

Partial Update Consultation Responses: (First Consultation August 11 – September 23 2022)

Ref. No.	Organisation / Individual Representation	Comments	Council Response
LPR/PU/18/001	Spatial Planning Advisor: Anglian Water	No comments at this stage of the Review.	Noted: NO CHANGE
LPR/PU/18/002	Norfolk County Council: (Flood and Water)	No comments at this stage of the Review	Noted: NO CHANGE
LPR/PU/18/003	Historic Environment Planning Adviser: Historic England	Pleased to see a commitment to the full review of the Plan going forward. Welcome the preparation of the Design Guide which will inform an important part of the evidence base for the Plan and Design Guide /Codes going forward.	Noted: NO CHANGE
LPR/PU/18/004	Sustainable Development Officer: Water Management Alliance	No comments to make at this stage	Noted: NO CHANGE
LPR/PU/18/005	Historic Environment Strategy & Advice Team: Norfolk County Council	No comments to make.	Noted: NO CHANGE
LPR/PU/18/006	Consultation Service: Natural England	No comments on this consultation	Noted: NO CHANGE
LPR/PU/18/007	Community and Environmental Services: Norfolk County Council	The County Council does not have any strategic planning concerns with the proposed amendment (INF03) and supports the immediate full review of the Local Plan as set out in the Partial review.	Noted: NO CHANGE

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LPR/PU/18/008/01	Senior Planner: Gladman	<p>The Plan was examined in the context of a transitional arrangement using an Objectively Assessed Need of 612 dwellings under the 2012 NPPF. Gladman agree that the review mechanism was a pragmatic response to this issue at the time. At the point of adoption, and hence the starting point for the 'immediate review' of the Local Plan the government had clarified the use of the 2014-based household projections- not the 2016 household projections.</p> <p>The Council could and should have proceeded with the immediate Local Plan Review on this basis. Notwithstanding subsequent proposed planning reform, amendments, and current delayed reform, this will still form the starting point of the full Local Plan Review. There is a high probability that there will be changes to the planning system during the process of the full Local Plan Review which raises the question of why the Council have not addressed this sooner. Changes to the planning system are a common theme, if not always welcomed and Gladman politely suggest that the Council should have acted sooner. Other authorities have proceeded with plan reviews during this time, and despite the period of uncertainty, are in the process of preparing plans for submission.</p>	<p>The Council considers that a partial update to change the wording of Policy INF 03 is necessary. If the Council had decided not to do this Partial Update then the Council's policies that relate to the supply of housing, economic development and gypsy and travellers will be deemed to be out-of-date without the further exercise of planning judgment.</p> <p>The NPPF at paragraph 11d) states what decision-makers should do in the event that the "most important policies" for determining a planning application are (as a matter of planning judgment) out-of-date. Further, footnote 8 includes deeming provisions in respect of Housing Land Supply and the Housing Delivery Test outcomes. Judgments on whether or not policies in the adopted Local Plan are out-of-date should be made in the context of national planning policy; it is not appropriate for additional deeming provisions in the Local Plan itself to effectively declare that policies are out of date without the further exercise of planning judgment at the time a decision on an individual planning application is taken.</p> <p>The reasons why the Council considers that it was unreasonable and unrealistic for the Council to have submitted the Partial Update covering the issues as required by Policy INF 03 are detailed in the Topic Paper. If the Council had started the Partial Review as set out in Policy INF 03 then it believes that it would have been impossible to have progressed it as required by the Policy due to some or all of the issues and consequential uncertainties set out in the Topic Paper. It is noted that some 14 Local Planning Authorities have paused or delayed work on local plan preparation with some citing the uncertainty over housing numbers and planning reform. These include Dorset Council, Basildon, Dacorum, Ashfield, Arun, Sheffield, and East Hampshire</p> <p>As well as the uncertainty over the standard housing need figures that fluctuated between 643 dwellings per annum to 1,070 per annum since the adoption of the Plan in 2019, other key reasons</p>

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			<p>for delaying the review of the Plan include changes to the National Planning Policy Framework, delays to the implementation of the A47 improvements near Dereham, the legal challenge to the definition of Gypsies and Travellers in the High Court and ongoing discussions on planning reform, beginning with the 2020 White Paper.</p> <p>It is therefore considered that the only reasonable option open to the Council was to seek a change to the wording of the Policy as proposed in the Partial Update and to progress these important issues as part of, and alongside, the Full Update of the Local Plan.</p> <p>The Council therefore considers that it is important to continue with the Partial update as proposed.</p> <p>No Change</p>
LPR/PU/18/008/02	Senior Planner: Gladman	<p>Despite a current five-year housing land supply and considerable uncertainty regarding planning reform, it is possible that the Council's supply could fall and therefore a mechanism for securing the delivery of housing is still required. Therefore, to ensure the continued supply of housing and that the timescales set out in revised Policy INF 03 are upheld, Gladman consider the wording stipulating that the Local Plan will become out-of-date should be retained. This approach will hold the Council accountable should the production of the substantive review not be met. In response, Gladman consider that the current wording of Policy INF 03 should be revised to set out that, "<i>In the event</i></p>	<p>If the Council's five-year housing land supply falls as postulated, then para 11d) in the NPPF guides decision-makers as to the approach to be adopted. The same applies where there is a five-year supply, but the exercise of planning judgment results in policies being regarded as being out-of-date. For the reasons given above, there is no need for further deeming provisions in the local plan itself.</p> <p>The addition of a 'consequence clause' in the Policy is not considered necessary; the decision-maker will judge what the consequences should be on the facts of each case. Further, Regulation 10A of the Town and Country Planning (Local Planning) (England) Regulations 2012) and paragraph 33 of the current National Planning Policy Framework requires policies in local plans to be reviewed to assess whether they need updating at least once every five years and should then be updated as necessary and that these reviews should be completed no later than five years from the adoption date of a plan.</p>

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		<p><i>that the reviewed plan is not submitted within the timescales set out above, then relevant policies of the Local Plan will be deemed to be out-of-date.”</i></p>	<p>In the case of Breckland’s Local Plan, December 2024 is 5 years from the date of adoption. If this date is not achieved then the Council is aware of the consequences that it would face under the current Regulations.</p> <p>The proposed date for submission of the Full Update of the Local Plan of December 2024 is 5 years from the adoption of the current Plan and only 2 years away. This is the most realistic timeframe for the Full Update based on the work required and available resources and the current regulatory procedure. This is reflected in the Local Development Scheme.</p> <p>The timetable will be monitored and where necessary amended to reflect any changes to required content of or process for preparation that may be introduced as part of the Levelling Up and Regeneration Bill as well as the level of available resources.</p> <p>No change</p>
LPR/PU/18/008/03	Senior Planner: Gladman	<p>Gladman contend that the timetable for the Full Update is not appropriate. The proposed timetable suggests a submission date of December 2024, yet the examination is not timetabled to start until March 2026, with adoption in June 2027. These timescales seem excessive and should be revised to reflect an efficient plan making process.</p>	<p>Noted. The Council is trying to bring forward a full replacement local plan as quickly as is reasonably possible and it will continue to do so.</p> <p>As part of the second consultation, the Council has agreed and published a revised Local Development Scheme. Although the length of time required for Examination and any consultation on modifications is difficult to be precise on, it has changed the projected timescales for the examination and adoption to Q2 2025 – Q3 2026 and Q4 2026 respectfully.</p> <p>The Timetable will continue to be monitored during the preparation of the Full Update of the Plan.</p>

