

# SWANTON MORLEY PARISH COUNCIL

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20<sup>th</sup> October 2017

Mr P. Whitehead  
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37 Gay Street,  
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BA1 2NT

Via Email: [steve.carnaby@intelligentplans.co.uk](mailto:steve.carnaby@intelligentplans.co.uk)

Cc: [Susan.Heinrich@breckland.gov.uk](mailto:Susan.Heinrich@breckland.gov.uk)

**Re: Examination Ref: 02/PW/SMNP**

Dear Mr Whitehead,

Thank you for your questions received on 13<sup>th</sup> October. We are pleased to provide the answers as below:

## **With Reference to Policy 2**

### **You asked:**

- 1 The SMNP allocates 3 sites for new residential development: LP013; LP014 and LP016. Only the first of these is identified by Breckland District Council (BDC) as a Preferred Site and shown as an allocation in the emerging local plan. Allocating the additional sites potentially leads to a significant overprovision of housing land. Can the PC provide evidence for the inclusion of LP014 and LP016 as allocations in addition to the preferred site?

### **We have responded:**

Table 1 on page 35 of the Neighbourhood Plan illustrates the history of sustainable growth in Swanton Morley and highlights that the 85 dwellings will not be sufficient to meet the expected local need looking forward.

Swanton Morley is highlighted as a Service Centre Village that is suitable for growth and with the potential of additional growth (as Breckland District Council does not have a 5-year land supply) the local community has selected LP014 and LP016 as sustainable locations within the village. These locations are seen as sustainable, have the ability to

provide additional facilities to support the community and with the ability to resolve a road safety issue on Hoe Road East.

Rather than being hit through predatory and inappropriate planning applications it is the feeling of the local community to recognise that the village has the scope to accommodate additional growth and the local need. The identification of the additional two sites is a proactive step, will help Breckland District Council with the district housing numbers and direct growth in Swanton Morley to the most sustainable locations.

The Government methodology, published as part of the current consultation Planning for the right homes in the right places: consultation proposals” calculates an increase in dwellings per annum from 612 to 680 for the Breckland District. This supports the Parish Council’s view that the allocated sites will not meet the need across the district and more importantly the need in Swanton Morley.

Breckland District Council’s Housing Register identified 168 people (at April 2017 see Appendix 8 of the Neighbourhood Plan) that are seeking affordable housing in the village.

NPPF, paragraph 14 states “At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking.

For plan-making this means that:

- local planning authorities should positively seek opportunities to meet the development needs of their area”

The allocation of the two additional sites in the village is seen as:-

- a positive approach to assessing the real housing need;
- a proactive step to meeting the local housing need;
- having local community support;
- a sustainable location;
- helping to realise the Vision for Swanton Morley;
- supporting the delivery of the Objectives (a), (c), (d), and (e) and can also be seen to contribute to achieving Objectives (f), (h) and (i); and
- meeting the Ambition of Policy 2, as outlined above and also through “making it (Swanton Morley) ‘more joined up’, providing better connectivity and access whilst enabling infrastructure to be improved.”
- providing additional sites which the District will have to find.

**You asked:**

- 2 BDC indicates that the preferred site has a capacity of 85 dwellings. Can the PC provide evidence to support its own capacity calculation of 98 dwellings, shown in Appendix 5 and can the PC provide a capacity figure for LP016?

**We have responded:**

The capacity calculation of 98 dwellings was not determined by the Parish Council, instead this was the assessment provided by Breckland District Council in December 2015 as part of the Regulation 18 consultation undertaken and is where the number was taken from.

Within the Swanton Morley Neighbourhood Plan we have included the Breckland Local Plan Preferred Directions Site Allocations map for Swanton Morley, see Map 4 on page 32. The number in brackets indicates Breckland District Councils dwelling assessment for each site. LP013 has (98) shown.

In the later consultation, September 2016, and after the Neighbourhood Plan event in January 2016 Breckland District Council amended the dwelling assessment to 85. In the Pre-submission version of the Breckland Local Plan issued in August 2017 the assessment has been further amended in the Swanton Morley Residential Allocation 1: Land off Rectory Road (LP[098]013) to “Land amounting to 4.9 hectares is allocated for a residential development of at least 85 dwellings.”

