

POLICY / PARAGRAPH NO	EXAMINER'S PROPOSED MODIFICATION	CONSIDERATION OF EXAMINERS PROPOSED MODIFICATION	ACTION TO BE TAKEN
<b>Policy 2: Growth in the Right Places</b>	<p>The primary focus of new residential development in the Swanton Morley Neighbourhood Plan area will be within the three allocated housing sites identified on the Map 5 as:</p> <p>1) LP(098)013; 2) LP(098)014; and 3) LP(098)016</p> <p>Planning applications for <b>up to 205 dwellings on</b> these three allocated residential sites will be supported where they comply with the other policies within the Swanton Morley Neighbourhood Plan and the requirements of other development plan policies.</p>	Agree that the Modification clarifies the basis on which the Appropriate Assessment was made.	Accept recommendation
<b>i) Paragraph 6.11</b>	The Pre-Submission version of the Breckland Local Plan, notes in following a further review of the SHMA that draft Policy HOU 01 notes that to enable the District to meet future housing needs the Local Plan will provide for no less than 15,298 new homes between 2011 and 2036, an average of 612 dwellings per annum. The draft text in paragraph 6.11 should include this larger figure.	The Proposed Modification clarifies the approach taken by the amended policy.	Accept recommendation
<b>ii) Paragraph 6.24</b>	I agree that the supporting text should be amended by the deletion of paragraph 6.24 as this is incorrect and unnecessary.	The Proposed Modification clarifies the approach taken by the amended policy.	Accept recommendation
<b>iii) Paragraph 6.33-6.34</b>	I agree with the previous examiner that references to meeting the five-year housing land supply target is a matter for the emerging Local Plan. These paragraphs should be deleted.	The Proposed Modification clarifies the approach taken by the amended policy.	Accept recommendation
<b>iv) Paragraph 6.35</b>	This paragraph should be amended to read: "It is the intention of the Swanton Morley Neighbourhood Plan that new housing development should meet the costs associated with relevant enhancements required to mitigate the impacts onto social and physical infrastructure impacts as appropriate".	The Proposed Modification clarifies the approach taken by the amended policy.	Accept recommendation

<p><b>Policy 3: Enabling Growth on Sites</b></p>	<p><u>Masterplanned proposals for the development in conjunction of the three linked housing allocation sites identified in Policy 2, including the following specific provisions offered as planning obligations, together with the expectations identified in Policy 6, will be supported; Development on sites LP(098)014 and LP(098)016 is to be in conjunction with site LP(098)13, and:</u></p> <ul style="list-style-type: none"> <li>a. site LP(098)014 will include provision within the site for around 40 car park spaces to serve the school with a safe road crossing point and local improvements of Manns Lane to be agreed with the Highways Authority;</li> <li>b. site LP(098)016 will be required to improve Hoe Road East to include provision for two-way traffic taking account of the requirements of the Cemetery on the north of the road to be agreed with the Highways Authority;</li> <li>c. the northern border of site LP(098)016 will be screened by hedging and landscaping and with any new dwellings positioned along this border being of a maximum height of 1.5 storeys;</li> <li>d. provision of a continuous vehicle, cycle and pedestrian access from Rectory Road to Manns Lane; and</li> <li>e. provision of a footpath and cycleway from Rectory Road to Manns Lane</li> </ul>	<p>Agree that a masterplan approach would provide a framework for the development of these sites and minor amendments provide clarity for the policy.,</p>	<p>Accept recommendation</p>
<p><b>Enabling Growth on <u>Allocated Sites</u></b></p>	<p>6.44. <del>The allocated housing s</del> Sites <u>will LP(098)014 and LP(098)016 have the ability to</u> cater for the future predicted growth of Swanton Morley and <del>to</del> deliver additional site specific community benefits <del>whilst directly</del> <u>whilst</u> mitigating the impact of these <del>possible</del> developments on the village.</p> <p>6.45. Within emerging Breckland Local Plan Preferred Options and Settlement Boundaries both sites are identified as 'alternative options', with site LP(098)016 to be developed in conjunction with sites LP[098]013 and/or LP[098]016. <u>The SMNP includes these three contiguous sites LP[098]013, LP(098)014 and LP(098)016 as effectively a single larger housing site with capacity for up to 205 dwellings following HRA screening and Appropriate Assessment in December 2018. SMPC will support the comprehensive masterplanning of these three linked sites to provide the improvements expected as outlined in this policy to improve and enhance safe vehicular and pedestrian movement on the local road</u></p>	<p>The Proposed Modification clarifies the approach taken by the amended policy.</p>	<p>Accept recommendation</p>

network and allay cConcerns about road safety for school children around the school has been raised by local residents through the consultation process; with parents struggling to safely stop to drop off or pick up their children of the start and end of the school day

~~6.46. Concerns about road safety for school children around the school has been raised by local residents through the consultation process; with parents struggling to safely stop to drop off or pick up their children of the start and end of the school day.~~

6.467. With the large number of cars sharing the same space as pedestrians and even school children trying to cycle to school (as shown in the above picture).