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LPR/PU/18/008/04	Senior Planner: Gladman	<p>it is noted that a Regulation 18 consultation process has not been undertaken for this review. Regulation 18 of the Town and Country Planning (Local Planning) Regulations 2012 requires that various bodies and stakeholders be notified that the council is preparing a plan. This is a legal requirement and would have allowed the Council to prepare a scoping consultation to seek opinions on the appropriateness of the review process. As it stands, Gladman do not consider that the choice to review the review policy in light of the necessary work having not being undertaken and to prioritise a full review instead, to be an appropriate strategy. If this process is accepted, this sets a worrying precedent for the robustness and credibility of review mechanisms.</p>	<p>Agreed. The Council accepts that it may not have fully met the regulations and in particular Regulation 18 of the Town and Country Planning (Local Planning) Regulations 2012, as there was no 'initial' Regulation 18 consultation and that effectively the Regulation 18 and Regulation 19 processes were combined. The legislative scheme expects two separate processes so that the Regulation 18 process can inform the production of the plan that is eventually prepared and submitted.</p> <p>The revised process that the Council is now implementing to the preparation process, is to now consider the first Regulation 19 consultation period held for a period of 6 weeks (in accordance with the Statement of Community Involvement) between August 11 2022 and September 23 2022 as the Regulation 18 consultation. This is reasonable as the consultation document at paragraph 3.2 states "We are asking for comments on our proposed approach". This is a question usually found in a Regulation 18 consultation document. Secondly the consultation document also added "including the proposed wording to policy INF03" – which is a Regulation 18 and a Regulation 19 issue.</p> <p>Prior to agreeing the start of the second consultation period the Council has diligently and conscientiously considered responses to the first consultation and published its response to the comments made.</p> <p>As the proposed changes to Policy INF 03 and supporting text (as set out in the earlier consultation) have not changed as a result of the consideration of responses to the Regulation 18 Consultation, following the end of this second consultation period, and if the Council agrees to submit the Plan for examination, then all the comments received at both consultation periods will be made available to the Planning Inspectorate for consideration. This will ensure that there is no prejudice to any respondents and responses made at either consultation event.</p>

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LPR/PU/18/009/01	Snetterton Parish Council	<p>We feel the following points need to be taken into account.</p> <p>Open Space</p> <p>The Open Space Assessment 2015 stated that all dwellings should be within 100m of a local area of play, 400m of a local equipped area for play and 1,000m of a neighbourhood equipped area for play. Therefore, it's not enough to stipulate that all new residential developments are expected to provide a contribution towards outdoor playing space and equipment, when so many parishes do not currently have any outdoor space available for recreation, or close access to it.</p> <p>Strongly feel the current lack of facilities should be addressed.</p> <p>Snetterton is one of many parishes that does not meet the FIT guidance for children's play area provision, and yet Breckland District Council have the ability to rectify this by allowing the Parish to adopt the land as suggested by the Parish Council to create a play area.</p>	<p>Noted:</p> <p>The comments made by the Parish Council are important.</p> <p>However, they are not considered relevant to the Partial Update of the Plan as proposed.</p> <p>They will be considered as part of the Full Update of the Local Plan.</p> <p>NO CHANGE</p>
LPR/PU/18/009/02	Snetterton Parish Council	<p>Industrial Development</p> <p>Parish has more and more industrial development within it, which benefits Breckland through business rate receipts</p>	<p>Noted:</p> <p>The comments made by the Parish Council are important.</p> <p>However, they are not considered relevant to the Partial Update of the Plan as proposed.</p>

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		<p>and the residents of Breckland with employment.</p> <p>Village and residents are largely forgotten by both BDC and NCC, as borne out by the fact that the village doesn't even have village road signs at entrances to the village like the neighbouring villages.</p> <p>The increased industrialisation does not directly benefit the vast majority of the village residents.</p> <p>An extract from the Integrated Assessment of the Breckland Local Plan Partial Review: Draft IA Report Scoping Report dated July 2022:</p> <p><i>an environmental objective – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.</i></p> <p>The fields currently around Snetterton provide an environment that is full of wildlife, much of which is on the endangered list</p> <p>Permission has already been granted to a development to the northwest of the General Employment Area</p>	<p>They will be considered as part of the Full Update of the Local Plan.</p> <p>NO CHANGE</p>

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		<p>(3PL/2021/0989/F) which is outside the Snetterton Employment Allocation 1 as drawn in the Breckland Local Plan 2019.</p> <p>Any suggested changes to the Local Plan Review – Local Development Scheme with regard to economic or housing development should be discussed and consultation take place with the Parish Council prior to publishing any revised scheme.</p>	
LPR/PU/18/009/03	Snetterton Parish Council	<p>Housing</p> <p>With regards to new housing in Snetterton, at present the infrastructure simply cannot cope with the current activity around the village</p> <p>Before including any additional housing in the revised plan, consultation should take place with the Parish Council.</p>	<p>Noted:</p> <p>The comments made by the Parish Council are important.</p> <p>However, they are not considered relevant to the Partial Update of the Plan as proposed.</p> <p>They will be considered as part of the Full Update of the Local Plan.</p> <p>NO CHANGE</p>
LPR/PU/18/009/04	Snetterton Parish Council	<p>Health, wellbeing, and access to green spaces</p> <p>The village has only two public footpaths and unfortunately these are not maintained, including the loss of a footbridge bridge over the River Thet leading from Mill Lane which is Breckland's responsibility.</p>	<p>Noted:</p> <p>The comments made by the Parish Council are important.</p> <p>However, they are not considered relevant to the Partial Update of the Plan as proposed.</p> <p>They will be considered as part of the Full Update of the Local Plan.</p> <p>NO CHANGE</p>

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		<p>There are no footpaths on any of the village roads, and the majority of the roads through the village are single track. Therefore, it is extremely difficult to obtain any health or wellbeing benefits from living in the village and if the Business Park continues to grow towards the village, it will do so to the detriment to the health and wellbeing of the residents of Snetterton.</p> <p>The presence of wildlife enhances the life of residents and is often why people move into the village, not because of the peace and quiet as the noise from the racetrack and the A11 means there are not many quiet days.</p>	
LPR/PU/18/009/05	Snetterton Parish Council	The members of the Parish Council welcome the opportunity to feed into this review and would be happy to discuss any or all of the above points in more detail.	The Council will engage with the Parish Council in accordance with the agreed Statement of Community Involvement as work on the Full Update of the Local Plan progresses.
LPR/PU/18/010/01	Director: Armstrong Rigg Planning	The effect of the proposed Update would be to re-adopt the same housing requirement of 612 dwellings per annum (dpa) for the remainder of the plan period to 2036. This housing requirement is taken from the Central Norfolk Strategic Housing Market Assessment (SHMA, 2017) that was published before the introduction of the standard method in 2018. The housing requirement is not therefore based on the standard method	The Council considers that the outcome of the Partial Update of the Plan as proposed would allow for the Local Plan to remain up to date whilst the Full Update progresses. It does not mean that the Council would be re-adopting the 612 OAN housing figure until 2036 as the Full Update is timetabled to be completed by 2026. In addition, the Council notes paragraph 74 of the National Planning Policy Framework that where the housing requirement set out in an adopted Plan is more than 5 years old then the local housing need figure would be applied.