Therefore, the Parish Council is unsure of Breckland District Council’s dwelling assessment as it now seems there is a minimum number, “of at least 85”, but no maximum.

The number of 95 dwellings was not amended in Appendix 5 as this was the assessment available from Breckland District Council at the time and was the number of dwellings that was consulted on at the community event.

**You asked:**

- 3 The SMNP gives no indication of the visual or landscape impact which would result from developing these sites, nor has the Sustainability Appraisal (SA) considered each site in isolation. Can the PC provide evidence to show that these impacts would not be significant, or that they can be satisfactorily mitigated?

**We have responded:**

The Neighbourhood Plan Steering Group spent much time considering the visual impact of development in the village. This can also be seen in Policy 10 (page 61) Important views. Policy 2 was put together to give a well-balanced policy between protecting the visual environment by ensuring that future development is in the correct place.

Breckland District Council assessed the sites in the Breckland Local Plan Preferred Site Options and Settlement Boundaries document issued in September 2016, pages 162 and 163. Both sites are included in the Alternative Options list and have no visual or landscape impacts and the sites location conforms to the character assessment Northall Green Enclosed Arable Farmland character area. Site LP014 was also assessed in the

earlier Breckland Local Plan Preferred Directions document issued in December 2015, which concluded the site was 'Deliverable' and a Reasonable Alternative.

It is recognised that site LP016 would need to be developed in conjunction with LP013 and LP014 due to the highway concerns. Policy 3 of the Neighbourhood Plan seeks to see both sites delivered in conjunction with LP013.

The assessment of LP014 does identify the views across to the church tower. These views are at best now very limited or lost completely with the Hopkins Homes development at Rectory Road, identified on Map 5 of the Neighbourhood Plan as the orange hatched area. Site LP013 will further impact on any view that may remain.

Any development on LP014 would need to be mindful to the proximity of the grade II listed primary school and consider the impact. Any proposed development would need to comply with the other policies within the Neighbourhood plan and the requirements of other development plan management policies.

### **With Reference to Policy 3**

#### **You asked:**

- 4 Can the PC provide evidence to show the implications of developing all three sites on the infrastructure of the Parish, including for example, school places, and the impact on viability of the requirements set down in Policy 3?

#### **We have responded:**

Swanton Morley is recognised as an area suitable for growth as it has a primary school within the settlement, community facilities, a range of retail and service provision capable of meeting day to day needs (in particular convenience shopping), local employment opportunities and frequent public transport to higher order settlements.

No constraints or limitations were identified through the development of the emerging Local Plan on the infrastructure of the parish and the modest increase in demand on parish infrastructure over the plan period will be catered for through the assessment, current delivery and future improvements made by service providers and agencies in the planning process.

Although Norfolk County Council, in their consultation response, has not raised any concern regarding school places, Swanton Morley Primary School is currently over capacity.

For the September 2016 reception intake, there were 38 children within catchment that applied for a place at Swanton Morley Primary School. As the Pupil Admission Number is only 30, 8 local children could not get a place at their local school (even when they had siblings at this school). [Source: <https://www.norfolk.gov.uk/>-

</media/norfolk/downloads/education-learning/admissions/proposed-published-admission-numbers-for-community-and-voluntary-controlled-schools.xlsx?la=en>

This is likely to cause social problems for these children as they cannot go to the same school as their friends and neighbours. In addition to this it causes issues for parents with children at different schools. It also causes a financial strain on Norfolk County Council, as they are obliged to provide transport in the form of taxis for these children to attend school in Dereham.

As the school is funded per pupil, sadly eight additional children did not generate enough income to warrant the financing of another teacher. Therefore, with the school already oversubscribed it should not be expected to drop pupils in the catchment area.

With growth plan lead this will give the appropriate agency (Norfolk County Council) the ability to forecast future requirements and, if necessary, extend existing or build new schools to meet the requirements.

Swanton Morley Primary School currently has the school building and classroom(s) available but not the funding to warrant an additional member of staff and therefore growth will benefit all the primary aged children in our village as well as those which will be living in the village in the future allocation.