6.478. The location of site LP(098)014 has the ability to facilitate a safe place for parents to stop and drop off or pick up their children; by incorporating a an off road pick-up drop-off 40 space car park area ~~which could then be~~ linked to the school through a safe road crossing. Other road safety measures could also be provided on Manns Lane; ~~20mph speed limit, a 'road table'~~ to aid crossing points and to reduce vehicle speeds, as. ~~As illustrated on Map 6, in 'Car Park for 40 no. Cars' and suggested 'X Safe Crossing Point'.~~

6.489. Below is an example of a safe parking facility recently installed at Wicklewood School near Wymondham.

6.4950. Hoe Road East, in part, is a ~~very~~ narrow single width lane with neither a footpath nor cycleway. It has been recognised through Breckland District Council's Local Plan consultations that it is not currently suitable for access to sites LP(098)014 and LP(098)016.

6.510. Whilst it is possible to access site LP(098)014 from Manns Lane and site LP(098)016 as a continuation of either LP(098)014 and/ or LP(098)013 sites, there is a requirement to improve the road network in this area of the village.

**Map 6: Hoe Road East: Illustrative Lay-by Parking, Road Widening and Car Park**

6.512. Enhancements to the road network would improve connectivity of the village, enabling safe access for vehicles, cyclists and pedestrians. This could be achieved through either a continued vehicle, cycle and pedestrian access from Rectory Road through to Manns Lane within sites LP(098)014 and LP(098)016 or through the widening of Hoe Road East to enable two-way traffic,

	<p>a footpath and cycle path from Rectory Road to Manns Lane. As illustrated on Map 6 in 'pink'.</p> <p>6.523. <del>Proposals for development These enhancements</del> should also include the provision within site LP(098)016 for <del>a lay-by style parking facility, to accommodate six cars, convenient for which could be used by</del> those attending funerals at the cemetery. <del>This should be located opposite the cemetery. As illustrated on Map 6 in pink 'Lay-by for 6 no. Cars'.</del></p> <p>6.534. <del>Development adjacent to</del> The northern border of site LP(098)016 should be screened from the cemetery by hedging and landscaping <del>to that provides a degree of</del> privacy for those attending the cemetery. In addition, any new dwellings positioned along this border should be <u>designed</u> to a maximum height of 1.5 storeys.</p> <p>6.545. <del>Proposals which offer traffic calming measures in association with the widening of Hoe Road East If the chosen option is to undertake the widening to Hoe Road East these improvements need to be mindful to ensure the road design incorporates traffic calming measures necessary to prevent excessive speed will be encouraged along becoming an issue on this very straight road. Suggested location illustrated on Map 6 in 'X Priority Traffic Management Gates'. Picture illustrates an example from another parish.</del></p> <p>6.556. <b>Ambition:</b> This policy seeks to ensure the sustainable growth of Swanton Morley whilst providing specific benefit to the local community associated with <u>development of allocated housing</u> sites -LP(098)014 and LP(098)016.</p>		
<p><b>Policy 4: Housing for the Local Community (Local Lettings)</b></p>	<p>In order to meet the housing needs of the parish, <u>proposals which make provision by way of a s106 agreement the plan seeks to ensure for that</u> eligible households with a local connection to the parish of Swanton Morley are given preference <u>for the lifetime of the development on first let in relation to up to 33% of</u> new affordable housing for rent <del>developed on the sites LP(098)014 and LP(098)016 will be supported, being sites allocated by the neighbourhood plan over and above those already allocated by the local authority.</del></p> <p><b>A local connection is defined by one or more of the following;</b></p> <ul style="list-style-type: none"> <li>• Households containing one or more individuals who have resided within Swanton Morley parish for the last three years</li> </ul>	<p>Agree that the Modifications add further certainty regarding how the policy will be delivered.</p>	<p>Accept recommendation</p>