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		<p>and cannot be considered to represent the area's OAN, unless the Council can demonstrate exceptional circumstances that justifies an alternative approach.</p> <p>The Council has put forward no such justification. The only reason given for their not having progressed with the housing requirement review is that there has been uncertainty regarding the standard method (this is despite it having remained identical with respect to Breckland since its introduction in 2018 aside from a 4 month interlude for 'the mutant algorithm' in late 2020). The Council agree that a review of the housing requirement is necessary (they accepted as much during the Local Plan examination and they have commenced work on a full Local Plan Review to do just this), they don't think they should be made to comply with the adopted timescales for this review.</p> <p>This is not a positive approach as it does not seek to meet the area's OAN. By introducing Policy INF 03, the Local Plan Inspector was clear that the adopted housing requirement must be time limited to 3 years (due to his concerns that it didn't represent the area's OAN). By seeking to amend Policy INF 03, the Council are attempting to circumvent this requirement and adopt the current housing requirement for the remainder of</p>	<p>The decision to undertake the Partial Update of the Local Plan as proposed is based on a number of different factors and not just the housing numbers. These are explained in the papers accompanying the Consultation and are not referred to in this representation that refers only to the housing number issue.</p> <p>The Topic Paper sets out the evolution of the housing number for Breckland. This considers that there were a number of iterations of the number that caused significant uncertainty for a review of the Local Plan as required by Policy INF 03.</p> <p>The Inspector, considering the Local Plan required the Council to undertake the Partial Review using the 2016 based housing figures, notwithstanding that in October 2018, the Government had instructed local authorities to ignore the 2016 based figures when assessing their local housing need and instead use the 2014-based figures published two years earlier whilst it carried out a review of the methodology.</p> <p>This was followed, in August 2020, when, as part of the Planning for the Future White Paper, the Government consulted on a proposed new Standard Method, which had a greater focus on affordability, the results of which were to boost the national figure to 337,000 homes per annum, with most of the increases in the areas where the gap between house prices and incomes was greatest. The figure for Breckland was 1,070 dwellings per annum. By December 2020, the figure had again changed to 661 dwellings per annum and then to 643 in 2021 and 672 in 2022 following the application of an adjusted affordability ratio.</p> <p>There have been 6 different numbers published for Breckland ranging from 643 to 1,070 dwellings per annum. It is this uncertainty, combined with the other important issues set out in the Consultation that has resulted in the Council's decision to undertake the Partial Update as proposed.</p>

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		<p>the plan period, despite recognising that it does not represent the area's OAN. In accordance with NPPF paragraph 35 the LPPR cannot therefore be considered positively prepared and it is fundamentally unsound.</p>	<p>NO CHANGE</p>
<p>LPR/PU/18/010/02</p>	<p>Director: Armstrong Rigg Planning</p>	<p>The approach taken by the LPPR is also unjustified as there was a clear alternative strategy available. The Council could and should have undertaken an immediate review of their housing requirement using the standard method and allocated additional sites to meet the OAN. This option is still available to the Council and given that the OAN is only marginally higher than the adopted housing requirement, such a review could be completed far in advance of the full Local Plan Review that is not anticipated to be adopted until 2027.</p>	<p>Although Policy INF 03 listed 4 specific areas for the Review to consider these go to the heart of the Plan. New housing figures, possible new allocations for Gypsies, Travellers and travelling show people and the economic development implications of the A47 road improvements would require consideration of the whole spatial strategy with potential new allocations and revised settlement boundaries.</p> <p>Even if the uncertainty around the housing figures was the only issue facing the Council and its review of the Plan, it is considered that to have started in December 2020, once the Government Review was completed and to meet the required submission deadline would have been an impossible and unachievable task due to the amount of work required, including preparation of key evidence that would have been required, including a new Housing Needs Assessment, Gypsy and Traveller and Travelling Showpeople Assessment (GTAA) and internal space standards work as well as the statutory duty to prepare and consult on the call for sites exercise and duty to co-operate together with the emerging formulative policies and proposals, prior to submitting a Plan for examination by November 2022.</p> <p>The Council is committed to a Full Update of the Local Plan. This will include a review of the housing requirement and where appropriate the allocation of additional sites. This is considered to be the most appropriate approach to plan making in Breckland.</p>

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LPR/PU/18/010/03	Director: Armstrong Rigg Planning	<p>We do not consider that the Local Plan Review can be amended to be made sound in its current form. The approach adopted is flawed and fails the basic premise of plan making that a plan should seek to meet its OAN. We recommend that the Council proceed with a partial review of the Local Plan that complies with Policy INF 03 rather than to circumvent the requirements of this policy. We recognise that it will not now be possible to undertake this review within the required timescales, but it would be a positive step forward to ensure that planning in Breckland is appropriately planned.</p>	<p>The adopted Local Plan is up to date and does meet the OAN of 612 dwellings per annum</p> <p>As previously stated the adopted Local Plan already makes provision to meet the higher 672 dwellings per annum housing figure and that the housing requirement for Breckland is neither considered to have increased sufficiently to warrant the higher figure needing to be considered as part of a partial review nor to warrant the Plan unsound whilst this Full Update is undertaken.</p> <p>. In numerical terms, the existing Local Plan requirement is 15,298 dwellings over the plan period or 612 dwellings per annum (dpa). The Plan presents a supply figure of 16,630 dwellings, representing an 8.7% buffer (1,332 dwellings) over the requirement. 643 (the 2014 based minimum housing requirement) is 33 more than 612. Over 15 years that would represent a reduction in the buffer of 495 dwellings. In effect the buffer will reduce from 1,332 to 837 dwellings. It is therefore concluded that when assessed against the NPPF, the local housing need figure has not changed significantly; and there is no need to consider this issue separately to the full update of the local plan. and it would be better considered as part of the full update of the Plan alongside all the other related issues including for example, a review of the development strategy and viability issues including nutrient neutrality and the implications of the Environment Act (2021)¹.</p> <p>The Council can conclude that the settlement boundary constraints and housing policies are not out-of-date as a result of the new 643 dpa figure.</p> <p>NO CHANGE</p>

¹ For an assessment against 672 dwellings please see item LPRPU?

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LPR/PU/18/010/04	Director: Armstrong Rigg Planning	<p>If the Council does choose to proceed to examination with the currently proposed Local Plan Partial Review, we recommend that the policy is amended to reflect the previous wording with respect to the consequences of not complying with the policy. In this event we recommend the following amendment: <i>“The Council will undertake an immediate full review of the Plan. The full Review of the Plan is planned to be submitted for examination by December 2024. In the event that the review is not submitted for examination by this time, then the Council’s policies that relate to the supply of housing, economic development and gypsy and travellers will be deemed to be out-of-date.”</i></p>	<p>If the Council’s five-year housing land supply falls as postulated, then para 11d) in the NPPF guides decision-makers as to the approach to be adopted. The same applies where there is a five-year supply, but the exercise of planning judgment results in policies being regarded as being out-of-date. For the reasons given above, there is no need for further deeming provisions in the local plan itself.</p> <p>The addition of a ‘consequence clause’ in the Policy is not considered necessary; the decision-maker will judge what the consequences should be on the facts of each case. Furthermore, Regulation 10A of the Town and Country Planning (Local Planning) (England) Regulations 2012) and paragraph 33 of the current National Planning Policy Framework requires policies in local plans to be reviewed to assess whether they need updating at least once every five years and should then be updated as necessary and that these reviews should be completed no later than five years from the adoption date of a plan.</p> <p>In the case of Breckland’s Local Plan, December 2024 is 5 years from the date of adoption. If this date is not achieved then the Council is aware of the consequences that it would face under the current Regulations.</p> <p>The proposed date for submission of the Full Update of the Local Plan of December 2024 is 5 years from the adoption of the current Plan and only 2 years away. This is the most realistic timeframe for the Full Update based on the work required and available resources and the current regulatory procedure. This is reflected in the Local Development Scheme.</p> <p>The timetable will be monitored and where necessary amended to reflect any changes to required content of or process for preparation that may be introduced as part of the Levelling Up and Regeneration Bill as well as the level of available resources.</p>

