

# Swanton Morley Parish Council

## Assessment of Regulation 18

# Draft Local Plan Full Update Preferred Options June 2024



July 2024

Prepared on behalf of Swanton Morley Parish Council by

ABZAG Ltd

NEIGHBOURHOOD PLANNING AND PROJECT MANAGEMENT

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## 1. Summary

### Key Changes & Updates in the Full Update 2024 Local Plan Preferred Options (FULPPO)

	Adopted Local Plan (ALP)	Full Update 2024 Local Plan (FULPPO)	Impact
1	Plan period – 2019 to 2039	2021 to 2046	A 25-year time frame although the adoption is likely to be in quarter 4 of 2026, leaving a 20-year period of application.
2	Settlement boundaries used to define development areas and countryside.	Inclusion of Criteria Based approach to guide decisions and promote appropriate forms of development.	Potential for development sites to come forward in areas which have previously been protected – as outside the settlement boundary.
3		Minor updates to Breckland Local Plan 2019's existing vision and objectives to enhance reference to quality and affordable housing and to respond to nutrient neutrality.	
4	Housing requirements of 612 dwellings per year.	Proposed increase to 661	A small increase of 49 dwellings per year, with an

	Adopted Local Plan (ALP)	Full Update 2024 Local Plan (FULPPO)	Impact
		dwellings per year.	increase of 1,225 over the LP period.
5		<p>Allocations and policy to support growth across the district to support needs of communities and existing services. Growth intended for all tiers of settlements –</p> <ul style="list-style-type: none"> <li>• market towns</li> <li>• local service centres and</li> <li>• villages (proportionately)</li> </ul> <p>with three options for strategic growth.</p>	<p>Maintains the settlement hierarchy.</p> <p>Swanton Morley remains as a Local Service Centre,</p>
6		<p>Identifies over 40 new housing allocations for delivery of approximately 4,500 homes.</p> <p>Sets out alternative options for a strategic development site either at</p> <ul style="list-style-type: none"> <li>• Dereham</li> <li>• Robertson Barrack's in Swanton Morley, or</li> <li>• Barker's Farm Larling.</li> </ul>	<p>Potentially 2,000 new homes in Swanton Morley.</p> <p>Suggests one of the three sites will be allocated but the policy text does not limit or restrict all three sites being allocated.</p>

	Adopted Local Plan (ALP)	Full Update 2024 Local Plan (FULPPO)	Impact
7		Updates forecast employment requirements from a current target to enable provision of around 64 hectares for the period 2011 to 2036 to a stretch target of up to 130 hectares – building on the investment opportunities afforded by the A11 and dualling of the A47 between Dereham and Norwich. The Regulation 18 consultation will be key in testing the viability of older existing allocations.	No new allocations proposed for Swanton Morley.
8		New and strengthened policy to address key issues including climate change and net zero targets and health and wellbeing.	New and additional requirements.
9		Protection of the integrity of key wildlife sites including The Brecks Special Protection Area	Preserving these areas of natural beauty.

	Adopted Local Plan (ALP)	Full Update 2024 Local Plan (FULPPO)	Impact
		and River Wensum Special Area of Conservation.	
10		Integration of policy to enable sustainable development in Breckland's countryside including for rural economic growth, and delivery of housing that meets specific defined local needs for specialist and affordable housing.	'Local need' being defined for Swanton Morley, as a Local Service Centre, as housing needs across the District rather than the Parish.
11		Includes a new suite of proposed areas of Local Green Space in addition to retention and protection of the district's existing areas of open spaces, parks and playing fields.	Includes three new areas in Swanton Morley.

## 2. Impact Analysis Summary

Table 1: Outlines in summary format each of the proposed new 74 policies or sections, identifies if the impact is applied to the Parish or the Neighbourhood Plan or both and provides a brief sentence or comment of explanation.

The 'RED' shading in the No. box denotes those new policies which, though the reference to **BUILT FORM**, have the potential to enable new sites to come forward for development which are currently outside the existing settlement boundary.