The additional housing will not put pressure on capacity, because this tipping point has already been hit. It may actually assist the longer-term planning Norfolk County Council, as the responsible body, and enable the Primary School to grow to meet both current and future needs.

In relation to the Doctor's surgery, Swanton Morley surgery still has an open book unlike the two main surgeries in Dereham which are now closed.

In an email from the practice manager to the Parish Council on 27<sup>th</sup> June 2016, she advised: "Patients can use either of the surgeries so we do not have a total capacity for just Swanton Morley surgery. The decision to close the book will be for both Elmham and Swanton Morley Surgeries and will be based on patient safety. Patient safety tends to be determined on the ratio of patients to whole time equivalent GPs. 2,000 patients per full time GP has been considered a key point in the past, when the average tended to sit at around 1,700.

Elmham and Swanton Morley surgeries exceed that value – we current have a ratio of 3,000/full time GP, which will fall to 2,743 in the autumn when a GP increases the hours they work for us. We have taken the decision not to close our list because we have successfully recruited prescribing Nurse Practitioners; if they are included in the numbers our ratio falls and supports the doctor."

Feedback from local residents at the community events have said they support the model of nurse practitioners and they provide an excellent supporting role for GPs. The attached link to the Lancet journal seems to agree and we have heard that Dereham is seeking to instigate this method of patient management:

<http://www.thelancet.com/cms/attachment/2000996337/2003693487/mmc16.pdf>

and the attached more recent article from a NP:

<http://www.independentnurse.co.uk/professional-article/advanced-practitioners-improve-efficiency-and-patient-satisfaction/159765/>

The local community of Swanton Morley prides itself on being willing to change, try new approaches, open and honest in its feedback (both positive and negative) and being proactive in seeking solutions to what are difficult problems.

The requirements in Policy 3 set out the facilities the community wish to see delivered with development in this location to resolve specific issues. In most instances they are relatively straightforward, gives any developer a clear understanding of community expectations and could be incorporated at the design stage with limited impact on cost. Looking at each requirement in order:-

- a) The car park will be relatively inexpensive to provide, as a developer would have machinery, materials and manpower on site that could be used to implement the car park. The loss of land for the car park is likely to be the largest opportunity cost although there is sufficient land.

A safe road crossing is something that the Parish Council would expect the Norfolk County Council Highways Authority to require of any development in mitigating its impact.

- b) Lay-by parking provision is easily incorporated into the design layout with a very limited impact on cost.
- c) Any development would have to agree a landscape-planting scheme. By stipulating in this way any developer is clear on expectation.

The limitation on height is to prevent overlooking of the cemetery. Through the early identification of the requirement will enable any developer to easily incorporate within the design layout for mix and type of homes.

The stipulation is not seen as being unduly onerous as the limitation is to 1.5 storey, rather than bungalows, as still enables choice, innovation in design and could include rooms in the roof space (chalet style).

- d) The continuation of the road layout will give a joined up feel to three sites, aid good design and access. The developments will require estate roads, therefore,

the only additional requirement is to have the continuous link which can easily be incorporated at the design stage at very limited extra cost.

“and /or” will give any developer a choice of approach that will deliver a road, cycle and pedestrian access between Rectory Road and Manns Lane.

- e) This is likely to be the most expensive requirement and has the potential to affect the viability of a development scheme although there are not likely to be other significant infrastructure costs and is why it has been positioned as a “and/or” requirement.

The widening of Hoe Road East will resolve an existing pinch point where motorists, cyclists and pedestrians already have road safety concerns. Any new development is likely to make this worse and have a negative impact. Therefore, any developer could look to resolve the local issue for the community by undertaking this requirement (e).

Or just mitigate the likely negative impact of the development by undertaking requirement (d)

Or do both requirements (d) and (e), which would enable good access for the new homes and new residents whilst resolving the wider communities issue.

### **With Reference to Policy 7**

#### **You asked:**

- 5 BDC has suggested alternative sites to replace the Middleton Avenue Local Green Space (LGS) designation. There is reference to a map showing these. Has the PC responded to the BDC suggestion?

#### **We have responded:**

These were the three areas that the local community highlighted at the community events and expressed concerns at their potential loss. The loss of any of these three areas would be detrimental to the community.