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LPR/PU/18/011/01	Senior Planning Manager: Rosconn Strategic Land	<p>The Council has produced a Topic Paper (dated August 2022) setting out why it believes that Policy INF 03 in its current form is no longer relevant. Many different factors are cited, but it seems the one that merits the closest examination is the 2019 Local Plan Inspector’s rationale for introducing Policy INF 03 to begin with. This was due to the release of the 2016 household projections in the late stages of the examination whereas the Local Plan based its housing requirement on the 2014 household projections. Unlike the nationwide picture, the result of using the 2016 household projections in Breckland was a substantive upward adjustment to 770 dwellings per annum (dpa) whereas the Local Plan’s housing requirement was and still is 612 dpa. In the current national planning policy context this is now largely a moot point because the Standard Method for calculating Local Housing Need (LHN) still uses the 2014 household projections as the starting point for the demographic baseline. Therefore, an important part of the rationale for Policy INF 03 may appear to have fallen away.</p> <p>Use of the Standard Method to calculate Breckland’s LHN still results in a figure of 643 dpa, which is higher than the adopted Local Plan’s housing requirement of 612dpa. As the Council points out at</p>	<p>The Council considers that the outcome of the Partial Update of the Plan as proposed would allow for the Local Plan to remain up to date whilst the Full Update progresses. It does not mean that the Council would be re-adopting the 612 OAN housing figure until 2036 as the Full Update is timetabled to be completed by 2026. In addition, the Council notes paragraph 74 of the National Planning Policy Framework that where the housing requirement set out in an adopted Plan is more than 5 years old then the local housing need figure would be applied.</p> <p>The Plan presents a supply figure of 16,630 dwellings, representing an 8.7% buffer (1,332 dwellings) over the requirement. 672 (the 2014 based minimum housing requirement) is 60 more than 612. Over 14 years that would represent a reduction in the buffer of 840 dwellings. In effect the buffer will reduce from 1,332 to 492 dwellings.</p> <p>It is therefore concluded that when assessed against the NPPF, the local housing need figure has not changed significantly enough to undermine adopted Local Plan and make it unsound.</p> <p>Therefore there is no need to consider this housing issue separately to the full update of the local plan. and it would be better considered as part of the full update of the Plan alongside all the other related issues including for example, a review of the development strategy and viability issues including nutrient neutrality and the implications of the Environment Act (2021).</p> <p>PROPOSED CHANGE</p> <p>Amend the Topic Paper to reflect the 2022 based Housing figure of 672 dwellings</p>

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		<p>paragraph 5.6 of the August 2022 Topic Paper, the adopted Local Plan housing requirement includes a buffer of 8.7% that could theoretically absorb the difference over the remainder of the plan period when looked at in purely numerical terms. That said, the figure of 643 dpa is now itself out of date given the 2021 affordability data which now suggests that Breckland's LHN is 672 dpa resulting in a shortfall against the housing requirement of 840 dwellings over the 14 years remaining in the current plan period. This, too, however, could theoretically be absorbed by the Council's identified supply buffer though with a much more marginal degree of flexibility resulting.</p>	
LPR/PU/18/011/02	Senior Planning Manager: Rosconn Strategic Land	<p>Given adopted Local Plan's reliance on large-scale strategic allocations the erosion of its flexibility to respond to changing circumstances as a result of increases in the baseline housing need figure cannot be a desirable outcome and will likely lead to a five year housing land supply and/or housing delivery deficit at some point in the current plan period and prior to a new local plan being adopted. This scenario will still trigger corrective action in the form of the presumption in favour of sustainable development, but in a plan-led system such corrective action should be the exception and not the rule. It would appear prudent to us to consider using the opportunity for the partial review</p>	<p>Breckland Council has been very proactive in recent years in approving new sites for housing development. This is in line with both the Government's aim of boosting the supply of housing in the Country and the Council's own priority of providing housing to meet identified local needs and Local Plan targets. In March 2022 there were extant planning permissions for:</p> <ul style="list-style-type: none"> • 11,863 dwellings on major sites (including 2 sustainable urban extensions) • 720 dwellings on minor sites <p>The Council remains committed to a Full Update of the Local Plan that will consider new allocations and continue the Council's commitment to a plan led system</p> <p>If the Council's five-year housing land supply falls as postulated, then para 11d) in the NPPF guides decision-makers as to the</p>

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		<p>to bring forward additional specific site allocations for housing to ensure that provision of development in the District remains plan-led and that there is suitable contingency to respond to changing circumstances.</p>	<p>approach to be adopted. The same applies where there is a five-year supply, but planning judgment results in regarding policies to be out-of-date. For the reasons given above, there is no need for further deeming provisions in the local plan itself.</p> <p>The Thetford Sustainable Urban Extension is well underway with 2 developers on site (Hopkins and Tilia Homes) and a third (Taylor Wimpey) expecting to be on site later in 2022.</p> <p>Outline planning permission for the Attleborough Sustainable Urban Extension (SUE) was granted in March 2020 for 4,000 homes, a link road and other strategic infrastructure, two primary schools, local and neighbourhood centres, community facilities and public open space. Homes England, the UK Government's housing accelerator, has purchased the first parcel of land (up to 1,198 dwellings). Homes England's role is to kick start the development by putting in infrastructure up-front to aid the delivery of a new community that complements the historic market town, with well-designed new neighbourhoods, linked by a linear park. A Planning Performance Agreement has now been signed with the Council and S73 application to vary parameters plans and also Discharge of Condition applications in relation to Condition 4 (Structuring Plan) and 5 (Design Code) are currently being considered by the Council.</p> <p>NO CHANGE</p>
LPR/PU/18/011/03	Senior Planning Manager: Rosconn Strategic Land	<p>Without a plan review that delivers additional sites for development the Council's five year housing land supply will become a hostage to fluctuations in the LHN upon the five year anniversary of the adopted local plan. Over the course of 2020 to 2021 alone, for example, the LHN in Breckland has increased by 30dpa or</p>	<p>The Council is committed to reviewing its Plan that will deliver additional sites for development. The timetable for this is set out in the Local Development Scheme. The Council has not opted not to review the housing number but considers this is best dealt with through the Full Update of the Plan.</p> <p>In the case of Breckland's Local Plan, December 2024 is 5 years from the date of adoption. If this date is not achieved then the</p>

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		<p>4.5%. Even slight further increase to the LHN will significantly erode the adopted Local Plan's remaining contingency buffer. Even not allowing for the possibility of certain sites experiencing non-delivery or delayed delivery this mean a very limited ability for the adopted Local Plan to respond to changing circumstances.</p> <p>The Council uses the figure of 643 dpa but as set out above this figure is already out of date and given that the Council has opted not to review the local plan's housing requirement figure, housing need in the District will be measured against the most recent LHN figure following the five year anniversary of the current Local Plan. This could be much higher than 643 dpa.</p>	<p>Council is aware of the consequences that it would face under the current Regulations.</p> <p>If the Council's five-year housing land supply falls as postulated, then para 11d) in the NPPF guides decision-makers as to the approach to be adopted. The same applies where there is a five-year supply, but planning judgment results in regarding policies to be out-of-date.</p> <p>The Council cannot speculate as to what future housing numbers will be and how this may impact future 5 year housing supply calculations, that is assuming that the 5 year test remains for up to date plans. The Council will monitor and react to changes to the plan making process during the preparation process.</p> <p>It is worth noting that if the Council used the current figure of 672 dwellings per annum this would require the delivery of 3,360 dwellings over a 5 year period. This compares to a need for 3,897 dwellings under the current OAN as set out in the 2022 Housing Land Supply Report. The reason for this is that where the standard method for assessing local housing need is used as the starting point in forming the planned requirement for housing, Step 2 of the standard method factors in past under-delivery as part of the affordability ratio, so there is no requirement to specifically address under-delivery separately when establishing the minimum annual local housing need figure.</p> <p>NO CHANGE .</p>
LPR/PU/18/011/04	Senior Planning Manager: Rosconn Strategic Land	At paragraph 173 of the Inspector's report into the Breckland Local Plan the point is made that the over-provision of housing sites to the tune of 8.7% against the minimum housing requirement is appropriate to ensure flexibility and	<p>As previously stated, the Council is committed to reviewing its Plan that will deliver additional sites for development. The timetable for this is set out in the Local Development Scheme.</p> <p>The Council will review the housing number but considers this is best dealt with through the Full Update of the Plan.</p>

