

## Swanton Morley Neighbourhood Plan

### Submission Plan for Regulation 16 Consultation

Ref	Received	Organisation	Page and Policy / Paragraph No	Comment	Amendments
01/01	21.07.17	Environment Agency	N/A	We have no comment to make on this Neighbourhood Plan (NP).	
02/01	21.07.17	Sport England	N/A	Withdrawn – noted that the standard letter would have been more appropriate at an earlier stage in the process, but it does not appear that we were consulted at Reg. 14 stage.	
03/01	24.07.17	Northgate High School	N/A	Thank you for your email. This inbox is not managed over the Summer Holidays. The office will be closed from Friday 21st July and will be open again on Wednesday 6th September.	
04/01	24.07.17	Neatherd High School	N/A	Please note that the school is now closed until Wednesday 6th September. This email address will be checked periodically, but please don't expect an immediate reply.	
05/01	11.08.17	Defence Infrastructure Organisation, (on behalf of the Ministry of Defence)	N/A	DIO generally welcomes the changes that have been made to the Plan in response to our earlier representations.	Unfortunately, however, the inclusion within the Neighbourhood Plan of the plan that accompanied our representations – presented as 'Map 3: Housing at Robertson Barracks' - breaches the OS Copyright that DIO holds: the Copyright only allows us to reproduce plans for our own use, rather than publication by third parties. The plan should therefore be removed. Please use the information it shows to amend the plan that was originally in the document. (If the amended plan refers to AHL, the text of the document should clarify their interest in the housing).

06/01	14.08.17	Norfolk Wildlife Trust		We are pleased to see that biodiversity and green infrastructure has been highlighted at several points within the plan. In particular:	
			Page 47, 6.86 Delivery of planning obligations	With regard to these policies, we note that the parish council expresses concerns with regard to the current working of s106 agreements and has proposed a policy that seeks to ensure that s106 agreements deliver the intended measures. Properly working S106 agreements are essential to ensure that green space is adequately managed, wildlife friendly design is incorporated into new developments and that accessibility to wider countryside is improved. We support the aspirations within the plan to ensure that s106 agreements deliver the measures intended.	
			Page 58, Policy 9	We support Policy 9 on provision and management of green infrastructure. In our view, it is critical that measures, including appropriate funding are put in place to enable green space to be managed into the future.	
			Page 65, Policy 11	We support policy 11 on accessibility and biodiversity	
			Page 68, Policy 12	We support references to biodiversity in Policy 12 on design. We suggest adding “and incorporating wildlife friendly measures in design of new developments” to paragraph 1) of the policy. This would flag up need to include bird and bat boxes, design of boundaries to enable movement of species such as hedgehog and inclusion of ponds etc, where appropriate.	
07/01	16.08.17	Amec Foster Wheeler on behalf of National Grid	N/A	An assessment has been carried out with respect to National Grid’s electricity and gas transmission apparatus which includes high voltage electricity assets and high pressure gas pipelines, and also National Grid Gas Distribution’s Intermediate and High Pressure apparatus. National Grid has identified that it has no record of such	

				apparatus within the Neighbourhood Plan area.	
08/01	22.08.17	Natural England	N/A	Natural England does not have any specific comments on this draft neighbourhood plan.	
09/01	29.08.17	Historic England		In general, we welcome this comprehensive and informative NDP document. In line with National Planning Policy Framework (NPPF) policy for plan making (Paragraph 157), neighbourhood development plans should contain a clear strategy for the enhancement of the historic environment throughout. The NPPF also states that planning should, amongst other things, conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for the contribution to the quality of life of this and future generations (paragraph 17). It will, therefore, be important that the strategy you put together for the area safeguards those elements which contribute to the importance of heritage assets. This will ensure that they are enjoyed by future generations of the area, and make sure the NDP is in line with national planning policy	The NDP should identify these designated heritage assets. Often, this identification takes the form of a list, and map - possibly included as part of an appendix - showing their locations.
				Your neighbourhood plan area incorporates 9 listed buildings, including the highly designated fourteenth century Church of All Saints (grade I listed). The plan area also incorporates part of the Hoe Conservation Area.	
			Pages 23 and 24	We are pleased to note that the preservation and enhancement of Swanton Morley's historical assets and character is included as part of the Vision and Objectives on pages 23 and 24 of the NDP, as well as the priority afforded to respecting and protecting local heritage assets in Policy 12. The focus on the preservation of important views and what makes them important is also welcome.	
			Page Policy 12	We welcome the emphasis in Policy 12 on new development preserving and enhancing the character of	However, we suggest that this requirement could be enhanced and the policy

