

Saham Toney Neighbourhood Plan (NP)- Examiners Report Recommendations

Appendix A

Key: TCPA - Town and Country Planning Act 1990

N.B. Any grammatical errors in the Examiners Report Recommendations have not been repeated.

Page and Policy / Paragraph No	Examiner's proposed Recommendations	Consideration of Examiners proposed Recommendations	Action to be taken
The Plan as a Whole	<i>That minor changes to the text of the neighbourhood plan document which are required as a result of my recommendations, should be agreed between Saham Toney Parish Council and the Breckland Council, including any necessary changes to punctuation, formatting or paragraph numbering or other presentational issues.</i>	While Breckland Council suggested this issue was addressed, it has invited and received suggested further amendments regarding this from the Parish Council. The Examiners role is to consider whether the Plan meets the Basic Conditions, relevant regulations and legislation. Under the Town and Country Planning Act (1990) Sch. 4B, 12, (6 (e) it is clear that the legal responsibility to make the final decision on any such 'errors' sits with Breckland as the Local Planning Authority.	Accept the recommendation, subject to the provisions within the relevant legislation which make it clear that the legal responsibility to make the final decision on any minor changes to the plan sits with Breckland Council as the Local Planning Authority.
Policy 1: Services, Facilities and Infrastructure	<i>In P1.1, replace "shall demonstrate" with "will be supported subject to", delete "social". Delete P1.2 and P1.3. In P1.4 delete "the timing of" and add to the end of the sentence, "either through on-site provision or through the making of a proportionate financial contribution which meets the tests set out in Regulation 122 of the Community Infrastructure Levy Regulations 2010".</i>	P1.1 - this proposes more appropriate phrasing. P1.2 - agree that having a settlement boundary militates against this criterion for judging the acceptability of a site. P1.3 - a new criterion on this has been proposed elsewhere in P3D.1. P1.4 - this proposes more appropriate policy phrasing and clarifies the situation regarding financial contributions. N.B. Breckland Council do not currently have a CIL.	Accept all recommendations.

Supporting text	Delete paragraphs T 1.2, T1.4 and T1.8 In T 1.9, after “improvements” insert “identified by the local community”.	This removes unnecessary text and proposes a useful clarification.	Accept all recommendations.
Policy 2A Residential Housing Allocations	In P2A.1 insert “approximately” before “70 new homes” and delete the remainder of the policy after “: allocation of sites” and insert “shown on Policy Map 2A and set out in Policies 2H to 2P.”	This proposes more appropriate phrasing, proposes removes the phasing approach and proposes a useful clarification.	Accept all recommendations.
Supporting text	Delete the last sentence of the second paragraph of paragraph T2A.1 starting with “To be consistent with”. Delete paragraph T2A.3. In paragraph T2A.4 delete “and” at the end of a), and also delete “b) and c)”.	This supports the approach taken by the proposed amended policy and removes unnecessary text.	Accept all recommendations.
Policy 2B: New Residential Development within the Settlement Boundary	In P2B.1 replace a) with “It satisfactorily addresses the requirements for the relevant village / settlement fringe character area as set out in Policy 7A.”	This proposes a clearer clarification about what is required.	Accept the recommendation.
Supporting text	Delete T2B.3, T2B.5, T2B.6. After T2B.8, insert a new paragraph “The Saham Toney Parish Character Assessment Parts 1 and 2 describe six “Village Character Areas” and eight “Settlement Fringe Areas” and set out the key landscape characteristics of each together with more detailed description of features that characterise each area.”.	This removes unnecessary text and proposes a useful clarification.	Accept all recommendations.
Policy 2C: New Residential Development Outside the	Delete P2C.2 and P2C.3	This removes unnecessary policy and proposes a clearer policy.	Accept all recommendations.