	<ul style="list-style-type: none"> <li>• Households who need to move to Swanton Morley Parish to give or receive support from or to a close family or relatives who are residents of Swanton Morley</li> <li>• Households where one or more member has been employed within the parish of Swanton Morley for three years</li> <li>• Former residents of Swanton Morley parish who have lived in the parish for at least <del>3</del><u>three</u> years of the past <del>6</del><u>six</u> years</li> </ul> <p>If at the time of letting there are no eligible household with a local connection, and/or the pool of eligible applicants with a local connection has been exhausted, allocations will be made in accordance with the local housing authority's prevailing housing allocation policy and associated district-wide local connection criteria. <del>The final percentage and mix of housing types will be determined by the local authority based on housing need in the area and taking into account any other relevant matters such as viability, deliverability and prevailing local and national policy. Matters of eligibility and priority will be determined in accordance with the prevailing housing allocations policy of the local housing authority.</del></p>		
<p><b>6.60. Housing for the Local Community (local Lettings)</b></p>	<p>6.61. A key housing issue for Swanton Morley is affordability with average house prices too high for those on average incomes resulting in on affordability ratio of over 1:6.2 (Source: Housing Needs Survey Report for Swanton Morley produced by Breckland District Council in October 2015).</p> <p>6.62. There is a requirement within the Core Strategy to provide 40% affordable houses within any new development. The Parish Council, through a 'local lettings policy', support <u>households</u> <del>individuals</del> in housing need with a local connection to access these <del>same</del> dwellings <u>provided as affordable rented homes</u>.</p> <p>6.63. The recent development of 52 dwellings, of Rectory Road, included 18 affordable dwellings although no residents of Swanton Morley were able to access these. <del>See Appendix 6 for Orbit's letter confirming.</del></p> <p>6.64. Breckland District Council has conducted a detailed study of the housing needs for Swanton Morley with the report being issued in October 2015. This study investigated housing need and concluded there is a local requirement and need for affordable housing in Swanton Morley; with 17 households being identified in need.</p>	<p>The Proposed Modification clarifies the approach taken by the amended policy. Also with agreement with the Parish, the reference to the Appendixes were removed in para 6.63 &amp; 6.73 as they no longer appear in the plan.</p>	<p>Accept recommendation</p>

6.65. All 17 households contained someone wanting to move in the next five years and all of these had a connection to Swanton Morley; either current residents or people who had formerly lived in the village.

6.66. The demographics of Swanton Morley and the 'baseline data' for Swanton Morley, contained within the Sustainability Appraisal Scoping Report, supports action to be taken to enable younger people to remain within the community they have grown up in.

6.67. As demonstrated in the Housing Need Survey for Swanton Morley, local need supports a 'local letting' policy that will address the situation for the local community. This means that priority for some affordable housing on all new developments will be given to local people.

~~6.68. The emerging Breckland Local Plan seeks to allocate 85 new dwellings to Swanton Morley to 2036 of which 34 dwellings will be affordable housing (as per Policy DC4 of the Core Strategy and Development Policies). Whilst 17 households have been identified with a need over the next five years the number of affordable homes to be set aside under the 'Local Lettings' policy is to be up to a maximum of 33% (actual number to be calculated based on identified need recorded on the housing register and recognising that some of the local people may be able to meet their own need in the medium term).~~

~~6.69. When a property is allocated under the 'Local Lettings' policy the cascade is used to allocate the property to households on Breckland District Council's housing register. Therefore, someone on the housing list who has a local connection (as defined within the cascade criteria in Policy 4) would be prioritised above someone who does not have a local connection even if their identified need is higher on the housing register list.~~

6.70. Not all affordable housing can be allocated with a 'Local Lettings' policy because Breckland District Council has a statutory duty to house some people and needs new affordable housing to meet these duties, including the provision of other affordable housing tenures.

6.71. The 'Local Lettings' policy will apply to the first let of affordable rental housing and subsequent lets during the lifetime of the development, based on local need and connection. This will be managed by Breckland District Council, as they already do for affordable housing on 'exception sites', Should there be

