

# Saham Toney Neighbourhood Development Plan 2019 - 2036

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## **Further Comments of the Independent Examiner**

**Prepared by**

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**13th April 2021**

## Introductory Remarks

1. As you are aware, I am conducting the examination of the Saham Toney Neighbourhood Plan.
2. Following the online hearing which took place on 17<sup>th</sup> February 2021, I was finally able to make my site visit to Saham Toney on 29<sup>th</sup> March 2021. I spent the whole morning becoming familiar with the village, and in particular, the allocation sites, the rural gap, the heritage assets, the different landscape zones and the key views and the proposed local green spaces. I also noted the streams that ran through the parish which cause the flooding issues. I was also able to gain an impression of the relationship of Saham Toney with the adjacent town of Watton and the facilities that it can offer.
3. My current view is that I will not need to hold any additional public hearings and in fact, I have commenced drafting my examination report.
4. My site visit and the matters that I have been considering in more detail, have prompted a number of questions in my mind, upon which I am now seeking further information or clarification from the Parish Council and / or in some cases Breckland Council.

### Policy 2B- New Residential development Within the Settlement Boundary

5. It appears that the areas of landscape and visual sensitivity, are only attributed to what the plan refers to as the settlement fringe areas, which are shown in Table 7A.1 – FA 1-8. All of these zones appear to be covering land which lies outside the settlement boundary as shown on Map 2A. The first criterion a) of this policy, covers these areas of landscape/ visual sensitivity, but as they are not within the settlement boundary. Can the Parish Council explain how are they relevant to a policy dealing with new development within the settlement boundary?

### Policy 2D- Affordable Housing

6. We discussed this policy at length at the hearing and I was subsequently sent a copy of the Breckland Allocation Policy and I have paid particularly close attention to the part of the policy dealing with neighbourhood plans and in particular the following relevant sentence:  
“Where a community adopts a neighbourhood plan that facilitates additional housing supply, by allocating sites within their neighbourhood plan for housing **over and above those sites already allocated by the local authority** to meet the district wide need...”.
7. My question, which is directed to Breckland Council is, in view of the fact that the District Council has not actually allocates sites in Saham Toney, how does it see that Allocation Policy working in a neighbourhood plan area without any local authority allocated sites? If it is relying on parish’s, meeting, and then exceeding the housing figures allocated in the Breckland Local Plan, does it

explicitly need to agree the split of the sites proposed by the Parish Council which is set out in paragraph T2D1, as to what are the sites are to be treated as delivering the extra housing above that required by Breckland Local Plan.

8. It could be argued that the neighbourhood plan has chosen only to include STNP1 as a site, which is of a size to require affordable housing, within the list of those sites delivering the 33 units, all the other sites chosen in the list are under 10 units. A different combination of sites, say sites STNP4, 8 and 16 could equally deliver the “required 33 units’ and that combination would deliver additional affordable housing to meet the district wide need referred to in the Allocation Policy? Is Breckland Council happy with the approach being taken by the Parish Council, which seems to skew the “additional sites” to include the larger sites which will deliver affordable housing with a local connection condition attached.
9. It appears that the allocation policy was last revised in 2016 which was before the Local Plan was adopted. Was it, at that time, expected that the local plan would be allocating sites rather than leave it entirely to neighbourhood plan, where they are being prepared?

#### **Policy 2H Site Allocation STNP1- Grange Farm**

10. This and other site allocations refer to brownfield land, but what I saw on my site visit was that these were mostly agricultural sites. The Neighbourhood Plan’s Glossary refers the reader to the definition of brownfield land as used in the NPPF, but that definition excludes from the definition of brownfield sites “Land that is or was last occupied by agricultural or forestry buildings”. Does the Parish Council wish to offer another definition of brownfield site?

#### **Policy 2I Site Allocation STNP 2- Disused Piggery**

11. On my site visit, I was struck by the restricted width of the access. I was initially going to seek confirmation from Norfolk CC, as Highway Authority (LHA), there was sufficient width, to avoid vehicles having to reverse a considerable distance onto Hills Road. However, upon reading the AECOM Traffic Study, I was surprised to read that “The existing access width of circa 4.9m would safely facilitate two-way vehicle movements”.
12. I attempted to measure the width, using Google Earth which seems to indicate a width of less than 4 metres but I accept that is less than accurate. Can I ask that the Parish Council measures the width, at a range of points, along the access way, between the edge of the hedgerow and the neighbouring fence and show the dimensions on a plan? That will then confirm or otherwise whether the conclusions of the AECOM report are correct

#### **Policy 2O Site Allocation STNP 15 – Richmond Road**

13. I note that the Traffic Report, states that the Highway Authority, at that stage objected to the allocation, until it has been demonstrated to the satisfaction of the LHA, that an acceptable access can be provided. Can the Parish Council

confirm that the LHA is now satisfied that an acceptable access can be delivered based on the site access and visibility splays contained with the document?

### **Policy 2P Site Allocation STNP16 – Richmond Hall**

14. I note that the access to the open space proposed through Policy 2Q is proposed to be via a narrow pedestrian link adjacent to the Richmond Hall boundary. I am assuming that this large area of publicly accessible parkland will attract people from the rest of the village, beyond walking distance and indeed possibly residents of Watton. Has any thought been given by the Parish Council as to where these users of the open space would park? With the masterplan, as shown in Map 2G.2, would they just rely on street parking?
15. Does the Parish Council propose that there should be a policy linkage between the delivery of the housing on Site STNP16 and the granting of the public rights of access, to the open space proposed in Policy 2Q and would the Parish Council welcome such a policy requirement, that could then be incorporated into a Section 106 Agreement?

### **Policy 3C – Site Access and Onsite Street Layout**

16. Is it the parish Council's expectations that the access requirements set out in the site allocation access plans, Maps 2 F1- 2F-9 and the access requirements set out in the masterplans should take precedence over Policy 3Ca) even if the LHA still objects to the allocation?

### **Policy 3D – Parking**

17. Does the Parish Council have a view whether I should recommend introducing a policy to require facilities for the on-site charging of electric vehicles, being incorporated for new development?

### **Concluding Remark**

18. I am sending this note direct to Saham Toney Parish Council, as well as Breckland Council.
19. In order that I can continue drafting my report , I would ask for a response to the above matters, ideally by 5pm on Wednesday 28<sup>th</sup> April 2021. Please let me know if this timeframe will pose a problem.
20. I will be grateful, if a copy of this note and any subsequent responses are placed on the appropriate neighbourhood plan websites.

John Slater BA (Hons), DMS, MRTPI

John Slater Planning Ltd

Independent Examiner to the Saham Toney Neighbourhood Development Plan.

12<sup>th</sup> April 2021