Each policy is assessed in detail in section 5 onwards.

No.	Breckland Policy	Parish Impact	Neighbourhood Plan Impact	Comment
1	NP1: Neighbourhood Planning	No	Yes	Seeks to introduce new and inappropriate requirements for Neighbourhood plans in Breckland.
2	GEN 01: General development principles	Yes	No	Long list of principles to be applied.
3	GEN 02: Settlement hierarchy and spatial development strategy	Yes	No	Defines Swanton Morley as Local Service Centre.
4	GEN 03: Built Form	Yes	Yes	Introduces Built Form. Potential for sites to come forward for development which wouldn't currently be acceptable.
5	GEN 04: Development and the Built Form	Yes	Yes	Potentially open up new areas for development.



No.	Breckland Policy	Parish Impact	Neighbourhood Plan Impact	Comment
6	HOU 01: Breckland's Housing Requirement	Yes	No	Numbers questioned in Table 5.1.
7	SDP 01: Strategic Development Policy Option - Barkers Farm Larling	No	No	Outside of Neighbourhood Area.
8	SDP 02: Strategic Development Policy Option 2 – Dereham	No	No	Outside of Neighbourhood Area.
9	SDP 03: Robertson Barracks, Swanton Morley and Hoe/Worthing	Yes	No	Possible redevelopment of Robertson Barracks.
10	HOU 02: Distribution of housing development	Yes	No	No new allocations for Swanton Morley.
11	HOU 03: Strategic housing options	Yes	No	SMH1 (010) Robertson Barracks 2,000 new homes.
12	HOU 04: Preferred housing allocations	No	No	No new allocation sites proposed.
13	HOU 05: Large housing site development principles	Yes	No	Potential to change housing mix.
14	HOU 06: Windfall Housing Development	Yes	Yes	Potential loss of settlement boundary and use of Built Form may open up new areas to development.
15	HOU 07: Small Scale Housing Development in Smaller Villages	No	No	Relates to Smaller Villages within the settlement hierarchy.
16	HOU 08 Affordable Housing Exception Sites	Yes	No	May have issue with Built Form.

No.	Breckland Policy	Parish Impact	Neighbourhood Plan Impact	Comment
				Local need identified as District wide – rather than Parish based.
17	HOU 09: Community Led Development	Yes	No	Brings support for community led development.
18	HOU 10: First Homes	No	No	Not necessary, as included in other policies.  Use of Built Form may open up new areas to development.
19	HOU 11: Single plot exception sites	Yes	No	Not necessary as HOU 13: Self and Custom Build more likely to be used as less restrictive.  Use of Built Form may open up new areas to development.
20	HOU 12: Specialist Housing and Accommodation Needs (2 or more dwellings).	Yes	Yes	Potential loss of settlement boundary could see enablement of unwanted or inappropriate development sites.
21	HOU 13: Self and Custom Built Homes	Yes	No	Use of Built Form could see enablement of unwanted or inappropriate development.
22	HOU 14: Residential And Nursing Care	Yes	No	Use of Built Form may open up new areas to development.
23	HOU 15: Replacement Dwellings	Yes	No	Limitations to replacement building in the countryside.

No.	Breckland Policy	Parish Impact	Neighbourhood Plan Impact	Comment
24	HOU 16: Dwelling annexes and alterations	Yes	No	Focus on personal circumstances to restrict.
25	HOU 17: Single Dwellings in the Open Countryside and Conversion of Buildings in the Open Countryside	Yes	No	Set requirements.
26	HOU 18: Build To Rent	Yes	No	Relies on Built Form, has potential to see enablement of unwanted or inappropriate development sites.
27	HOU 19: Rural Workers Dwellings	Yes	No	Basically same as existing policy.
28	HOU 20: Technical Standards For New Dwellings	Yes	No	Setting standard.
29	HOU 21: Securing A Mix of Housing	Yes	No	Housing mix linked to HEDNA (Housing Economic Development Needs Assessment)
30	HOU 22: Sub-Division And Multi-Occupation Of Dwellings Within Breckland	Yes	No	Defines the requirements for this type of development.
31	HOU 23: Residential Development on Backland and Garden Sites	Yes	No	Defines the requirements for this type of development.
32	HOU 24: Affordable Housing	Yes	No	Requirement from development.
33	HOU 25: Provision for Travellers and Travelling Showpeople	Yes	No	Defines the requirements for this type of development.