				Swanton Morley, recognising and reinforcing existing styles, density and traditional materials of the area.	strengthened by the addition of an analysis of local materials and styles, to provide more information with respect to the existing character of the neighbourhood plan area. Whilst the aim should not be to make the plan prescriptive in terms of what it considers to be acceptable design or style, an analysis of materials and styles can aid new development in conserving or enhancing the neighbourhood area's character. This analysis could form part of a separate supporting appendix.
			p91, Glossary	We recommend the inclusion of a glossary containing relevant terminology contained in the NPPF, in addition to details about the additional legislation and policy protections that heritage assets enjoy.	In general, we recommend using the terminology 'historic environment', in line with the NPPF.
10/01	31.08.17	Norfolk County Council	Pages 23 and 24	The County Council supports the Vision, Aims and Objectives set out in the Plan. In particular the County Council supports reference to protecting key infrastructure.	
				The County Council is pleased that the comments from the previous consultation (Reg 14) have been included in this neighbourhood plan. And therefore, the County Council has no further comments to make on this neighbourhood plan.	
11/01	01.09.17	Anglian Water	Policy 12: Design of new development	It is noted that policy 12 includes a requirement for a sewage capacity assessment for all residential developments of 10 or more dwellings and all commercial developments. This appears to have been included in response to Anglian Water's comments on the Pre-submission Neighbourhood Plan and is generally supported. It is considered that the requirement for applicants to	<i>'All planning applications for <del>10 or more</del> dwellings or commercial developments will provide a sewage drainage assessment to demonstrate that capacity is available or can be made available in time to serve the development.'</i>

				demonstrate that there is available foul sewerage network capacity or that improvements can be delivered by a reliable mechanism should not be limited to major residential developments.	
			Policy 14: Flooding	<p>It is noted that Policy 14 includes reference to a (foul) water drainage solution being implemented prior to occupation.</p> <p>This appears to have been included in response to Anglian Water's comments on the Pre-submission Neighbourhood Plan and is generally supported.</p> <p>A foul drainage solution will be only be required when Anglian Water identifies a need for mitigation within the foul sewerage network. There will be developments which can connect to the foul sewerage network without mitigation being required following an assessment by Anglian Water.</p> <p>For clarity it suggested that the wording is amended to make it consistent with the requirement of Policy 12.</p> <p>Anglian Water supports the requirement for applicants to include the provision of Sustainable Drainage Systems (SuDS). The use of SuDS would help to reduce the risk of surface water and sewer flooding.</p>	<i>'Any <del>water</del> foul drainage solution to be implemented prior to occupation'</i>
12/01	01.09.17	Gladman	Policy 1: Protecting the Identity of Swanton Morley	<p>Policy 1 seeks to limit development outside the built up area boundary of Swanton Morley and prevent the visual break between Dereham being reduced. Gladman are disappointed to note that the concerns we raised at the Regulation 14 consultation in response to this policy have not been addressed and would like to re-iterate our thoughts regarding the use of such as policy.</p> <p>Gladman object to the use of built up boundary limit, as this would act to contain the physical growth of Swanton Morley without fully considering what result this policy will place on BDC's ability to deliver its full OAN. The use</p>	In light of this, we consider a more flexible approach consistent with the requirements of the Framework is required and the submit the following wording for consideration: <i>'When considering development proposals, the SMNP will take a positive approach to new development that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. Applications that accord with the policies of the Development</i>