Yes, the Parish Council has responded to Breckland District Council. Initially verbally, raising concerns about the outer area of land at Thompson Close, and by email on 5<sup>th</sup> June 2017 saying:-

“There is concern that Breckland District Council is seeking to re-designate these much-loved local open spaces within the emerging Local Plan to enable development on them.

The local community supports these three areas remaining as open space for the enjoyment of all residents.

All three areas meet the requirements for Local Green Space, this Breckland District Council has recognised in its earlier response by accepting that two of the three areas as Local Green Space.”

To date Breckland District Council has not provided the map outlining the areas. No map was attached or included in either of Breckland District Council’s responses (Reg. 14 or Reg. 16).

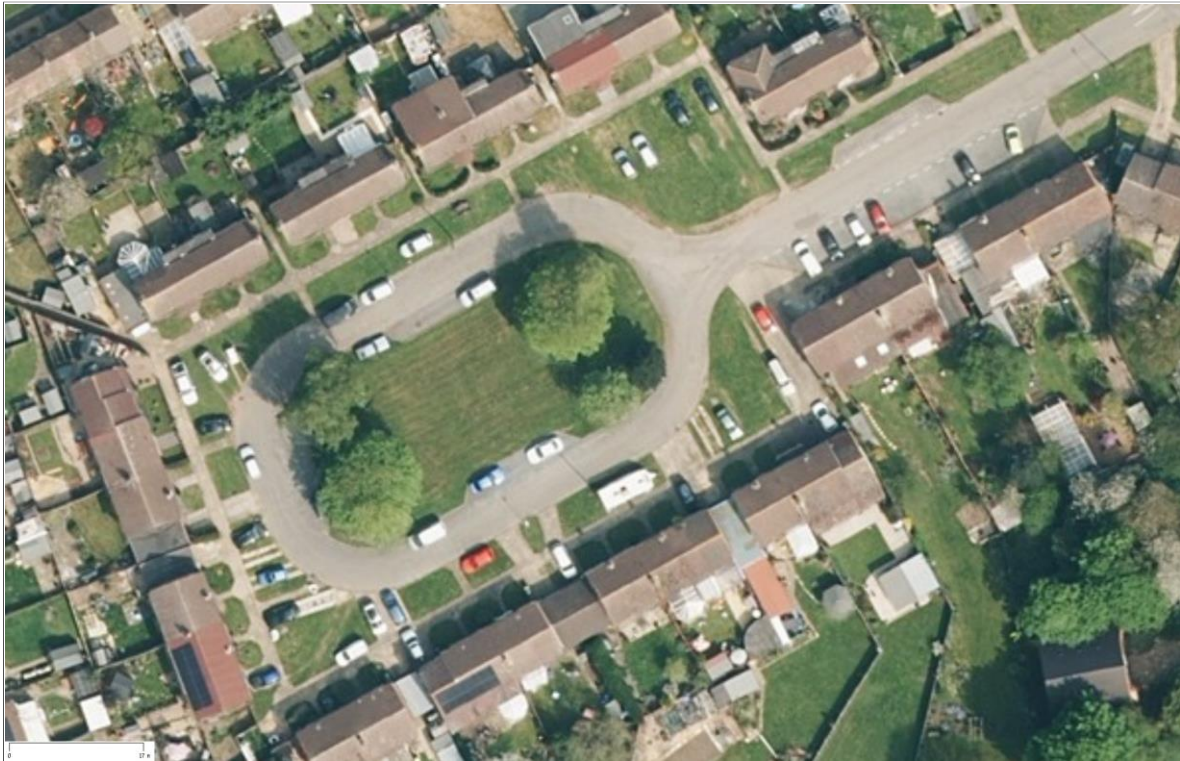
The Parish Council do not see this as a ‘trading’ of sites, instead, seek what is best for the community. Whilst the additional area on Gray Drive was not flagged up by the local community and due to its size and the proximity of the existing housing do not see it under threat. The Parish Council has asked Breckland District Council is to undertake the necessary remedial works and repair the broken ‘No Ball Games’ sign or remove the dangerous post, as seen on the pictures below.

