To aid clarity.	Delete paras 3.12-4 and add text on page p6, para 3.2 where reference to this is first made, to clarify the actual situation regarding Neighbourhood Plan Orders and Development Plans.
p63, para 3.15-7	As above re para 3.17.	As above	As above re para's 3.15-17.
p68, para 3.33	It is not clear why there is no reference to the Reg.16 Screening that was carried out, where only Natural England responded.		
p68/7, para 3.34-3.36	It is noted that in relation to the HRA screening, a screening and an appropriate assessment (AA) have been done together as one assessment, rather than carrying out a "screening", followed by a wider assessment if required; which wasn't.		
p69, para 4.1	Breckland Council will address this issue when the Examiner has issued their report.		

Swanton Morley Neighbourhood Plan
Reg.16 Consultation Statement –June 2017

From: Breckland District Council (Breckland Council).

While we welcome the production of this document, the Parish Council has not taken up Breckland Council's (the Council's) offer to review this document before it was submitted for Reg.16 consultation. Subsequently there has not been the opportunity to improve the content and errors, particularly those made in relation to those made in relation to the plans proposed amendments. Therefore the Council can only make the Examiner aware of any concerns it has, and these representations include both technical and policy comments.

N.B. Consultation Statement referencing refers to the Reg.14 Neighbourhood Plan rather than the Regulation 16 Plan

Page and Policy/ Paragraph No	Comment	Justification	Suggested amendments
Whole Plan	This is the first opportunity that Breckland Council has had to review this document. It therefore contains a greater number of formal, rather than informal, representations concerning both policy and technical issues and errors.	To reduce the number of issues and errors within the document.	
Whole Plan	In light of the below and previous advice made in relation the Reg.14 Plan, the text in the document is still justified on the right and that national advice on the issue has been taken account of ‘	<i>Text should be left aligned. Text that is centred or aligned on the right could be missed.</i> Accessible information on clear print (Sensory Trust information sheet).	Remove justification on the right hand side.
p2	Welcome that document makes it clear it is available in other formats.		
p9, para 3.21 Communication	Breckland Council have not been given the opportunity to engage in any 1:1 pre Reg.14 discussions on the plans progress. We had first asked to meet with the Parish on 30 th August 2016, but this did not occur until 10 th April 2017.	See good practise guide on this issue.	
p13, para 4.11 Sustainability Appraisal Scoping Report	The Parish also carried out a ‘screening’ of the Plan without sending a copy of the plan at this stage, but this was not clear from the title or content of the email.	(See page 75 of Scooping Report July 2016)	
p14, para 4.14	Breckland Council have been advised by both the		

Strategic Environmental Assessment Determination	Environment Agency and Historic England that while they were sent these documents, but it was not clear from the email they received that they were being consulted. This was partially due to a screening normally being done when the first draft of a NP is produced, not after a SA Final Report has been issued.		
p22 para 5.8, 5 th bullet point	Breckland Council were concerned about where printed copies of the plan were being available as the website and the letter sent out did not make any reference to this e.g. as required by Reg14 (a) (ii). We were advised that this was addressed in a newsletter, but this not is made clear as it could have been e.g. "From 12 th January view the Plan at Swanton Morley Village Hall"; it addresses the "where", but not the 'when'.	See page 69 re letter, which makes no mention about availability of paper copies.	
p23 para 5.15 2 nd bullet point	It is not clear where this was where this was advertised.		
p44/45	It is noted that no reference is made to any specific 1:1 meetings as a method.		
p47-59	It is very difficult to read any of these examples.		
p74	Re reported verbal comments from Cllr Bambridge – It is noted that the response here appears to have text missing. In the response on page 194/5, in relation to Council engagement with the NP process, this includes this information, but also includes additional text on funding.		
p101, Appendix 15	As the Parish Council did not circulate the notes of this meeting to the Council for checking, it contains a number of errors (e.g. incorrect personal & job titles), omissions and action not followed through.		For it to be noted these minutes only reflect the Parish view of the meeting.
p105-263, Appendix 16, Pre-submission Consultation responses	It would have been useful to have had a content summary list of all those who responded to the consultation with their reference number. It is noted with concern that the response to a large number of the representations is that they are simply noted.	This would have made it easier to look up individual consultation responses, rather than having to check through all 158 pages of the appendix.	

p190- p262 Breckland's comments	<p>Breckland Councils comments have not been fully qualified; the three parts to the representations made e.g. comment, justification and suggested amendments; which some seem missing.</p> <p>There is concern that the Parish's response is not always clear in relation to some of Breckland's comments as some are not clearly aligned together; it is also not clear why the justification was commented on separately, and in some cases not included e.g. p197 reference to para 174 NPPF re viability testing is missing.</p> <p>Also some of the response comments are not clear e.g. p195, regarding removing the justification on the right hand side; the response relates to text no being requested in other formats rather than the issue of justified text; this response also ignores that fact this may be requested in the future as the plan has a twenty one year period.</p>	See titles at the top of this response for this format.	Make this clearer in the consultation document.
p191	<p>It has not been clarified that the initial timetable deadline May 2017, which unfortunately had not been discussed with or agreed by the Council, was not met by the Parish Council. Also the Council was not informed when the required Reg.15 submission documents would be submitted (as also occurred at the Reg.14 stage).</p>	As the local Planning authority Breckland Council has responsibility for post Reg.15 production.	Agreed timetable should have been provided.
p192, bottom para	Reference to plan being 'adopted' is incorrect.		Neighbourhood Plans are 'made'.
p193, 1 st para	<p>The comments regarding Breckland Councils failure to deliver the emerging LP are noted. It is also noted that the Parish Council did not meet the first deadline of the timetable on p191 e.g. all documents were not submitted until 13.06.17 and an amended Neighbourhood Plan was submitted on 30.06.17.</p>		
p193, 2 nd para	<p>This also does not mention all the other development plan documents being superseded e.g. Site Specific Policies and Proposals. Also it is not clear what is meant by 'related Local Development Framework documents' as this is made up of both development plan documents and project management</p>		

	documents (SCI, LDS & AMR), but the latter will not be superseded by the Neighbourhood Plan.		
p194, 2 nd para	The response that there were no previous versions of the plan to comment on is surprising. All other Parishes have provided informal version of the plan to comment on, as part of the “good practise“ of frontloading.	Text on page 8 makes it clear that between April & November 2016 that “ <i>Policies were developed, drafted and tested.....</i> ” which could have been used to commented on.	
p194, 3 rd para	Regarding the response that Officers have been invited to participate with the development of the SWDP needs to be qualified. These were only for general public events in the evening and weekends, which are not normally attended as due to personal circumstances are not able to be attended at these times. (Also see comments above re p9, para 3.21)		
p259 - 262	See comments made in relation to the Neighbourhood Plan where the “Proposed action” identified in the Consultation Statement has not taken place or alternative wording has been used.		The actual wording used in the Neighbourhood Plan should be reflected in the Consultation Statement, with regarding to para’s: p3, Forward, para 4, 2 nd sentence; p22, para 3.8.2; p28, para 6.8; p34, para 6.33, p39, Map 6; p42/3, para 6.68; p44, Policy 4 (3 changes); p53, Map 8; p64, para 6.161; p92, DPD.
p259	Error re Executive Summary.		Amend ‘ <i>Executive Summary. Paragraph 4-3, 2nd sentence: The text will be amended to match that used in paragraph 3.8.2 3.6.1.</i> ’