Settlement Boundary			
Supporting text	Delete paragraphs T2C.2 through to T2C.7. Delete the last two sentences of T2C.8. Delete paragraphs T2C.9 to T2C.11	This removes unnecessary text.	Accept all recommendations.
Policy 2D: Affordable Housing	In P2D.1 delete the remainder of the first sentence after “applied” except the full stop. At the end of the first paragraph replace “hierarchy of priority” with “criteria”. Insert “or” at the end of criteria a), b), and c).	This removes unnecessary policy, as well as ensuring consistency with Housing’s ‘Allocation Policy.	Accept all recommendations.
Supporting text	Delete T2D.1. In T2D.2 delete “cascading”. In T2D.6 replace the first two sentences with “On 16th March 2020 Breckland Council adopted a new Housing Allocation Policy which includes specific policies in respect of housing allocations on sites planned for through the neighbourhood planning process.” and delete the last two sentences of this text starting with “Allocated sites STNP4,7 and 16...”. Delete paragraph T2D.8.	This removes unnecessary text and supports the approach taken by the proposed amended policy.	Accept all recommendations.
Policy 2E: Housing Mix	In P2E.1 delete the text after “housing need” and insert “as set out in the Saham Toney Housing Needs Assessment 3rd Edition, April 2020 or any subsequent update to it” and delete the asterisk footnote at the end of the policy. In P2E.2 delete “in line with local housing needs”. In P2E.4 a) after “designed” delete “for the” and insert “to be suitable for occupation by”.	P2E.1 - proposes a useful clarification. P2E.2, P2E.4 a)-c) & P2E.5 - proposes removing unnecessary policy.	Accept all recommendations.

	<i>In b) delete the rest of the sentence after “three - bedroom homes”. Delete c). Delete P2E.5.</i>		
Supporting text	<i>In T2E.7, at the end of the first sentence insert before the colon “the preferences of those on the Housing Register”.</i>	This proposes a useful clarification.	Accept the recommendation.
Policy 2F: Common Criteria for all Residential Sites	<i>Replace P2F.2 with “A proportionate ecological assessment demonstrates that the development, as far as practical, protects, and where possible enhances, the biodiversity value of the site including incorporating any necessary mitigation measures. ”Delete P2F.5. In P2F.6 replace “non allocated” with “new residential”. Delete P2F.7 and P2F.8</i>	P2F.2 & P2F.6 - this proposes clearer policy P2F.5, P2F.7 & P2F.8 - this suggests removing unnecessary policy.	Accept all recommendations
Supporting text	<i>Delete T2F.2. In T2F.7 replace “will not” with “is unlikely to” Delete paragraphs T2F.9 and T2F.10. Delete Policy Maps 2F.1 through to 2F.9.</i>	This proposes removing unnecessary text and proposes more appropriate phrasing. Also removing maps regarding visibility splays that cannot be provided solely by property owners.	Accept all recommendations
Policy 2G: Masterplanning	<i>In P2G.3 after “landscape sensitivity” insert “(see Table 7A1.1 and Policy Map 7A.3)”.</i>	This proposes clarification for the policy.	Accept the recommendation.
Policy 2H: Site Allocation STNP1: Grange Farm, Chequers Lane	<i>In P2H.1, replace “predominantly brownfield land” with “land predominantly occupied by agricultural buildings”. Replace “up to” with “approximately”. Amend the site boundary on Policy Map 2H as shown in paragraph 125 above and in the map legend delete “Additional”. In d) change “may” to “will”. In e) delete the full stop and final sentence.</i>	P2H.1, P2H.1 d) & h) and amending the boundary map - these propose more appropriate policy phrasing and further clarification for the policy. e) - subsequential grammatical changes f), P2H.2 & P2H.3 - removes unnecessary text.	Accept all recommendations.