The close proximity to houses, three areas of raised ironwork and designation of ‘no ball games’ which was the signage previously attached to the post makes this area of land an unlikely candidate for Local Green Space designation.



With reference to the outer area of land at Thompson Close, see picture below, and by way of some background it may be helpful to provide a little history.





Date Created: 16-10-2017 | Map Centre (Easting/Northing): 601380 / 317499 | Scale: 1:543 | © Aerial Imagery - www.getmapping.com



The outer area of Thompson Close is no longer suitable as informal recreational space as most of which has been turned into driveways by residents; a number with proper areas of hard standing, while others are just mud. None of these have planning permission for a highways access or the conversion of the recreational space.



This loss of amenity land, which has been allowed to happen by the neglect of the landowner (Breckland District Council), is contrary to its designation

The Chairman and Clerk to the Parish Council met with Ralph Burton (Breckland District Council's Asset Manager) on Thursday 15<sup>th</sup> December 2015 in Swanton Morley. They walked around all of the Breckland District Council owned areas to discuss how they could be better managed and by which Local Authority.

At the time, Breckland District Council was requested to resolve the legal matters in relation to this area of land, as it has neglected these areas for so long, it is likely that a prescriptive Right of Way may have been established by residents using them as a driveway. It is for Breckland District Council to resolve these planning issues and Ralph Burton was advised that this must be resolved prior to any further discussion about these lands. Mr Burton has been chased for a resolution to this on the following dates:

2<sup>nd</sup> Feb 2016  
3<sup>rd</sup> May 2016  
5<sup>th</sup> July 2016  
17<sup>th</sup> Nov 2016  
15<sup>th</sup> March 2017  
9<sup>th</sup> September 2017

To date the Parish Council is not aware of any effort by Breckland District Council to resolve the legal issues that it has allowed to develop. The Parish Council cannot accept 'driveways' as Local Green Space.

We are not sure that the designation of Local Green Space was intended to include or specify 'driveway' in its definition. It is felt that this area does not meet the NPPF definition of Local Green Space.

This is an attempt by Breckland District Council to deprive the people of Swanton Morley of green space and develop on a good area of recreation land and leave the children of the village to play on driveways with uncertain legal standing.

Middleton Avenue meets the requirements of 'Local Green Space', is believed to be designated as informal recreational space and will form a key element of 'green infrastructure' to link the new site allocations to the existing community.

**You asked:**

6 Can a copy of the map be made available to me please?

**We have responded:**

Please can we ask Breckland District Council make this map available to the Examiner (and the Parish Council) as they should have provided with their response to the Reg.16.

## **With Reference to Policy 8**

### **You asked:**

- 7 The SMNP includes the designation of Areas of Important Open Space (AIOP) under Policy 8. From the visit, I do question why site numbers 1 – 8 and number 10 have not been included in the LGS designation, since all appear to fulfil the requirements set down in the NPPF and would benefit from the protection afforded by designation.

### **We have responded:**

The designation of additional Local Green Space would be welcomed. The sites listed were not originally included as priority was given to those that were raised by the residents at the community events. The Parish Council didn't put everything in as it could potentially be seen as anti-development and may be excessive.

A number of these areas are in the management of the Parish Council and unlikely to be lost in the period of the Neighbourhood Plan. Those that are not, such as the, bowling green, cricket pitch, Angel bowling green and football pitches are associated and run by local community clubs and charities. The residents of Swanton Morley would not like to see any area lost without a 'better' facility being provided in replacement.

Davidson Park is expected to pass to the Parish Council ownership and would, therefore, not be at threat of loss. Although due to recent issues, constant errors being made by the Breckland District Council's Planning Department the transfer is overdue and at risk, as the Enforcement Team are no closer to a resolution of the installation of a 'French Drain' without planning permission or provision for its future maintenance on this recreational space, the Parish Council would welcome the inclusion of Davidson Park to the list of Local Green Space.

Should you be minded to and feel it is appropriate the Parish Council would support the inclusion of 1 – 8 and 10 as Local Green Space.

