

# **Breckland Local Plan: Full Update**

## **Issues and Options**

### **Frequently Asked Questions**

#### **What is the Local Plan?**

Local Plans, prepared by a local planning authority in consultation with its community, set out a vision and a framework for the future development of an area. Once in place, Local Plans become part of the statutory development plan. The statutory development plan for the area is the starting point for determining local planning applications.

The Plan will allocate sites for housing, gypsy and Traveller sites and employment development. Without a plan, we have much less control over the quality and location of development. Having a Local Plan in place means that we will be more able to protect our important green spaces, direct development to appropriate locations and deliver local priorities and aspirations.

#### **What stage are we at?**

The current consultation is the initial stage of consultation on the Local Plan, titled issues and options. This consultation seeks to notify people of the Council updating its adopted Local Plan for the District and asking what they consider it should cover. There will be various other consultation stages in which people can get involved throughout the Local Plan process as new evidence emerges and options are refined.

#### **What about the current Local Plan?**

The Current (adopted) Local Plan was adopted in 2019. The Government requires local planning authorities to review (and if necessary update) their local development documents at least every five years. This does not mean that all of the Plan will require to be updated and those parts of the current Plan that are considered to be up to date and still have Council support will be carried forward into the updated Plan.

#### **What if the Local Plan is not updated?**

Policies in a Local Plan can be considered out of date if it is more than 5 years old or in other ways where a Local Plan or specific policy no longer performs its intended role, or if certain material considerations mean that the policy can no longer be relied upon or given weight. The lack of an up to date local plan has far-reaching implications for planning decision-making in that, if a local authority does not have an up-to-date Local Plan or 5-year housing land supply, it potentially triggers what planning jargon calls the “tilted balance” in favour of granting planning permission contained in the National Planning Policy Framework (“NPPF”).

The “tilted balance”, or presumption in favour of sustainable development, is contained in paragraph 11(d) of the National Planning Policy Framework (NPPF) which provides that planning permission should be granted where there are no relevant development plan policies, or where the policies which are most important for determining the application are out-of-date. However, this is unless the

application of policies in the NPPF that protect areas or assets of particular importance provide a clear reason for refusing permission, or the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF as a whole. This does not mean that planning permission would automatically be granted as demonstrated in recent Case Law, including for example, where the Court of Appeal<sup>1</sup> held that the existence of a general, up-to-date policy protecting the character and appearance of the rural area was by itself sufficient to preclude the operation of the tilted balance to an application for a development of 50 houses, notwithstanding the absence of policies specifically targeted at the type or location of the development under consideration.

These matters will need to be considered through individual planning applications and the level of weight given to them is a matter for the decision-taker.

### **What is the Issues and Options Consultation about?**

The current consultation is the initial stage of consultation on the Local Plan, titled issues and options. The Issues and Options consultation is an important part of the Local Plan process. It is the first stage of public consultation, where the local community is asked how they would like to tackle a range of planning issues and proposed options for the future development of the District.

### **Have you chosen sites for development in the Issues and Options Consultation document?**

The current consultation does not set out proposed site allocations or sites for development. This will come in later stages and will be informed by responses received at this stage.

### **What is the 'call for sites'?**

In 2022 the Council undertook a Call for Sites exercise. The 'Call for Sites' is an early opportunity for individuals, landowners and developers to suggest sites within the District for both development and protection as Local Green Space over the next 25 years. The site suggestions received by us will be used to inform the preparation of the updated Local Plan.

The call for sites exercise will not determine whether a site should be allocated for development or identified as Local Green Space. However, it will help identify a potential pool of sites for further consideration through a range of technical work. This will help to inform future decisions on allocations in the updated Local Plan.

Following the Call for Sites, we published details of the submissions we have received for both development and Local Green Spaces across the District. These can be viewed at the link below.

<https://brecklandlocalplan.commonplace.is/>

Please note that the publication of any site does not indicate that it will be allocated or will successfully obtain permission for development. In preparing the updated Local

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<sup>1</sup> Paul Newman New Homes Ltd v Secretary of State for Housing, Communities and Local Government

Plan, sites will be tested through further technical work to assess their sustainability, suitability and deliverability. The sites considered most appropriate will then be subject to public consultation and examination.

### **How is the impact of employment and housing growth upon local services and infrastructure taken into account?**

Infrastructure is a key component of the local plan making process. It is important that the Council has a thorough understanding of infrastructure provision and requirements. Early discussions will take place with service providers and an infrastructure capacity assessment will be undertaken and an infrastructure delivery plan will enable provision to be considered as the plan progresses.

### **How does this plan relate to the neighbourhood plan my community is preparing?**

The Local Plan, prepared by the District Council, is the principal planning document for the area. Local Plans must be prepared with the objective of contributing to the achievement of sustainable development and must be consistent with the NPPF. Local Plans should set out the strategic priorities for the area, for example, the number of new homes and jobs needed in the area and requirement for infrastructure and facilities.

Neighbourhood Plans should be aligned with the strategic needs and priorities of the wider local area. Neighbourhood Plans must be in general conformity with the strategic policies of the Local Plan. Crucially, this means that a Neighbourhood Plan cannot propose less growth than required by the Local Plan. It should be noted that to achieve 'general conformity', the Neighbourhood Plan does not need to be identical to the Local Plan. It is reasonable for a Neighbourhood Plan to influence strategic priorities, providing it does not undermine them

Once made, neighbourhood plans form part of the development plan and are used to inform planning decisions within that area. Neighbourhood planning groups will be kept informed as the Local Plan progresses. If a neighbourhood plan is made before the Local Plan is adopted, neighbourhood planning groups will need to consider whether aspects of the plan require review.

### **What is the timescale for the consultation?**

The council is consulting on the Issues and Options between **March 10 2023 and 19 May 2023**. After this period there will be further consultation as new and updated evidence is made available that will help inform and refine the development of options. All responses must be received by no later **5pm on 19 May 2023**.

### **How can I find out more information?**

You can see the document and supporting information online at:

<https://www.breckland.gov.uk/article/19942/Local-Plan-Full-Update>

If you would like to be kept informed of the Local Plan as it progresses then please let us know via the contact details above and we will add you to our database and keep you updated.

### **If I have some questions on the consultation, how can I speak to you?**

You can email [planning.policyteam@breckland.gov.uk](mailto:planning.policyteam@breckland.gov.uk)

or telephone 01362 656239 during normal office hours (09:00-17:00 Monday to Friday) if you have any further queries.

**Will any comments I make be published?**

Subject to **General Data Protection Regulations** Councils are required by law to make available the comments you send about the plan, available for the public to read in council offices and online as part of the local plan preparation process. Please note that we cannot provide anonymity or accept comments marked 'private' or 'confidential'. Comments that include offensive, racist, discriminatory, threatening and other non-relevant statements will be destroyed.

**What happens next?**

The Council will consider each of the responses and then prepare a draft Local Plan which will be the next consultation stage.