	<p>no local need, properties will be offered to meet a general district wide housing need (i.e. will be offered to the household in the highest housing need).</p> <p>6.72. The 'Local Lettings' policy only applies to Affordable Rent Tenure (rents are set at 80% of the local market rent). The 'Local Lettings' policy will not apply to intermediate tenure options such as shared ownership (part buy and part rent) or discounted market housing (sold at a percentage of open market price). Although any developer will be encouraged to advertise these properties locally first to encourage local people <u>in housing need</u> to <del>purchase rent</del>.</p> <p>6.73. A Freedom of information request (FOI) was made to Breckland District Council on 22nd March 2017 to confirm that 20 people on the Housing Register that reside in Swanton Morley and 168 do not live in Swanton Morley, but have expressed a desire for an affordable property in Swanton Morley. <del>See Appendix B for the full response.</del></p> <p>6.74. <b>Ambition: This policy seeks to create the opportunity for Swanton Morley <u>households</u> <del>residents</del> or those with connections to Swanton Morley, who are <u>in housing need on the housing register</u>, to have the ability to access affordable housing in Swanton Morley.</b></p>		
<b>Objective d)</b>	<b>Re-instate</b>	Agree that as the policy has been reinstated, it makes sense to re-instate the objective.	Accept recommendation
<b>Policy 6: Delivery of Planning Obligations</b>	<p>Where a planning obligation is <u>necessary</u><del>required</del> in relation to development proposals on land within the Neighbourhood <del>Plan</del> Area, the Applicant shall provide a supporting statement that identifies how their proposals take into account <u>and provide appropriate</u> local community infrastructure <u>in mitigation</u><del>requirements</del>.</p> <p>Applicants are <u>encouraged to seek</u> <del>advised that</del> early engagement with the Parish Council <u>and Breckland District Council</u> to <u>establish the scope of seek local input to any such statement</u> <del>is encouraged</del>.</p>	Agree that the Modifications provide further clarification to aid its implementation.	Accept recommendation
<b>6.86 Delivery of Planning Obligations</b>	<p>6.87. The Localism Act 2011 has at its heart the desire to enable local communities the ability to have a say and get involved in how their villages and towns are administered to deliver their future aspirations.</p> <p>6.88. Local Planning Authorities, through planning obligations and conditions applied to the granting of planning permissions, can set requirements on a</p>	The Proposed Modification clarifies the approach taken by the amended policy.	Accept recommendation

particular development to deliver with that development benefits and/or requirements to mitigate the impact of that development.

6.89. The delivery of the planning obligations is usually through agreement of the interested parties who give their commitment by signing a legal contract called a 'section 106 agreement'.

~~6.90. It is recognised that Breckland District Council, as the Local Planning Authority, has a large number of section 106 agreements to negotiate, agree and enforce across the district. There are examples where they have entered into such agreements without a full understanding of the local situation or knowledge.~~

~~6.91. In recent section 106 agreements Swanton Morley Parish Council has been excluded from adding the local knowledge, negotiating the specific requirements, nor has it been 'allowed' to be a signature to the agreements.~~

~~6.92. Having been denied the ability to view section 106 agreements on planning applications in the Swanton Morley parish, and having been advised (incorrectly) by the Breckland District Council that it is not legally allowed to be a party to section 106 agreements. This lack of transparency, and incorrect advice, has resulted in the desired infrastructure improvements, as agreed by the Breckland District Council, not being delivered by the developer. The result of the actions of the Breckland District Council has resulted in taxpayers' money, c£32,000, has had to be used to complete the infrastructure works to the required standard as the section 106 failed to. See Appendix 7 for more specific details, timescales and those directly involved in the situation.~~

~~6.93. Ensuring that Swanton Morley Parish Council is a party to each section 106 agreement will ensure that the infrastructure promised within the parish of Swanton Morley will be delivered and will encourage openness and transparency between the developer, the Breckland District Council and the local community.~~

~~6.94. Housing and other development will be expected to contribute towards improving local services and infrastructure (such as transport, education; library provision, fire hydrant provision, open space etc....) through planning obligations (via a section 106 agreements and/or section 278 agreements) or Community Infrastructure Levy, if implemented; or use of planning conditions.~~

6.95. As there ~~is~~are likely to be planning obligations identified which will be necessary to provide improvements to physical and social infrastructure as part of future development in Swanton Morley, the Swanton Morley Parish Council would like to assist Breckland District Council to deliver appropriate ~~the best~~ outcomes for the residents of Swanton Morley.

6.96. With the involvement of Swanton Morley Parish Council in consultation with developers and Breckland District Council concerning any section 106 agreements detailed local knowledge will encourage appropriate identification of potential adverse impact and mitigation measures ~~it would enable a positive local approach with more detailed local knowledge~~ being applied. This policy approach will assist Breckland District Council in ensuring that ~~it would allow easier checking to ensure the~~ obligations are ~~being~~ implemented in accordance with these agreements and the early identification of the manner expected by all parties with any deficiencies identified early in the delivery and to aid corrective steps to be taken by the District Council. ~~6.97 Whilst the Swanton Morley Parish Council would encourage involvement as a consultee on section 106 agreements it recognises that the scope for signatory should be limited to recreational and open space, any enhancements and additional community requested benefits.~~

**6.98 Ambition:** This policy seeks to harness theenable local knowledge of Swanton Morley Parish Council and encourage liaison between developers with involvement by Swanton Morley Parish Council and Breckland District Council to deliver appropriate better social and physical infrastructure facilities outcomes ~~for the local~~ residents of Swanton Morley through planning obligations associated with development proposals.