### **You asked:**

- 8 Site No.9 (the school playing field) would not appear to be appropriate for designation as LGS; the three areas of common land included in Table 3 will benefit from existing statutory protection if evidence shows that they are, indeed, 'common land' and designation, either as LGS or a AIOP, would afford no additional protection; the designation for protection as AIOP of the 2 sites at Robertson Barracks would also appear to be inappropriate since they form part of an Ministry Of Defence asset until 2031, beyond which the future use of the site would require some sort of coordinated or 'master plan' approach. Other than the community's wish to see these spaces protected, what evidence has been used to underpin these designations?

**We have responded:**

LGS designation is not being sort for site 9 (the school playing field). It is recognised as an asset that, through the school, serves the community. With the current pressure on County Council budgets and external fund generation the Parish Council does not want to see the asset sold off for development without it being demonstrated that the benefit to the local community outweighed the loss.

The three areas of 'common land' have been recorded as common land on the Common Land Register (as registered by the Parish Council on 20<sup>th</sup> May 1968) under the Commons Registration Act 1965 and noted as under protection of Parish Council, although Land Registry will not permit the Parish Council to register ownership despite there being no other recorded application, and it is recognised that historic land management does not always satisfy the legal requirements of today. Therefore, their inclusion is to strengthen any potential position and give the local community comfort that they are appropriately recorded within the Neighbourhood Plan.

The 2 sites at Robertson Barracks have been included as these serve the 237 existing homes owned by Annington Homes Ltd which are occupied by parishioners who deserve as much open space protection as the rest of the village. The ownership is unclear although believed to be the Ministry of Defence, who did not raise objection to the designation in their responses.

**With Reference to Policy 10**

**You asked:**

- 9 Can the PC define on a map the specific areas of land over which control of development would be sought to protect the important views and provide this to me?

**We have responded:**

Protection to preserve each of these views is sought from the four points indicated on Map 9 of the Neighbourhood Plan stretching towards the Neighbourhood Area boundary. It is accepted that the further away any possible future development is the less its impact will be on the view and those areas beyond Neighbourhood Area cannot be afforded protection through this Neighbourhood Plan. Please see below in conjunction with the response to Q10.

**You asked:**

- 10 Clearly any policy could only protect land within the Parish, whilst the views appear to be outwards from the Parish towards landscapes and open countryside well beyond the Parish boundary. Can the 'key features of the view' referred to in the Policy be clearly defined please?

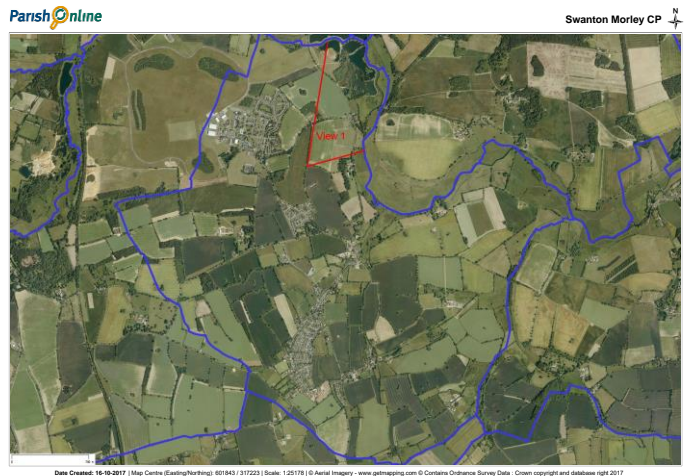


## We have responded:

Please see below key features and maps showing views (to the parish boundary)

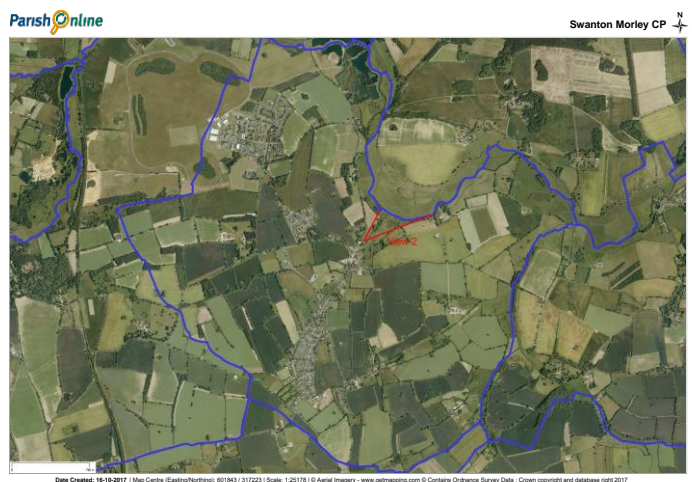
### View 1. Primrose Hill:

- is a view across the Wensum Valley, open fields and woodland.
- River Wensum is a SSSI.
- wooded skyline is a prominent element in the hinterland northward views from Swanton Morley.