No.	Breckland Policy	Parish Impact	Neighbourhood Plan Impact	Comment
34	EMP 01: Economic growth strategy	Yes	No	A general policy about supporting economic growth.
35	EMP 02: Employment land provision	Yes	No	No allocations proposed for employment land in Swanton Morley. Robertson Barracks could come forward as mixed use.
36	EMP 03: Attleborough employment allocation EmpA1	No	No	Outside of the Neighbourhood Area.
37	EMP 04: Snetterton commercial hub – General Employment Area	No	No	Outside of the Neighbourhood Area.
38	EMP 05: Snetterton employment allocation EmpS1	No	No	Outside of the Neighbourhood Area.
39	EMP 06: Snetterton employment allocation EmpS2	No	No	Outside of the Neighbourhood Area.
40	EMP 07: General employment areas	Yes	No	No new allocations proposed for Swanton Morley.
41	EMP 08: Employment Development Outside General Employment Areas – Sustaining a Prosperous Rural Economy	Yes	No	Encouraging economic sustainable growth to support the rural economy.  Potential of Robertson Barracks.
42	EC 01: Town centre retail strategy	No	No	Beyond the area of influence of the Neighbourhood Plan.

No.	Breckland Policy	Parish Impact	Neighbourhood Plan Impact	Comment
43	EC 02: Main Town Centre Development Requirements and Retail Strategy	No	No	Swanton Morley not classed as a Town.
44	EC 03: Town Centre Impact Assessments and Sequential Test	No	No	Swanton Morley not classed as a Town.
45	EC 04: The sequential approach to main town centre development	No	No	Swanton Morley not classed as a Town.
46	EC 05: Retail development in key settlements	No	No	Swanton Morley is not classed as a key settlement.
47	EC 06: Farm Diversification	Yes	No	Nothing new. Development is no more likely than now.
48	EC 07: Tourism Related Facilities and Attractions	No	No	Located in or near to the five Market Towns
49	EC 08: Tourist accommodation – camping, caravanning and holiday lets	No	No	Has list of requirements and robust justification to achieve support.
50	ENV 01: Climate Responsive Design	Yes	No	Requirement for a 'Sustainability Statement'.
51	ENV 02: Retaining and Enhancing Green and Blue Infrastructure	Yes	Yes	Similar in outcomes to Neighbourhood Plan Policy 10.
52	ENV 03: Improving Biodiversity	Yes	No	The Wensum Catchment is identified as a strategic significant site.

No.	Breckland Policy	Parish Impact	Neighbourhood Plan Impact	Comment
53	ENV 04: Protection and Enhancement of the Landscape	Yes	No	Outlines the protection of the landscape
54	ENV 05: Trees, Hedgerows and Development	Yes	Yes	Protection for trees and hedgerows. The Neighbourhood Plan Policy 11, criteria 9.
55	ENV 06: Designated Historic Assets	Yes	Yes	Supports the wording in the Neighbourhood Plan Policy 11, criteria 1.
56	ENV 07: Non-Designated Heritage Assets	Yes	No	Supports the wording in the Neighbourhood Plan Policy 11, criteria 1.
57	ENV 08: Archaeological Sites	Yes	No	Requirements to protect sites and assets.
58	ENV 09: The Brecks Protected Habitats and Species	No	No	Sets out the protection
59	ENV 10: Development in Nutrient Sensitive Areas	Yes	No	Requirements for when and how development needs to demonstrate a nutrient neutral position.
60	ENV 11: Agricultural Intensification	Yes	No	Sets out requirements
61	ENV 12: Open Space, Sports & Recreation	Yes	Yes	Links to Neighbourhood Plan Policy 7 Local Green Space and Policy 8 Protection of Existing Open Space.