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		contingency for any sites that might under-deliver. The lack of any substantive review to development requirements and, accordingly, additional site allocations when combined with the elevated baseline housing need suggested by the Standard Method means that this flexibility and contingency included as part of the adopted Local Plan is effectively cancelled out, which cannot be a desirable or sound outcome.	NO CHANGE
LPR/PU/18/011/05	Senior Planning Manager: Rosconn Strategic Land	The Submission Draft and its supporting Topic Paper cite the uncertainties around Planning Reform, the future of the Standard Method and changes to the NPPF as reasons why a more substantive partial review has not been pursued. In fact, these uncertainties are the very reasons why a more substantive partial review should be pursued as such an approach would give the Council an opportunity to future-proof its local plan through identifying additional sites while a more comprehensive review is undertaken. Unfortunately, this opportunity has been missed.	As previously stated, the Council is committed to reviewing its Plan that will deliver additional sites for development. The timetable for this is set out in the Local Development Scheme. The Council considers that the outcome of the Partial Update of the Plan as proposed would allow for the Local Plan to remain up to date whilst the Full Update progresses. NO CHANGE
LPR/PU/18/011/06	Senior Planning Manager: Rosconn Strategic Land	We are mindful of the Planning Practice Guidance's (PPG) advice that the Standard Method does not produce a housing requirement. There is no consideration within the Submission Document or its evidence base as to whether a higher figure than the minimum LHN is required in Breckland and without	The Standard Method figure (or any replacement) will be considered through the work on the full Update of the Local Plan including a Housing and Economic Development Needs Assessment and issues and options. This consideration does not form part of the Partial Update to the Plan. NO CHANGE

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		<p>such an assessment, the LHN on its own cannot be considered to be a reliable indicator of future housing need in the District. As the PPG sets out the Standard Method: “does not attempt to predict the impact that future government policies, changing economic circumstances or other factors might have on demographic behaviour. Therefore, there will be circumstances where it is appropriate to consider whether actual housing need is higher than the standard method indicates.”</p> <p>More recent household projections suggest housing need in Breckland is greater than the LHN figure calculated using the older, 2014-based projections we would consider that this alone merits closer analysis as to whether the Standard Method is understating housing need in the District.</p>	

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LPR/PU/18/011/07	Senior Planning Manager: Rosconn Strategic Land	<p>On the supply side we consider that any judgments about the current plan's level of housing land supply obviating the need for further site allocations through a partial review should be made in the context of up-to-date evidence concerning the deliverability of existing housing sites over the remainder of the plan period.</p> <p>The Council's assumptions about the timing and rate of delivery of these sites should be tested in detail to ascertain whether further sites are needed to make up any shortfalls within the current plan period. We would note that there is currently no up-to-date housing trajectory or other assessment accompanying this consultation that clearly sets this out. The importance of a robust future supply is especially relevant as we would note that the Council's latest five year housing land supply assessment dated October 2021 identifies that there has been a substantial accumulated shortfall of some 736 units since the base date of the adopted plan. In the past ten years of reported completions, the Council has only exceeded its annual requirement in two monitoring years against the comparatively lower local plan figure of 612 dpa. If this trend persists, what confidence is there without further sites entering the pipeline that this accumulated shortfall will not grow further and become less likely to be met within the current plan</p>	<p>Consideration of the future supply of housing will be considered as part of the work on the full Update of the Local Plan. This consideration does not form part of the Partial Update to the Plan. Conclusions from this work and on the future delivery of sites will be tested at a future examination into the Full Update of the Plan.</p> <p>The latest 5 year housing land supply report concludes that the Council continues to demonstrate a 5 year supply of housing land</p> <p>Whilst the Council accepts that there was a significant shortfall in the delivery of housing in the first 4 years of the Plan period (2011 – 2015), there has been a surplus of delivery over need of 215 dwellings over the most recent 7 years of the plan period (2016 – 2022).</p> <p>NO CHANGE</p>

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		<p>period? Without a comprehensive assessment of the future housing land supply and a rigorous analysis of how that is likely to come forward, we would submit there can be very little confidence.</p>	

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LPR/PU/18/011/08	Senior Planning Manager: Rosconn Strategic Land	<p>The current approach to the review of Policy INF 03 will result in a local plan that is unsound or lack consistency with national policy as it would not be positively prepared. It would also be ineffective as it would likely not meet housing need over the plan period or maintain the current local plan's built-in contingency to respond to changing circumstances. We would recommend that the local plan's contingency buffer of at least 8.7% is maintained against the most recent LHN figure (currently 672 dpa) and that a comprehensive and up-to-date assessment of the adopted local plan's housing trajectory is carried out to understand whether future delivery will keep pace with the higher LHN figure, which must be interrogated to ensure its robustness in light of local circumstances. Any resultant housing need should be met through additional site allocations through a substantive partial review.</p>	<p>The current approach of twin tracking the Partial and Full Update is considered to be a sound approach and is in line with the requirement to review plans every 5 years.</p> <p>Consideration of the future supply of housing will be considered as part of the work on the full Update of the Local Plan. This consideration does not form part of the Partial Update to the Plan. Conclusions from this work, including the future delivery of sites and contingency buffers will be tested at a future examination into the Full Update of the Plan.</p> <p>NO CHANGE</p>
LPR/PU/18/012/01	Local Plans Manager SE and E: Home Builders Federation	<p>The publication of the 2016 household projections suggests a significant increase in household growth for Breckland but the inspector considered having an adopted plan and an immediate review would allow development proposed in the submitted plan to progress with the immediate review addressing the higher level of housing need in future.</p> <p>Since this decision the standard method continued to use the 2014 household</p>	<p>The decision to undertake the Partial Update of the Local Plan as proposed is based on a number of different factors and not just the housing numbers. These are explained in the papers accompanying the Consultation and are not referred to in this representation that refers only to the housing number issue.</p> <p>The Topic Paper sets out the evolution of the housing number for Breckland. This considers that there were a number of iterations of the number that caused significant uncertainty for a review of the Local Plan as required by Policy INF 03.</p>

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		<p>projections, but the affordability uplift is more significant than that used by the Council. This means that there is an assessed housing need of 672 dwellings per annum. There remains a higher level of housing need than in the adopted plan and was one of the key reasons for INF03 being included. Given the adopted housing requirement is less than the minimum requirement arrived at using the standard method this situation remains unchanged and as such the proposed amendment to INF03 is not justified.</p> <p>The Council outline in the topic paper supporting this consultation that there is uncertainty surrounding the Council's housing need, which has made it difficult to ascertain a starting point for the housing requirement. However, the only variable within the standard method is the affordability ratio given the requirement to use the 2014-based household projections. As such the housing requirement in each year following the plan has been 680, 643 and 672 respectively. Not significant fluctuations to hinder a review of the local plan.</p>	<p>The Inspector, considering the Local Plan required the Council to undertake the Partial Review using the 2016 based housing figures, notwithstanding that in October 2018, the Government had instructed local authorities to ignore the 2016 based figures when assessing their local housing need and instead use the 2014-based figures published two years earlier whilst it carried out a review of the methodology.</p> <p>This was followed, in August 2020, when, as part of the Planning for the Future White Paper, the Government consulted on a proposed new Standard Method, which had a greater focus on affordability, the results of which were to boost the national figure to 337,000 homes per annum, with most of the increases in the areas where the gap between house prices and incomes was greatest. The figure for Breckland was 1,070 dwellings per annum. By December 2020, the figure had again changed to 661 dwellings per annum and then to 643 in 2021 and 672 in 2022 following the application of an adjusted affordability ratio.</p> <p>There have been 6 different numbers published for Breckland ranging from 643 to 1,070 dwellings per annum. It is this uncertainty, combined with the other important issues set out in the Consultation that has resulted in the Council's decision to undertake the Partial Update as proposed.</p> <p>NO CHANGE</p>
LPR/PU/18/012/02	Local Plans Manager SE and E: Home Builders Federation	<p>Whilst the definition of Gypsy and Travellers was subject to a High Court challenge it was still the case that the Council needed to identify sites for Gypsy and Travellers. Work could have been progressed prior to the challenge to ensure timescale were met. The issue</p>	<p>The adopted Local Plan does identify sites to meet the needs of Gypsies and travellers as well as a criteria based development management policy against which to consider planning applications.</p> <p>The Council intends to resolve any issues, including an updated evidence base as part of the Full Update of the Local Plan.</p>

