

Breckland Local Plan Pre-Submission Consultation: Late and Unduly Made Representations and Officer Response Schedule

December 2017

Consultee Name	Policy/	Organisation	Late	Unduly made	Sound/unsound	If late, date received	If unduly made, why
Mandy Maguire	Policy HOU 05 - Small Villages and Hamlets Outside of Settlement Boundaries	Bridgham Parish Council		X	Unsound		Did not state to which test of soundness representation applied
Officer Response: Representation relates to Policy HOU05. Policy HOU05 restricts development in the most rural settlements, which would include Bridgham. The proposal seeks to allow small scale private market dwellings subject to meeting a number of criteria, including appropriate support of the parish council. The policy is considered to conform with paragraph 55 of the NPPF as it would not apply to isolated new dwellings within the countryside, instead to smaller villages and hamlets.							
Kirsty Heath	Dereham Housing Allocation 2			X	Unsound		Did not state to which test of soundness her representation applied
Officer Response: Dereham Housing Allocation 2 is located within flood zone 1, this is demonstrated within the sustainability appraisal. The site has also been assessed through the sequential test and comments have been provided from the lead local flood authority. This has not raised objections based on surface water flooding. The highways authority has not objected to the development of the site on highways grounds.							
Kirsty Heath	Dereham Housing Allocation 5				Unsound		Did not state to which test of soundness her representation applied

Officer Response:

The site alongside the others promoted within Dereham has been assessed through the sustainability appraisal. The reasoned justification references the location of the site adjacent to the River Tud, however it is considered that there is sufficient land within the site outside of areas of flood risk to design the scheme to avoid those areas. In addition to this surface water attenuation measures are also required through the policy.

Norfolk County Council as the highways authority have not raised objections to the development of the site. Furthermore, the policy includes requirements for improvements to the local highways network to be made through this application.

It is acknowledged that the site is further from the town centre than other sites, however it is well related to infant and junior schools, general employment areas and within 800m of a Doctor's surgery. There are currently bus stops located adjacent to the site.

Kirsty Heath	3.144 Paragraph				Unsound		Did not state to which test of soundness her representation applied
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Officer Response:

Norfolk County Council as the education authority have not objected to the development levels within Local Plan. The sustainability appraisal highlights the services and facilities which the site is well related to.

Kirsty Heath	3.145 Paragraph				Unsound		Did not state to which test of soundness her representation applied
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Officer Response:

Norfolk County Council as the highways authority have not objected to the development of the site. . Development in Dereham is supported by the Dereham Transport Study which provides solutions for transport constraints in Dereham.

Kirsty Heath	3.147 Paragraph				Unsound		Did not state to which test of soundness her representation applied
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Officer Response:

The water cycle study considers the level of capacity within the waste water treatment works. The study identifies that improvements would be required to the treatment works in Dereham to accommodate the level of growth proposed, however it identifies solutions to achieve this.

Kirsty Heath	4.4 Paragraph				Unsound		Did not state to which test of soundness her representation applied
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Officer Response: Comment noted. Highways England are a statutory consultee on the plan, and have not raised objections to the plan.							
Jamie Bird	Saham Toney Settlement Boundary	Blubird Land & Planning Limited		X	Unsound		Did not fill in required form
Officer Response: Saham Toney is classified as a rural settlement with a boundary as set out within HOU04. The proposed site is located on the edge of the boundary. It is considered the policy HOU04 would satisfactorily address this issue.							
Jamie Bird	Policy HOU 4	Blubird Land & Planning Limited		X	Unsound		Did not fill in required form
Officer Response: The principle of market housing outside of a settlement boundary would not normally be acceptable. This policy seeks to allow a more flexible approach to development subject to it meeting a range of criteria. For this reason including criteria around community benefit is considered to be relevant. No change to the policy is recommended.							
Luisa Cantera	5 Year Land Supply	Mattishall Parish Council	X		Unsound	03/08/2017	
Officer Response: The five year housing land supply statement provides information on the level of land availability within the District. The existing land supply statement does not include the allocations proposed through the Local Plan. These would however be included on the adoption of the Local Plan. Further to this the Local Plan includes a stepped trajectory within Policy HOU01. This reflects the delivery rates of the two sustainable urban extensions. Taking into account the new allocations and the stepped trajectory the Council will be able to demonstrate a five year housing land supply at the adoption of the plan.							
Ben Weatherly	Swaffham Allocation 4	Knights 1759	X		Sound	03/08/2017	
Officer Response: Support noted							
Ben Weatherly	Banham Housing Allocations	Knights 1759	X		Unsound	03/08/2017	
Officer Response: The land referenced within the representation has the benefit of outline planning permission under application 3PL/2014/1008/O for 43 dwellings. When the site was granted permission it was located outside of the settlement boundary, through the Local Plan policies map the site is included within the settlement boundary. As the site has the benefit of planning permission it is not considered necessary to allocate it through the Local Plan.							