	Delete f). In h) at the end of the second sentence insert “as shown on the Environment Agency’s online maps of areas at risk from surface water flooding”. Delete P2H.2 and P2H.3.		
Supporting text	Delete T2H.1 and T2H.2 Delete paragraph T2H.22	These propose removing unnecessary text.	Accept all recommendations.
Policy 2I: Site Allocation STNP 2: Disused Piggery, off Hills Road	In P2I.1, replace “brownfield land” with “land predominantly occupied by disused agricultural buildings”. Replace “up to “with “approximately”. In f), delete “with the planning application”. Delete P2I.2.	These propose more appropriate policy phrasing and removing unnecessary policy.	Accept all recommendations.
Supporting text	Delete T2I.1 and T2I.2. Delete T2I.10.	These propose removing unnecessary text.	Accept all recommendations.
Policy 2 J: Site Allocation STNP4: Land at the junction of Pound Hill and Pages Lane	In P2J.1 replace “up to” with “approximately”. In d) at the end of the second sentence insert “as shown on the Environment Agency’s online maps of areas at risk from surface water flooding”. Delete P2J.2 and P2J.3.	These propose more appropriate policy phrasing, further clarification for the policy and remove unnecessary text.	Accept all recommendations.
Supporting text	Delete paragraphs T2J.1 and T2J.2 Delete T2J.15. Delete paragraph T2J.21.	These propose removing unnecessary text.	Accept all recommendations.
Policy Site 2K: Site Allocation STNP7: Pages Farm	In P2K.1, replace “predominantly brownfield land” with “land predominantly occupied by disused agricultural buildings”. Replace “up to “with “approximately”. In n) delete “with the planning application”. In o) remove “brownfield”. Delete P2K.2 and P2K.3.	These propose more appropriate policy phrasing and remove unnecessary text.	Accept all recommendations.

Supporting text	Delete T2K.1 and T2K.2. Delete T2K.9. Delete T2K.18 Delete T2K.23	These propose removing unnecessary text.	Accept all recommendations.
Policy 2L: Site Allocation STNP: 9 Ovington Road	In P2L.1 replace “up to” with “approximately.” Delete P2L.2.	These propose more appropriate policy phrasing and removes unnecessary text.	Accept all recommendations.
Supporting text	Delete T2L.1 and T2L.2. Delete T2L8. Delete T2L.11.	These propose removing unnecessary text.	Accept all recommendations.
Policy 2M: Site Allocation STNP 13: Hill Farm	In P2M.1 replace “up to” with “approximately”. Delete P2M.2.	These propose more appropriate policy phrasing and removing unnecessary text.	Accept all recommendations.
Supporting text	Delete T2M.1, T2M2, T2M.6	These propose removing unnecessary text.	Accept all recommendations.
Policy 2N: Site Allocation STNP 14: Crofts Field	In P2N.1 replace “up to” with “approximately”. Delete d) In e) remove “with the planning application”. Delete P2N.2.	These propose more appropriate policy phrasing and removes unnecessary text.	Accept all recommendations.
Supporting text	Delete T2N.1, T2N2, T2N.7.	These propose removing unnecessary text.	Accept all recommendations.
Site Allocation STNP 15: 8 Richmond Road Should red ‘nearby’	In P2O.1 replace “up to” with “approximately”. In c) remove “and nearby non - designated heritage assets. At the end of the final sentence insert “which shall also assess the scale of any loss or harm to nearly non-designated heritage assets when balanced against the significance of those assets”. Replace P2O.2 “Access to this site shall incorporate such visibility splays as shall be required by the Highway Authority on land	These propose more appropriate policy phrasing, further clarification for the policy and removes unnecessary text. Also regarding the map removal concerning visibility splays as they cannot be provided solely by property owners.	Accept all recommendations.