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		remains and must be resolved by the Council and as such is not sufficient reason for the proposed amendment to INF03.	NO CHANGE
LPR/PU/18/012/03	Local Plans Manager SE and E: Home Builders Federation	The impact of these standards [<i>Accessible and Adaptable Homes</i>] on viability would need to be considered by the Council but this would have been an addendum to existing viability evidence and is neither complicated nor time consuming to obtain. Had this had an impact on other policies the Council would then have had to make the decision as to whether to adopt these standards and amend other policies or not adopt these standards. This is not complex and cannot be used as a justification for amending INF03. However, it must be noted that part M4(2) standards on accessible homes are to be made mandatory and as such would no longer be required as part of a local plan update.	The Council is aware of the changing building regulations and as such considers that it adopted the best approach in considering such standards as part of the Full Update as any earlier work may have been lengthy and abortive NO CHANGE
LPR/PU/18/012/04	Local Plans Manager SE and E: Home Builders Federation	The Council state that delays to the proposed dualling of the A47 has been delayed and the uncertainty means that the Council cannot progress with the local plan review. This may well be the case, but it is also the case that the other elements of the review could have been progressed recognising the uncertainty over improvement to the A47 with regard to economic development. As such it is not a sound reason for amending INF03.	The Inspector considering the Local Plan considered that the improvements to the A47 were imminent and as such included the need for urgent review. However, delays to the scheme at Dereham have removed the urgent need to consider the economic development policies of the Plan. The Full update of the Plan will be well advanced prior to the completion of any works, as these are yet to commence. The Council considers that it is more appropriate to consider this issue holistically along with other development needs in the area

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			<p>including for example housing growth and not in isolation. There is a clear link between economic development and housing.</p> <p>NO CHANGE</p>
LPR/PU/18/012/05	Local Plans Manager SE and E: Home Builders Federation	<p>The Council also states that there has been significant changes in national policy that has created uncertainty and made it difficult to take the local plan forward. Whilst a changing policy framework and uncertainty from the Government as to the future for plan making is a challenge the reality is that change, and uncertainty are all part of preparing or reviewing a local plan. What is notable is that Bedford Borough Council had a similar clause within their local plan that was adopted in January 2020 and recently published a local plan review in line with that policy. This would suggest that the reasons set out are excuses and not sound reason for amending policy INF03.</p> <p>The uncertainty presented by the Council as a key factor in its inability to prepare a plan is one that would have no bearing on an immediate review. Nutrient neutrality for example only came to light in Norfolk as of March of this year. Therefore, whilst there may have been some delay it would not necessarily have prevented the Council from submitting its plan in line with the timescales in INF03. In fact, a timely review would have offered the Council the opportunity to include a policy</p>	<p>The Council accepts that there may continue to be some uncertainty in the future but is also aware of the importance of having an up to date plan. Therefore, it is important to continue with the Full Update as timetabled. However, the Council will continue to monitor this and adapt to any future changes in legislation etc.</p> <p>Had the Council undertaken the partial review and submitted in November 2022 the issue of nutrient neutrality on some of the allocations could have caused significant delays as to date no mitigation schemes have been agreed.</p> <p>The Council considers that to consider this and other issues as part of the full update to be the best and most pragmatic and best use of scarce resources.</p> <p>NO CHANGE</p>

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		<p>within any updated local plan to ensure that it has a policy on which to hook any necessary mitigation in the future.</p> <p>Delaying the required review of the local plan further is no guarantee that there will be certainty at some point in the future. The proposed amendment is likely to lead the Council to further delay its preparation, especially if there are no consequences arising from such a delay.</p>	
LPR/PU/18/012/06	Local Plans Manager SE and E: Home Builders Federation	<p>The reason the Council are seeking the proposed change is that they have not been sufficiently proactive with regard to the review of the local plan as required by the inspector to make it sound. The reason for the clause was to ensure delivery of that review in a timely manner. The Council have not achieved this and as such it should accept the consequences of their failure. Therefore, the HBF consider the proposed amendment to be unjustified, ineffective, and inconsistent with national policy and should not be taken forward by the Council.</p>	<p>The reasons why the Council considers that it was unreasonable and unrealistic for the Council to have submitted the Partial Update covering the issues as required by Policy INF 03 are detailed in the Topic Paper. If the Council had started the Partial Review as set out in Policy INF 03 then it believes that it would have been impossible to have progressed it as required by the Policy due to some or all of the issues and consequential uncertainties set out in the Topic Paper. It is noted that some 14 Local Planning Authorities have paused or delayed work on local plan preparation with some citing the uncertainty over housing numbers and planning reform. These include Dorset Council, Basildon, Dacorum, Ashfield, Arun, Sheffield, and East Hampshire.</p> <p>NO CHANGE</p>
LPR/PU/18/013/01	Spatial Planner: National Highways	No comment.	<p>Noted:</p> <p>NO CHANGE</p>
LPR/PU/18/014/01	Director: Savills on behalf of Pigeon Investment Management Ltd	<p>In Section 2.0 of the Draft Topic Paper the Council sets out (para. 2.2) the reason why the Local Plan Inspector identified a need to review Policy HOU 01 as being the different ways of calculating the Local</p>	<p>The Topic Paper sets out the evolution of the housing number for Breckland. This considers that there were a number of iterations of the number that caused significant uncertainty for a review of the Local Plan as required by Policy INF 03.</p>

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		<p>Plan housing requirement – the requirement in the adopted Plan being based on an objective assessment of need in a Strategic Housing Market Assessment ('SHMA') as opposed to the 'Standard Method' for calculating Local Housing Need. The former produced a figure of 612 dwellings per annum ('dpa') whereas the latter produced a figure of either 682 dpa (using the 2014-based household projections) or 770 dpa (using the 2016-based projections). The Government has since clarified that the 2014-based projections should continue to be used.</p> <p>This is one reason why the Inspector recommended the insertion of Policy INF 03 as a Main Modification, para. 2.2 reflecting the Inspector's conclusions in relation to 'objectively assessed need' (Inspector's report paras. 16-29 – the Topic Paper refers to para. 29).</p> <p>The Inspector also referenced the Council's agreement to an immediate Partial Review in justifying his conclusions on a number of other matters, including at paras. 54 (villages with and without boundaries), 103 (site allocations), 168 (components of [housing land] supply), 176 (five year land supply), 183 (affordable housing and Policy HOU 07). The Topic Paper lacks coverage of these matters.</p>	<p>The Inspector, considering the Local Plan required the Council to undertake the Partial Review using the 2016 based housing figures, notwithstanding that in October 2018, the Government had instructed local authorities to ignore the 2016 based figures when assessing their local housing need and instead use the 2014 based figures published two years earlier whilst it carried out a review of the methodology.</p> <p>This was followed, in August 2020, when, as part of the Planning for the Future White Paper, the Government consulted on a proposed new Standard Method, which had a greater focus on affordability, the results of which were to boost the national figure to 337,000 homes per annum, with most of the increases in the areas where the gap between house prices and incomes was greatest. The figure for Breckland was 1,070 dwellings per annum. By December 2020, the figure had again changed to 661 dwellings per annum and then to 643 in 2021 and 672 in 2022 following the application of an adjusted affordability ratio.</p> <p>There have been 6 different numbers published for Breckland ranging from 643 to 1,070 dwellings per annum. It is this uncertainty, combined with the other important issues set out in the Consultation that has resulted in the Council's decision to undertake the Partial Update as proposed.</p> <p>If the Council's five-year housing land supply falls as postulated, then para 11d) in the NPPF guides decision-makers as to the approach to be adopted. The same applies where there is a five-year supply, but planning judgment results in regarding policies to be out-of-date. For the reasons given above, there is no need for further deeming provisions in the local plan itself.</p> <p>The addition of a 'consequence clause' in the Policy is not considered necessary. Regulation 10A of the Town and Country Planning (Local Planning) (England) Regulations 2012) and paragraph 33 of the current National Planning Policy Framework</p>