Jamie Bird	Chalk Lane, Narborough Allocation	Blubird Land & Planning Limited		X	Sound		Did not fill in required form
Officer Response: Support noted							
Councillor Theresa Hewett	Carbrooke	Breckland District Councillor Council for Saham Toney Ward	X		Unsound	03/08/2017	
Officer Response: Watton is similar to a number of market towns whereby the town has developed beyond the historic parish boundary. Parish boundaries are not a matter for the Local Plan. Development along Norwich Road (including the Blenheim Grange development referenced within this representation) forms part of the Watton settlement boundary. Carbrooke village retains a settlement boundary which is detached from the Watton settlement boundary. It is considered a HOU04 settlement. It is located approximately 1.4km as the crow flies from the Watton settlement boundary. All sites have been assessed through the sustainability appraisal, this has regard to issues such as access to services and facilities. Land along Norwich Road has good access to services and facilities including employment land and local shopping facilities. For plan making purposes this land has been assessed as it relates to the town of Watton.							
Amber Slater	Paragraph 2.28 Attleborough	Brown & Co	X		Unsound	03/08/2017	
Officer Response: Attleborough is identified as a key settlement through the Local Plan. Policy HOU02 sets out the level of growth the town will receive over the plan period. Whilst the sustainable urban extension is the only new allocation within the town, there are a number of small and medium sized sites which have the benefit of planning permission which remain to be developed. Infrastructure capacity is a key element in delivering sustainable settlements. Evidence has not been provided through the representation that there is sufficient infrastructure capacity beyond the level of growth currently planned for the town through policy HOU02. The infrastructure requirements and capacity within the town is set out within the Infrastructure Delivery Plan.							
Garth Hanlon	Breckland Strategic Vision	Savills (UK) Ltd on behalf of Abel		X	N/A (did not fill in)		Did not fill in Question 1

		Homes Ltd					
Officer Response:							
The representation supports the strategic vision for the vision with a minor amendment to the wording. Services and facilities are important elements of sustainable development in all settlements. The proposed wording change is considered minor and should the Inspector be minded to include it, it is not considered to change the overall direction if the vision.							
Garth Hanlon	Policy HOU 01- Development Requirements (Minimum)	Savills (UK) Ltd on behalf of Abel Homes Ltd		X	Unsound		Did not fill in Question 9
Officer Response:							
The Local Plan plans for the full objectively assessed need for the District as set out within the Central Norfolk Strategic Housing Market Assessment. The SHMA has been prepared having full regard to the methodology set out within the national planning practice guidance. The Central Norfolk Strategic Housing Market Assessment has been assessed through section 78 appeals including APP/Y2620/W/16/3150860 where it was considered to be a pragmatic and robust approach to the assessment of OAN.							
It is acknowledged that the DCLG consultation on the standardised housing methodology proposes a higher annual figure for the District than set out within the SHMA. The consultation includes transitional arrangements around continued use of existing evidence base if submitted prior to the 31 st March. The Council has met the requirements of the transitional arrangements. Notwithstanding this, the standardised methodology remains a consultation. The Government has not responded to the consultation at this time and the NPPF and PPG remains the relevant national policy.							
Garth Hanlon	Policy HOU 02	Savills (UK) Ltd on behalf of Abel Homes Ltd		X	Unsound		Did not state to which test of soundness his representation applied
Officer Response:							
The representation proposes the allocation of an additional site within Swaffham. The site proposed to the west of Brandon Road includes proposals for retail development, a care home, health centre as well as residential development. The site has been assessed through the sustainability appraisal. The level of development proposed has regard to Swaffham's position within the settlement hierarchy and infrastructure capacity within the town. During the development of the Local Plan sufficient land to meet the plan requirements has been achieved through either the grant of planning permission or the decision to grant planning permission subject to section 106. Infrastructure capacity and requirement within the town is set out through the Infrastructure Delivery Plan.							
Further to the above, the retail study which has informed Policy EC05 does not identify a need for further convenience shopping floor space within Swaffham over the plan period. Furthermore the policy requires a town centre first approach as included the NPPF.							