	<i>within the applicants control or on highway land”.</i> <i>Remove map on page 100 and delete T2O.11.</i> <i>Delete P2O.3.</i>		
Supporting text	<i>Delete T2O.1 and T2O.2.</i> <i>Delete the final sentence of T2O.6.</i> <i>Delete T2O.8.</i> <i>Delete T2O.12.</i>	These propose removing unnecessary text.	Accept all recommendations.
Policy 2P Site Allocation STNP 16 Richmond Hall	<i>In P2P.1 replace “up to with “approximately”.</i> <i>Replace c) with “Any planning permission for the development of the land that is the subject of this allocation is expected to be accompanied by a planning obligation which secures long term public access to the amenity land as shown on Policy Map 2P upon the completion of the development;”</i> <i>Delete P2P.2 and P3P.3.</i>	These propose more appropriate policy phrasing, further clarification for the policy and removes unnecessary text.	Accept all recommendations.
Supporting text	<i>Delete T2P.1 and T2P.2</i> <i>Delete T2P.8 - 10, T2P.13 and T2P.17</i>	These propose removing unnecessary text.	Accept all recommendations.
Policy 2Q: Amenity Land at Richmond Hall	<i>In P2Q.1, delete “in perpetuity”.</i> <i>In P2Q.2 after “provision” insert “through requirements to be set out in a planning obligation”.</i>	These propose more appropriate policy phrasing and clarification for the policy.	Accept all recommendations.
Policy 3A: Design	<i>In the second sentence of P3A.1, replace “will be expected” with “are encouraged”.</i> <i>In P3A.2 a) replace “best” with “characteristic”.</i> <i>In P3A.7 b) at the start, insert “Are encouraged to be”. As a consequence, amend “Proposals shall:” to “Proposals:” and insert “Shall” at the start of criterion (a).</i> <i>In P3A.10, delete d) and g) and insert “and” immediately before the semi colon in f).</i>	These propose more appropriate policy phrasing and clarification for the policy, as well as duplication of guidance.	Accept all recommendations.

Policy 3B: Density of Residential Development	<i>In P3B.1 replace “shall” by “is expected to” and in the second sentence, replace “. To be supported, residential development proposals shall” by “and should”.</i>	These propose more appropriate policy phrasing.	Accept all recommendations.
Policy 3D: Parking	<i>In P3D.1 add an additional principle. at the end of the bullet points “l) All new dwellings are expected to provide the necessary arrangements to provide for the home charging of electric vehicles. The provision of communal vehicle charging points within the parish will be encouraged.</i>	This relocates and rephrases policy from P1.3.	Accept the recommendation.
Policy 3F: Climate Change Adaption and Mitigation	<i>In P3F.1 replace “will be expected” with “are encouraged”. Delete the second sentence. In P3F.5 insert “the” before “impact”.</i>	These propose more appropriate policy phrasing and removing unnecessary policy.	Accept all recommendations
Supporting text	<i>In T3F.3 replace in a) “Policies 8 A to 8H” by “Policy 8”.</i>	This proposes amendments in light of other policy being deleted.	Accept the recommendation.
Policy 5: Saham Toney Rural Gap	<i>In Policy P5.3 replace “for example in any necessary Design and Access Statement and/ or Planning Statement together with” with “through”.</i>	This proposes removing unnecessary policy.	Accept all recommendations
Policy 6: Heritage Assets	<i>Delete paragraphs T6.4 through to T6.8.</i>	These propose removing unnecessary policy.	Accept all recommendations
Policy 7A: Landscape Character Preservation and Enhancement	<i>Change title to Landscape Character Conservation and Enhancement. In P7A.1, change “preserve” to “conserve”. In P7A.2c) delete “recent”. In P7A.3, change “preservation” to “conservation.” In P7A.5, after “All proposals” insert “apart from change of use applications, very minor development and householder proposals”. After “Table P7A.1” insert “and Policy Map</i>	These propose more appropriate policy phrasing and further clarification for the policy.	Accept all recommendations.