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		<p>In Section 3.0 the Council then discusses the matter of housing need, referring to matters including ‘uncertainty and delays to the publication of the housing requirement and delays to work on the revised Strategic Housing Market Area Assessment (SHMAA)’ (paras. 3.3 to 3.21), ‘changes to the national planning policy framework’ (paras. 3.22 to 3.30), ‘uncertainties due to planning reform’ (paras. 3.37 to 3.47), and ‘nutrient neutrality’ (paras. 3.48 to 3.50) as all being reasons not to undertake the immediate Partial Review required by Policy INF 03. The reference to these matters should be viewed as wider context only.</p> <p>The discussion relating to the SHMAA and changes to the NPPF are inappropriate given, since the adoption of the Local Plan in November 2019, national policy has been consistent – the Standard Method for calculating Local Housing Need using the 2014-based household projections. Whilst other potential methods have been discussed, none have been introduced, and nothing has occurred in relation to Breckland that has not applied elsewhere. The Council notes (para. 3.39):</p> <p><i>“... It is acknowledged that the Government has consistently advised that local authorities should continue to work</i></p>	<p>requires policies in local plans to be reviewed to assess whether they need updating at least once every five years and should then be updated as necessary and that these reviews should be completed no later than five years from the adoption date of a plan.</p> <p>In the case of Breckland’s Local Plan, December 2024 is 5 years from the date of adoption. If this date is not achieved then the Council is aware of the consequences that it would face under the current Regulations.</p>

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		<p><i>on local plans. Examples of this are contained in both the March 2020 and October 2020 letters from the Chief Planning Officer to local authorities. ... [but] ... it is important to note that this is aimed at those authorities without an up to date Local Plan and that Breckland has an up to date local plan and continues to demonstrate a 5 year supply of housing land. ..."</i></p> <p>In summary, it is unclear why the review of Policy HOU 01, as required by Policy INF 03, has not been undertaken.</p>	
LPR/PU/18/014/06	Director: Savills on behalf of Pigeon Investment Management Ltd	<p>The Council explains that it has not yet commenced the work identified by the Local Plan Inspector as being required to review Policy HOU 08. It refers to a High Court decision of December 2020, that was effectively reversed in June 2021, and explains that this timing has meant that, as of August 2022, it is "unrealistic and unfeasible" to undertake the required review. Whilst the Council discusses the matter in other regards, this is the crux of its case. It therefore should be noted that the review could have been commenced in June 2021, after the High Court judgement was reversed.</p> <p>In summary, it is unclear why the review of Policy HOU 08, as required by Policy INF 03, has not been undertaken.</p>	<p>The adopted Local Plan does identify sites to meet the needs of Gypsies and travellers as well as a criteria based development management policy against which to consider planning applications.</p> <p>The Council intends to resolve any issues, including an updated evidence base as part of the Full Update of the Local Plan.</p> <p>NO CHANGE</p>
LPR/PU/18/014/07	Director: Savills on behalf of Pigeon	The Draft Topic Paper explains that the Council considers that as the accessibility	The Council is aware of the changing building regulations and as such considers that it adopted the best approach in considering

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	Investment Management Ltd	<p>standards are optional “... <i>the timing of when and if this [review] is completed is a decision for the Council and can be done through a full review and should not be required to be submitted by November 2022.</i>”</p> <p>In summary, and notwithstanding the Council’s optionality, it is unclear why the review of Policy HOU 10, as required by Policy INF 03, has not been undertaken.</p>	<p>such standards as part of the Full Update as any earlier work may have been lengthy and abortive</p> <p>NO CHANGE</p>
LPR/PU/18/014/08	Director: Savills on behalf of Pigeon Investment Management Ltd	<p>It would appear that the Council has not yet commenced the work identified by the Local Plan Inspector as being required to review Policy EC 01 to consider the potential impact of the dualling of part of the A47.</p> <p>The Draft Topic Paper references the fact that the A47 improvements have been delayed (para. 3.2) and notes (para. 3.31) that the work is expected to be complete by 2024/25. As such, the Council now suggests that the anticipated completion of the works in 2024/25 “<i>is considered to dovetail</i>” with the Full Review of the Plan, which is not anticipated to be adopted until summer 2027.</p> <p>The Council is suggesting that the Local Plan, in an adopted form, does not need to consider the implications until two to three years after the works to the A47 will be complete. This is in contrast to the Inspector that considered the adopted</p>	<p>The Inspector considering the Local Plan considered that the improvements to the A47 were imminent and as such included the need for urgent review.</p> <p>However, delays to the scheme at Dereham have removed the urgent need to consider the economic development policies of the Plan. The Full update of the Plan will be well advanced prior to the completion of any works, as these are yet to commence.</p> <p>The Council considers that it is more appropriate to consider this issue holistically along with other development needs in the area including for example housing growth and not in isolation. There is a clear link between economic development and housing.</p> <p>NO CHANGE</p>

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		<p>2019 Local Plan who considered that the impact of the dualling that was anticipated at the time would be complete by 2021.</p> <p>It is unclear why the review of Policy EC 01, has not been undertaken.</p>	
LPR/PU/18/014/09	Director: Savills on behalf of Pigeon Investment Management Ltd	<p>In summary, it would appear that the Council has never resolved to undertake an immediate Partial Review of the adopted Local Plan as required by Policy INF 03. With regard to the reasons why it has not done so, it has noted the passing of time that has left it unable to do so, and also concluded that doing so was not the “most cost effective option”, thus leading it to propose an alternative approach.</p> <p>In conclusion, it is unclear why the Council has not undertaken the immediate Partial Review required by Policy INF 03 and as such the proposed amendments to paragraph 8.22 and Policy INF 03 are evidently questionable regarding them being not positively prepared, justified, effective or consistent with national policy.</p>	<p>The reasons why the Council considers that it was unreasonable and unrealistic for the Council to have submitted the Partial Update covering the issues as required by Policy INF 03 are detailed in the Topic Paper. If the Council had started the Partial Review as set out in Policy INF 03 then it believes that it would have been impossible to have progressed it as required by the Policy due to some or all of the issues and consequential uncertainties set out in the Topic Paper. It is noted that some 14 Local Planning Authorities have paused or delayed work on local plan preparation with some citing the uncertainty over housing numbers and planning reform. These include Dorset Council, Basildon, Dacorum, Ashfield, Arun, Sheffield, and East Hampshire</p> <p>As well as the uncertainty over the standard housing need figures that fluctuated between 643 dwellings per annum to 1,070 per annum since the adoption of the Plan in 2019, other key reasons for delaying the review of the Plan include changes to the National Planning Policy Framework, delays to the implementation of the A47 improvements near Dereham, the legal challenge to the definition of Gypsies and Travellers in the High Court and ongoing discussions on planning reform, beginning with the 2020 White Paper.</p> <p>It is therefore considered that the only reasonable option open to the Council was to seek a change to the wording of the Policy as proposed in the Partial Update and to progress these important issues as part of, and alongside, the Full Update of the Local Plan.</p>