Garth Hanlon	Paragraph 1.41			X	N/A (did not fill in)		Did not fill in Question 1
Officer Response: The representation supports the objectives within the plan. Support noted.							
Gillian de Cruz	Shipdham		X	X	Unsound	03/08/2017	Late and did not use required form
Officer Response: The representation includes concerns around the level of developments proposed which will access the A1075 and the impact this will have on Shipdham. Norfolk County Council as the Highways Authority have not raised objections in relation to the level of development proposed on the A1075. Section 122 of the Community Infrastructure Levy Regulations (2010) sets out the framework within which planning obligations may be sought. This includes that obligations can only be sought where they directly related to the development and are necessary to make the development acceptable in planning terms. Through section 106 planning obligations it is not possible to require developers to provide infrastructure to resolve existing shortfalls which are not directly related to their application.							
Unknown	Great Ellingham			X			Did not use representation form
Officer Response: Great Ellingham is designated as a Local Service Centre village through the Local plan. Within Policy HOU02 Great Ellingham has not received any housing allocations, this is due to the village already meeting its housing requirements through existing planning permissions.							
Valerie Baker	Dereham		X		Unsound	03/08/2017	
Officer Response: The Infrastructure Delivery Plan sets out the requirements for new infrastructure and the capacity of existing infrastructure across Breckland. Through the preparation of the Local Plan, the Council has engaged with infrastructure providers to assess infrastructure requirements. This has included, but not limited to Norfolk County Council as both the education and highway authority. The Environment Agency and Anglian Water in relation to waste water treatment and capacity and the NHS. The housing figures for Dereham as set out within Policy HOU02 of the Local Plan have had regard infrastructure capacity as set out through the Infrastructure Delivery plan. Section 122 of the Community Infrastructure Levy Regulations (2010) sets out the framework within which planning obligations may be sought. This includes that obligations can only be sought where they directly related to the development and are necessary to make the development acceptable in planning terms. Through section 106 planning obligations it is not possible to require developers to provide infrastructure to resolve existing shortfalls which are not directly related to their application.							
A single response has been provided to the following representations, as they are the same in the form of a petition.							
David J Purple	Dereham Housing Allocation 1	Theatre Royal	X		Unsound	03/08/2017	

		Surgery Walking Group					
Phil Eggleton	Dereham Housing Allocation 1		X		Unsound	03/08/2017	
Nigel Bailey	Dereham Housing Allocation 1		X		Unsound	03/08/2017	
Philip Morton	Dereham Housing Allocation 1		X		Unsound	03/08/2017	
Miss T. A. Walby	Dereham Housing Allocation 1		X		Unsound	03/08/2017	
Mrs J Wright	Dereham Housing Allocation 1		X		Unsound	03/08/2017	
Mr Keith Proudfoot	Dereham Housing Allocation 1		X		Unsound	03/08/2017	
Joan E Purple	Dereham Housing Allocation 1		X		Unsound	03/08/2017	
Mrs Pauline Pearson	Dereham Housing Allocation 1		x		Unsound	03/08/2017	
David Blundell	Dereham Housing Allocation 1		X		Unsound	03/08/2017	
Rob Pidgby	Dereham Housing Allocation 1		X		Unsound	03/08/2017	
Daniel Wilson	Dereham Housing Allocation 1		X		Unsound	03/08/2017	
M Harper	Dereham Housing Allocation 1		X		Unsound	03/08/2017	
Mr C C Claxton	Dereham Housing Allocation 1		X		Unsound	03/08/2017	
Gary West	Dereham Housing Allocation 1		X		Unsound	03/08/2017	
Nathan Pearson	Dereham Housing		X		Unsound	03/08/2017	