**6.99 Community Feedback:** Consultation on the emerging Neighbourhood Plan revealed the following key issues in relation to this theme that the policy seeks to address:

√ New developments should demonstrate how 'open space' areas are to be managed and maintained in a sustainable way: 100% strongly agree, or agree and with no one disagreeing

√ More affordable housing specifically for local people and/or first time buyers  
92% strongly agree, or agree and with 8% unsure and zero% disagree

	<p>√ New development should provide new community facilities and services: 95% strongly agree, or agree and with 5% unsure and zero% disagree</p> <p>√ Ensure infrastructure expands with new development: 100% strongly agree</p> <p><b>6.100. The following plans, documents and strategies support Policy 6:</b></p> <ul style="list-style-type: none"> <li>• National Planning Policy Framework</li> <li>• Localism Act 2011</li> <li>• Town and Country Planning Act 1990</li> <li>• Swanton Morley Neighbourhood Plan Sustainability Appraisal Scoping Report (July 2016)</li> <li>• Swanton Morley Village Appraisal Report (2004)</li> </ul> <p>6.101. Contributes to and supports Swanton Morley Neighbourhood Plan Objectives (a), (d), (f) and (h).</p>		
<b>Policy 7: Local Green Space</b>	<p><b>The Neighbourhood Plan designates the following three locations as Local Green Spaces (as shown on Map 8: Local Green Space)</b></p> <ol style="list-style-type: none"> <li>1) Gray Drive;</li> <li>2) Thompson Close; and</li> <li>3) Middleton Avenue.</li> </ol> <p>Applications for development which would adversely affect the function, and <del>essential open local</del> character of designated Local Green Space will not be <del>supported</del> <del>permitted</del> unless very special circumstances can be demonstrated.</p>	Agree with minor amendment which reflects national guidance.	Accept recommendation
Para 6.109.	No alteration to the supporting text is necessary, other than in paragraph 6.119 of the submission version where Local Green Space should be expressed as a proper noun e.g. <b><i>A detailed assessment and justification for the designation of the three <u>L</u>ocal <u>G</u>reen <u>S</u>paces against the principles set out in the National Planning Policy Framework can be found in Appendix 2.</i></b>	The Proposed Modification addresses a formatting error.	
	No alteration to Map 8 in the SMNP submission version is required.	The Proposed Modification clarifies the approach taken by the amended policy.	
<b>Policy 14: Flooding (insert new 9<sup>th</sup> bullet point)</b>	<ul style="list-style-type: none"> <li>• During construction <b>of</b> any proposed allocated sites a Construction Environmental Management Plan is required to be produced and agreed in writing by the LPA prior to commencement of any works (include ground clearance) and include specific measures to avoid issues relating to surface water management; and</li> </ul>	Agree with minor amendment.	Accept recommendation

<p><b>Policy 15: Housing Mix</b></p>	<p>Delete Policy 15 and the supporting text in paragraphs 6.201-6.222 inclusive of the SMNP and all related references to this policy in the Plan.</p> <p><b>Policy 15: Housing Mix</b>  <del>New Developments of more than ten dwellings should (where supported by an appropriate evidence base as determined by the local authority) provide a mix of dwelling sizes, in both market and affordable, that fall broadly within the following specified mix. Mix:</del></p> <ul style="list-style-type: none"> <li><del>• 1-bedroom dwellings: range 10% to 15% of all dwellings</del></li> <li><del>• 2-bedroom dwellings: range 25% to 30% of all dwellings</del></li> <li><del>• 3-bedroom dwellings: range 30% to 40% of all dwellings</del></li> <li><del>• 4-bedroom and larger dwellings: range 15% to 20% of all dwellings</del></li> </ul> <p><del>Developments that wish to provide a higher percentage of 1 and 2 bedroom dwellings in lieu of larger (3 plus bedroom dwellings) will be welcomed.</del></p> <p><del>The final mix of housing types will be determined by the local authority based on appropriate up to date housing need evidence as determined by the local authority and taking into account other relevant matters such as viability, deliverability and prevailing local and national policy.</del></p>	<p>Agree with the Examiners rational for deleting the policy and supporting text.</p>	<p>Accept recommendation</p>
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