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			<p>The Council therefore considers that it is important to continue with the Partial update as proposed.</p> <p>NO CHANGE</p>
LPR/PU/18/015/01	Senior Planner: Turley on behalf of Silverly Properties Ltd	<p>Under paragraph 11a of the National Planning Policy Framework, Local Planning Authorities are required to positively seek opportunities to meet the development needs of their area. The currently proposed amendments to Policy INF 03 go well beyond the original intentions of the policy, which were to expedite an immediate partial review of the Local Plan to ensure that the Council would be able to maintain an appropriate supply of housing land. The proposed amendments to INF 03 significantly exceed the original remit they would effectively result in a four-year delay to the assessment of Policy HOU1 Development Requirements. Crucially, the consideration of housing need and the subsequent strategy for meeting that identified need.</p> <p>The Council attempts to justify this delay by stating that there is a need to amend Policy INF 03 because a <i>'range of policies would become out of date and the Council's ability to effectively manage development would be reduced'</i>. The fact remains that after November 2022 a key policy relating to the supply of land, forming part of the adopted Development Plan for the area will be in default and the Council's policies that relate to the supply</p>	<p>The reasons why the Council considers that it was unreasonable and unrealistic for the Council to have submitted the Partial Update covering the issues as required by Policy INF 03 are detailed in the Topic Paper. If the Council had started the Partial Review as set out in Policy INF 03 then it believes that it would have been impossible to have progressed it as required by the Policy due to some or all of the issues and consequential uncertainties set out in the Topic Paper. It is noted that some 14 Local Planning Authorities have paused or delayed work on local plan preparation with some citing the uncertainty over housing numbers and planning reform. These include Dorset Council, Basildon, Dacorum, Ashfield, Arun, Sheffield, and East Hampshire</p> <p>As well as the uncertainty over the standard housing need figures that fluctuated between 643 dwellings per annum to 1,070 per annum since the adoption of the Plan in 2019, other key reasons for delaying the review of the Plan include changes to the National Planning Policy Framework, delays to the implementation of the A47 improvements near Dereham, the legal challenge to the definition of Gypsies and Travellers in the High Court and ongoing discussions on planning reform, beginning with the 2020 White Paper.</p> <p>It is therefore considered that the only reasonable option open to the Council was to seek a change to the wording of the Policy as proposed in the Partial Update and to progress these important issues as part of, and alongside, the Full Update of the Local Plan.</p> <p>The Council therefore considers that it is important to continue with the Partial update as proposed.</p>

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		<p>of housing and economic development will therefore be deemed to be out-of-date, by reason of the rationale and specific wording of that policy.</p> <p>In contrast, any subsequent variation of Policy INF 03, in order to change its intended rationale and extend the deadline, will not form part of the adopted Development Plan and is also likely to attract significant objection (as is the case here). Therefore, the amended policy wording will have little or no weight until it has been properly examined and found sound by a future Local Plan Inspector. In the interim, the adopted version of INF 03 will carry full weight, which means that the policies relating to the supply of housing will be <u>out of date after November 2022</u>.</p> <p>In addition, it is considered that the Council were given three years to undertake the required partial review and that the reasons given for the further delay are not a significant justification for the amendment of the policy, <u>which urgently needs to be implemented</u>.</p>	<p>The wording of Policy INF 03 in the adopted Plan required the Council to have submitted by November 2022. The Council is submitting its proposed change to the Policy that adheres to this deadline.</p> <p>NO CHANGE</p>
LPR/PU/18/015/02	Senior Planner: Turley on behalf of Silverly Properties Ltd	Whilst the Council consider that they have a 5.6-year supply of deliverable housing, it is apparent that too much reliance has been placed on a number of sites which as yet have still to commence delivery and where the longer-term delivery trajectory remains uncertain. The SHMAA is over five years out of date and therefore the	Breckland Council has been very proactive in recent years in approving new sites for housing development. This is in line with both the Government's aim of boosting the supply of housing in the Country and the Council's own priority of providing housing to meet identified local needs and Local Plan targets. In March 2022 there were extant planning permissions for:

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		<p>assertion that the adopted Local Plan's requirement figure and five-year housing land supply position is sufficient to meet need arising in Breckland is also unsubstantiated, hence the need for an immediate partial review of Policy IMF 03 as originally intended.</p> <p>For these reasons the proposed amendment to Policy INF 03 is not considered to be sound.</p> <p>The Policy should be amended to require the Council to undertake an immediate Partial Review of the Plan and in particular Policy HOU1 in advance of the full Review to enable the provision of housing need to be urgently addressed without delay</p>	<ul style="list-style-type: none"> • 11,863 dwellings on major sites (including 2 sustainable urban extensions) • 720 dwellings on minor sites <p>The Council is committed to reviewing its Plan that will deliver additional sites for development. The timetable for this is set out in the Local Development Scheme. The Council considers this is best dealt with through the Full Update of the Plan.</p> <p>In the case of Breckland's Local Plan, December 2024 is 5 years from the date of adoption. If this date is not achieved then the Council is aware of the consequences that it would face under the current Regulations.</p> <p>If the Council's five-year housing land supply falls then para 11d) in the NPPF guides decision-makers as to the approach to be adopted. The same applies where there is a five-year supply, but planning judgment results in regarding policies to be out-of-date. Consideration of the future supply of housing will be considered as part of the work on the full Update of the Local Plan. This consideration does not form part of the Partial Update to the Plan. Conclusions from this work and on the future delivery of sites will be tested at a future examination into the Full Update of the Plan.</p> <p>The latest 5 year housing land supply report concludes that the Council continues to demonstrate a 5 year supply of housing land</p> <p>NO CHANGE</p>
LPR/PU/18/016/01	Kilvert Family	<p>The Council have tried to justify the reasons for amending INF03 being due to uncertainties over national planning policy, technical evidence, and delayed infrastructure improvements. However, we do not consider there to be sufficient</p>	<p>The reasons why the Council considers that it was unreasonable and unrealistic for the Council to have submitted the Partial Update covering the issues as required by Policy INF 03 are detailed in the Topic Paper. If the Council had started the Partial Review as set out in Policy INF 03 then it believes that it would have been impossible to have progressed it as required by the Policy due to</p>

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		<p>justification for the proposed amendment when the Inspector deemed it necessary for an immediate review.</p> <p>A key reason for the immediate review was to consider revised housing needs. Policy HOU1 of the adopted plan requires that the Council deliver 612 dwellings per annum. However, the assessed housing need for Breckland is now 672 dwellings per annum based on standard method. Given the adopted housing requirement is less than the minimum requirement using the standard method this situation remains unchanged and as such the proposed amendment to INF03 is not justified.</p> <p>Overall, we consider the Council have failed to proactively commence work on their immediate review of the Local Plan. As such we deem that the proposed amendment to be unjustified and should not be implemented by the Council.</p> <p>The existing wording of Policy INF 03 in the Adopted Local Plan (2019 should remain unchanged.</p>	<p>some or all of the issues and consequential uncertainties set out in the Topic Paper. It is noted that some 14 Local Planning Authorities have paused or delayed work on local plan preparation with some citing the uncertainty over housing numbers and planning reform. These include Dorset Council, Basildon, Dacorum, Ashfield, Arun, Sheffield, and East Hampshire.</p> <p>The Plan presents a supply figure of 16,630 dwellings, representing an 8.7% buffer (1,332 dwellings) over the requirement. 672 (the 2014 based minimum housing requirement) is 60 more than 612. Over 14 years that would represent a reduction in the buffer of 840 dwellings. In effect the buffer will reduce from 1,332 to 492 dwellings.</p> <p>It is therefore concluded that when assessed against the NPPF, the local housing need figure has not changed significantly enough to undermine adopted Local Plan and make it unsound.</p> <p>Therefore there is no need to consider this housing issue separately to the full update of the local plan. and it would be better considered as part of the full update of the Plan alongside all the other related issues including for example, a review of the development strategy and viability issues including nutrient neutrality and the implications of the Environment Act (2021).</p> <p>NO CHANGE</p>
LPR/PU/18/017/01	Vice Chair of Rocklands PC	In view of the position in which Breckland Council now finds itself, and the potentially damaging consequences to communities of proceeding otherwise, I can only support the proposed modifications to Paragraph 8.22	<p>Noted</p> <p>NO CHANGE</p>

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LPR/PU/18/017/02	Vice Chair of Rocklands PC	In view of the position in which Breckland Council now finds itself, and the potentially damaging consequences to communities of proceeding otherwise, I can only support the proposed modifications to Policy INF 03.	Noted NO CHANGE
LPR/PU/18/017/03	Vice Chair of Rocklands PC	In view of the position in which Breckland Council now finds itself, and the potentially damaging consequences to communities of proceeding otherwise, I can only support the proposed Integrated Assessment Scheme	Noted NO CHANGE