			<p>of such a settlement limit would not accord with the positive and flexible approach required by the Framework and would be inconsistent with §14, §47 and §49. Further to this, there is no evidence to demonstrate that any significant development will come forward within the existing built form on previously developed land. Development proposals that are located outside the built up boundary should not be considered in conflict with the neighbourhood plan.</p> <p>Gladman also submit that new development can often be located between neighbouring towns and villages without leading to the physical or visual merging of settlements, eroding the sense of separation between them or resulting in the loss of openness and character. In such circumstances, we would question the purpose of a such a limiting policy, particularly if this would prevent the development of otherwise sustainable and deliverable housing sites coming forward.</p>	<p><i>Plan and the SMNP will be supported particularly where:</i></p> <ul style="list-style-type: none"> <li>- <i>Providing new homes including market and affordable housing; or</i></li> <li>- <i>Opportunities for new business facilities through new or expanded premises; or</i></li> <li>- <i>Infrastructure to ensure the continued vitality and viability of the neighbourhood area.</i></li> </ul> <p><i>Development adjacent to the existing settlement will be permitted provided that any adverse impacts do not significantly and demonstrably outweigh the benefits of development.'</i></p>
		Policy 7 & Policy 8 – Local Green Spaces & Protection of Open Space	<p>Again Gladman expressed concern over policies 7 and 8 at the previous round of consultation and again wish to highlight the below. These policies seek to allocate and protect land as Important Open Spaces and Local Green Spaces. The designation of land as Local Green Space (LGS) is a significant policy designation and effectively means that once designated, they provide protection that is comparable to that for Green Belt land. As such, the Parish Council should ensure that the proposed designations are capable of meeting the requirements of national policy. The Framework is explicit in stating at paragraph 77 that 'Local Green Space designation will not be appropriate for most green areas or open space'. With this in mind, it is imperative that the plan-makers can clearly demonstrate that the requirements for LGS designation are met. The</p>	<p>As such, this brings into question whether all of the proposed designations are capable of meeting all three tests required by National Planning Policy. Gladman recommend that the Parish Council take the time to investigate this matter and undertake the necessary evidence to support each designation.</p>

				<p>designation of LGS should only be used:</p> <ul style="list-style-type: none"> <li>☒ Where the green space is in reasonably close proximity to the community it serves;</li> <li>☒ Where the green area is demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and</li> <li>☒ Where the green area concerned is local in character and is not an extensive tract of land.</li> </ul> <p>It appears that no evidence has been provided to support the proposed designation identified at Policy 7 and Policy 8.</p>	
			Policy 10 – Important Views	<p>New development can often be located on the edge of built areas without resulting in the loss of openness, character or views considered to be important by the local community. Quite often the delivery of new sustainable development proposals can enhance existing landscape settings and provide new vistas and views to the surrounding area.</p> <p>Notwithstanding the above, Gladman raise concerns with this policy in relation to the second paragraph of this policy. The Plan as currently proposed provides no clarity on what would amount to a significant effect on the landscape and views of the area, we therefore have reservations over how this policy will be applied in a consistent manner through the development management process.</p>	Opinions on landscape and views are highly subjective, therefore, without further clarity, this policy will likely lead to inconsistencies in the decision making process.
			Policy 12 – Design of Development	<p>This policy sets out the design principles that will be applied to residential development proposals in the Neighbourhood Plan Area.</p> <p>The Parish Council should ensure that the design principle adhered to are not overly onerous to render development</p>	Plans should not contain such policies that would add financial burdens to a scheme which would render a scheme unviable. The objectives of the Framework are for good design whilst still enabling sustainable

				<p>unviable. The Framework is clear ‘design policies should avoid unnecessary prescription or detail and should concentrate on guiding the overall scale, density, massing, height, landscape, layout, materials and access of new development in relation to neighbouring buildings and the local area more generally.’</p>	<p>development to come forward viably.</p>
			<p>Policy 15 – Housing Mix</p>	<p>This policy seeks to define a specific housing mix that all development in the Neighbourhood Plan Area will be required to meet.</p> <p>Whilst recognising the importance of this policy, the housing mix and tenure required can alter and the evidence supporting this position only reflects a single point in time. Accordingly, there may be a need to divert from Policy 15 where development could be found unviable.</p>	<p>It is therefore recommended that ‘subject to viability’ and ‘any future housing needs evidence’ be reflected in the policy wording to ensure a more flexible approach.</p>
13/01	01.09.17	Breckland District Council		<p><i>See Decision Report and Appendix A &amp; B</i></p>	