	<p>7A.3” and after “shall” change “include” to “be informed by”.</p> <p>At the start of the fifth line of P7A.5 replace “preserved” with “protected”.</p> <p>In the final sentence, replace “degrade” with “lower”.</p>		
Policy 7D: Biodiversity and Habitats	<p>At the start of P7D.1, insert “As well as complying with the requirements of Local Plan Policies ENV 02 and ENV 03, development”.</p> <p>In the first sentence of P7D.3, delete “adversely”.</p>	These propose more appropriate policy phrasing.	Accept all recommendations.
Supporting text	Delete paragraphs T7D.12, 13, 15,16 and 23.	These propose removing unnecessary text.	Accept all recommendations
Policy 7E: Green Infrastructure	<p>Delete P7E.2.</p> <p>In P7E.4 replace “shall” with “will be encouraged to”.</p>	These propose removing unnecessary policy and more appropriate policy phrasing.	Accept all recommendations.
Supporting text	Delete paragraphs T7E.5-11 and 15-18	These propose removing unnecessary text.	Accept all recommendations.
Policy 7F: Trees and Hedges	In P7F.3 “shall” should be replaced by “will normally be expected to”	These propose more appropriate policy phrasing.	Accept all recommendations.
Policy 8A: Surface Water Management General Provisions	<p>Renumber Policy 8A as Policy 8.</p> <p>Replace the policy with: “In addition to meeting the policy requirements set out in Breckland Local Plan’s Policy ENV 09 and having regard to the Secretary of State’s policy set out in paragraph’s 155 to 165 of the NPPF and the advice in Planning Practice Guidance, proposals for major development will need to demonstrate, through a site-specific Surface Water Drainage Strategy, that the development will not increase flood risk on site or elsewhere by the installation</p>	This proposes significantly more appropriate policy phrasing.	Accept the recommendation.

of a site - specific sustainable drainage scheme. For smaller proposals, applicants will be expected to provide, through proportionate information, details of its surface water drainage proposals. All schemes shall justify the appropriateness of the proposals which shall include an allowance for climate change, in accordance with most up to date Environment Agency advice.

Surface water run off mitigation measures shall address any identified risk of flooding, based on the LLFA's order of priority namely Access, Avoid, Manage and Mitigate. Proposals for appropriate on-site storage and run off rates will be expected to meet the standards set in technical guidance issued by Norfolk County Council as LLFA and as set out in DEFRA's Non-Statutory Standards for Sustainable Drainage, the CIRIA SuDS Manual and other relevant codes of practice. Applicants are also encouraged to have regard to the local guidance, set out in the Saham Toney Sustainable Drainage Systems Design Manual.

Any additional run off, apart from in exceedance events, should include measures to protect the sensitivities of the receiving water bodies including protected aquifer or the Breckland SPA and Norfolk SAC.

Policy 8B: Surface Water Run Off (Discharge) Rates and Volume	That the policy and supporting text be deleted.	This proposes the removal of policy and text due to the inclusion of technical standards which is not appropriate phrasing.	Accept the recommendation.
Policy 8C: Infiltration Testing	That the policy and supporting text be deleted	This proposes the removal of policy and text due to the inclusion of technical standards which is not appropriate phrasing.	Accept the recommendation.
Policy 8D: Surface Water Flood Risk and Climate change	That the policy and supporting text be deleted	This proposes the removal of policy and text due to the inclusion of technical standards which is not appropriate phrasing.	Accept the recommendation.
Policy 8E: Surface Water Drainage and Water Quality	That the policy and supporting text be deleted	This proposes the removal of policy and text due to the inclusion of technical standards which is not appropriate phrasing.	Accept the recommendation.
Policy 8F: Management and Maintenance of Sustainable Drainage System	That the policy and supporting text be deleted	This proposes the removal of policy and text due to the inclusion of technical standards which is not appropriate phrasing.	Accept the recommendation.
Policy 8G: Resistance and Resilience of Sustainable Drainage Systems	That the policy and supporting text be deleted	This proposes the removal of policy and text due to the inclusion of technical standards which is not appropriate phrasing.	Accept the recommendation.
Policy 8H: Design of Sustainable Drainage Systems	That the policy and supporting text be deleted.	This proposes the removal of policy and text due to the inclusion of technical standards which is not appropriate phrasing.	Accept the recommendation.
Policy 9: Foul Sewerage Provision	<i>In P9.2 after “or” insert “either capacity” and insert at the end of this “or an acceptable alternative provision has been agreed by the LPA in consultation with the foul drainage provider”. Delete P9.6.</i>	This proposes significantly more appropriate policy phrasing and removes unnecessary text.	Accept all recommendations

N.B. This does not address any minor changes, such as punctuation, formatting and policy and paragraph numbering, that are required to the NP.