	Allocation 1						
Jake Flood	Dereham Housing Allocation 1		X		Unsound	03/08/2017	
Darren Greenwood	Dereham Housing Allocation 1		X		Unsound	03/08/2017	
Mrs L Barker	Dereham Housing Allocation 1		X		Unsound	03/08/2017	
Miss D Lee	Dereham Housing Allocation 1		X		Unsound	03/08/2017	
Mrs D J Sandford	Dereham Housing Allocation 1		X		Unsound	03/08/2017	
Mark Ogilvy	Dereham Housing Allocation 1		X		Unsound	03/08/2017	
Steve Dorrington	Dereham Housing Allocation 1		X		Unsound	03/08/2017	
Robin Bartlett	Dereham Housing Allocation 1		X		Unsound	03/08/2017	
Ross Kincaide	Dereham Housing Allocation 1		X		Unsound	03/08/2017	
Luke Patey	Dereham Housing Allocation 1		X		Unsound	03/08/2017	
Kyle Pease	Dereham Housing Allocation 1		X		Unsound	03/08/2017	
D J Organ	Dereham Housing Allocation 1		X		Unsound	03/08/2017	
Calum Barker	Dereham Housing Allocation 1		X		Unsound	03/08/2017	
Mrs Vanessa Houghton	Dereham Housing Allocation 1		X		Unsound	03/08/2017	
Sally Henman	Dereham Housing Allocation 1		X		Unsound	03/08/2017	
Shaun Haughton	Dereham Housing		X		Unsound	03/08/2017	

	Allocation 1						
Mrs Helen Foster	Dereham Housing Allocation 1		X		Unsound	03/08/2017	
Mrs M A Thurlow and Miss N K Thurlow	Dereham Housing Allocation 1		X		Unsound	03/08/2017	
Mr M Richer	Dereham Housing Allocation 1		X		Unsound	03/08/2017	
Jamie Gadson	Dereham Housing Allocation 1		X		Unsound	03/08/2017	
Lee Dobson	Dereham Housing Allocation 1		X		Unsound	03/08/2017	
Marion Dalston	Dereham Housing Allocation 1		X		Unsound	03/08/2017	
Louize Harris	Dereham Housing Allocation 1		X		Unsound	03/08/2017	
Jennifer Thomson	Dereham Housing Allocation 1		X		Unsound	03/08/2017	
Andy Rivett	Dereham Housing Allocation 1		X		Unsound	03/08/2017	
John Parsons	Dereham Housing Allocation 1		X		Unsound	03/08/2017	
Jon Goodbody	Dereham Housing Allocation 1		X		Unsound	03/08/2017	
Cheyenne Jones	Dereham Housing Allocation 1		X		Unsound	03/08/2017	
Wayne Jones	Dereham Housing Allocation 1		X		Unsound	03/08/2017	
Carolyn Coleman	Dereham Housing Allocation 1		X		Unsound	03/08/2017	
I Mayes	Dereham Housing Allocation 1		X		Unsound	03/08/2017	
Robert Campbell	Dereham Housing		X		Unsound	03/08/2017	

	Allocation 1					
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Officer Response:

History of the site in the Local Plan

The site, LP[025]007, known as Land to the west of Etling View, was identified as a reasonable alternative during the Emerging Site Options consultation. The site was then considered to be a proposed allocation through the Preferred Sites and Settlement Boundaries consultation. During these consultations no significant objections were raised by any of the statutory consultees. The sites inclusion within the Local Plan is supported and underpinned by a range of evidence including, but not exclusive to: the Historic Characterisation Study, the Sequential Test, the Water Cycle Study and the Infrastructure Delivery Plan. The site is now subject to a planning application (3PL/2015/1045/O), which is still under consideration. However, through this further detailed comments have been provided.