### View 2. Churchyard:

- provides wide views to the northeast across the Wensum Valley.
- the foreground of the view, are the Swanton Morley War Graves, managed by the Commonwealth War Graves Commission.



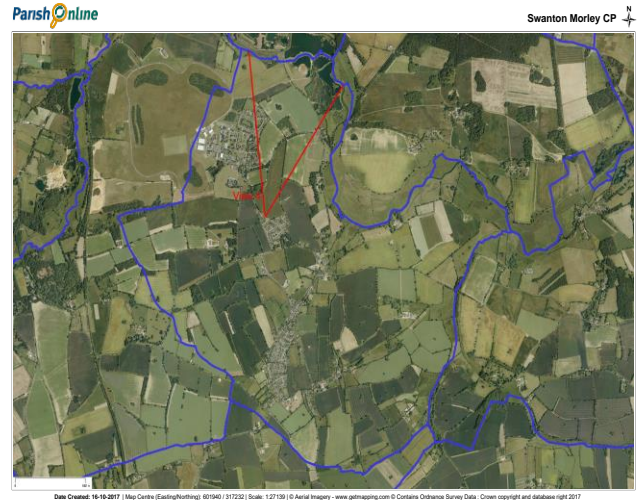
### View 3. Bowling Green:

- a view across an area known as 'Castle Farm Valley Floor'.
- a mosaic of diverse landscape elements which are of a high quality and create distinct sense of place.



#### View 4. Worthing Road:

- of extensive open farmland, extending as far as the water tower at Foulsham (outside Neighbourhood Area).
- the Wensum Valley.
- the only area of woodland in Swanton Morley.



#### You have asked:

- 11 Can the PC provide information that considers precisely what developments or alterations would have an unacceptable impact on these views?

#### We have responded:

It was very difficult to develop a list which wouldn't go out of date as forms of development changed, new development methods and designs come forward, guaranteeing that someone will come up with something we haven't thought of. In addition, we did not want to be over prescriptive, especially as a thoughtful scheme could deliver something exceptional and be mindful to maintain the view.

Hence the Policy as worded was decided upon as the right approach. "Any development or alterations to an area within these views must ensure that key features of the view can continue to be enjoyed including areas of landscape and open agricultural countryside."

#### With Reference to Policy 12

#### You have asked:

- 12 The first criterion for the design of new development requires respecting and protecting local heritage assets. Has the PC carried out an assessment of local heritage assets and if so can this be provided?

#### We have responded:

Each of the ten listed buildings is described and location identified on maps in the SA Scoping Report pages 36 to 42. These buildings are dispersed throughout the village and play a part in setting the character of Swanton Morley.

**You have asked:**

- 13 Is there a publicly available list of the assets identifying each asset, its characteristics and importance to the community, and its vulnerability to the impact of new development? If so, can this be made available please?

**We have responded:**

The only publicly available list is within the SA Scoping Report and Historic England's website recording the listed assets. None of the assets are identified as being at risk. There is no list of non-designated assets.

An assessment of the listed asset's vulnerability to the impact of new development has not been undertaken as it is likely to become obsolete very quickly, due to the many forms of new residential and commercial development that may be proposed, especially as new construction methods are developed and individual tastes and aspirations change. This section of the Neighbourhood Plan did not want to be perceived as 'anti-development'.

Development proposals would be determined by Breckland District Council as detailed in the planning application to assess their impact and suitability.

We trust this has satisfactorily answered your questions, however, if we can be of any further assistance, please do not hesitate to contact us.

Yours faithfully,

*Faye LeBon*

Faye LeBon  
Clerk to Swanton Morley Parish Council