Landscape & Natural Environment

The site adjoins Neatherd Moor Common to the west, which is designated both as a County Wildlife Site and as Natural/Semi “natural green space. The Breckland District Settlement Fringe Landscape Assessment defines the character area as the Northall Green Open Arable Plateau, which is of Moderate-High sensitivity. The Assessment states that, as part of the general landscape management plan, Neatherd Moor must be conserved and enhanced through appropriate landscape management including grazing. The proposed allocation would extend the built up area of the town north and the appearance of the site would change from open farmland to a built up housing area. However, the scheme would largely be contained visually by the adjacent built environment to the south and east and the existing boundary hedging/trees and woodland to the north and west. From the County Wildlife Site, the Neatherd and Shillings Lane to the east, the proposal would be screened during part of the year by existing mature landscaping along Shillings Lane and the northern boundary of the site. When seen within the autumn, winter and early spring months the proposed buildings would be seen adjacent to the existing buildings to the east and would bring the built form closer to Shillings Lane and the Neatherd. The proposal would transform and erode the open aspect of the neighbouring dwellings immediately to the south of the site. However, this would be localised and could be mitigated through landscaping and additional planting. The policy wording of the allocation seeks the Retention and enhancement of native hedgerows and trees on the outer edge of the site boundary. This would seek to mitigate the impact. The proposal seeks at least 60 dwellings on a 2.3 hectare site, which would provide a density of approximately 26 dwellings per hectare; this would be in keeping with the neighbouring dwellings. Natural England have commented on the Pre-submission Publication and raised no objections. It is therefore considered that the impact upon the landscape and natural environment would not be significant. Through the application, the Public Rights of Way officer raised no objection as long as there is no adverse impact on either the registered common land to the west or Restricted Byway (RB32) along the northern boundary of the site. The allocation itself seeks to respect the northern boundary of the site by being set back from Shillings Lane.

Historic Character

During the Preferred sites and Settlement Boundaries consultation, Historic England commented that further work should be carried out to assess the impact of preferred and alternative sites upon the Historic Environment. The Historic Characterisation Study was carried out in early 2017 and in relation to site LP[025]007, concluded that: Development proposals must demonstrate that a full analysis of the immediate and wider context of the site has been undertaken so as to inform an appropriate design response. In this case the established pattern of adjacent mixed development will be an additional factor

in the formation of the proposal. On the planning application itself NCC Historic Environment Service commented that the proposal does not have any implications for the historic environment and that no recommendations for archaeological work would be made.

Flood Risk

The SA highlighted that the site is situated within an area of flood risk. However, this is only a very small extent to the north and north east. Through the Preferred Sites and Settlement Boundaries consultation the Lead Local Flood Authority recommended that conditions are attached to any planning permission granted under the current planning application. At this stage the Lead Local Flood Authority commented on the site specifically stating: We welcome that the site has been reduced in its extent from the original allocation and now does not include areas at risk of flooding from surface water. An assessment of the actual risk of flooding should be undertaken by any development on this site. Following the Preferred Sites and Settlement Boundaries Consultation the Sequential Test looked at all defined as preferred or alternative. As part of this the extent of surface water flooding on the site was not considered to be substantial, with only approximately 2% of the site subject to surface water flooding. Through the planning application the Environment Agency and the Lead Local Flood Authority have raised no objections to the proposed development subject to conditions. Wastewater treatment As part of the evidence base underpinning the Local Plan a Water Cycle Study was carried out. As part of this study it was highlighted that improvements may be required to the treatment capacity. The study recommends that all applications for development proposals in Dereham are accompanied by a pre-development enquiry with Anglian Water Services to demonstrate that sufficient capacity is available to treat wastewater from the proposals. This wording has been added to the key development considerations within the allocation wording.

Conclusion

In conclusion it is considered that the site represents a sustainable site on the edge of one of five Market Towns within the district. There are no constraints that would be considered severe enough to affect the designation of the site.