No.	Breckland Policy	Parish Impact	Neighbourhood Plan Impact	Comment
62	ENV13: Local Green Space	Yes	No	Links to Neighbourhood Plan Policy 7 – Local Green Space and Policy 8 Protection of Existing Open Space
63	Section 9: Design Quality and Principles	No	No	These are six principles – not policies – and act as guidance only.
64	COM 01: Healthy Lifestyles	Yes	No	Requirement is for Health and Social care partners and Public Health to be consulted on all planning applications.
65	COM 02: New Development and Health Impacts	No	No	Requirement for a Health Impact Assessment and Healthy Planning Checklist.
66	COM 03: Protection of amenity	No	No	Lists material considerations in the decision-making process.
67	COM 04: Protecting and enhancing Community Facilities	Yes	Yes	Provides support in the same way the Neighbourhood Plan Policy 15 does.
68	INF 01: Sustainable Transport	Yes	No	Nothing new and nothing to deliver any change.
69	INF 02: Transport Requirements	Yes	Yes	Neighbourhood Plan Policy 16 covers most of this, where issues are identified it also requires mitigation to be delivered.

No.	Breckland Policy	Parish Impact	Neighbourhood Plan Impact	Comment
				Routing Management Plans could become an issue with enforcement.
70	INF 03: Flood Risk & Surface Water Drainage	Yes	Yes	Limited scope to surface water drainage.  Neighbourhood Plan Policy 12 relates directly to flood risk and mitigation. It covers all likely areas of flood risk (wider scope) and requires mitigation.
71	INF 04: Renewable Energy Development	Yes	No	Sets out what is and what is not acceptable
72	INF 05: Telecommunications	Yes	Yes	Neighbourhood Plan Policy 13 provides support for enhanced mobile communications and broadband infrastructure.
73	INF 06: Developer Contributions	Yes	Yes	Neighbourhood Plan Policy 6 sets out the requires where planning obligations are identified to be delivered by development
74	Site Specific Policies - Housing	Yes	Yes	Confirms current allocation. No new allocations.



### 3. Context

The draft Local Plan Full Update Preferred Options 2024 (LPFUPO) is part of the process of preparing a new Local Plan for Breckland.

Over a series of separate consultation exercises the Breckland Council has sought feedback from stakeholders and local communities about the key issues and options for Breckland's emerging Local Plan.

These included:

- March to May 2023 – First Regulation 18 consultation
- May to December 2023 – Second Regulation 18 consultation
- January to February 2024 - Focussed Issues & Options consultation (Development strategy, settlement boundary principles and call for sites feedback)
- June to July 2024 - Draft Local Plan Full Update Preferred Options

The timetable for the next stages are:-

- January 2025 - Regulation 19 consultation
- May 2025 - Submission of draft Local Plan to Secretary of State
- 2025 & 2026 - Examination by an independent Planning Inspector
- 2026 Q4 - Adoption by Breckland Council

Until the new emerging Local Plan is adopted the development plan for Breckland remains:

- Breckland Local Plan 2019 (as updated 2023)
- Made Neighbourhood Plans
- Saved policies within the Thetford Area Action Plan 2012 and Site-Specific Policies and Proposals Plan 2012.

The proposals and changes detailed in the Local Plan Full Update Preferred Options 2024 (LPFUPO) have no material consideration until adopted, although the weight that can be attributed to them will increase once it is submitted for examination.

## 4. Policy Assessment

Each of the proposed new policies of the Local Plan Full Update Preferred Options 2024 (LPFUPO) is listed below (exactly as drafted in that document with errors) and has been individually assessed to give any observations, Neighbourhood Plan impact or implication and a suggested response.

### 4.1. General Comments

#### Swanton Morley Parish Council Response

It would be useful for Breckland DC to identify what it sees as the strategic and non-strategic policies within the LPFUPO.

There are many inconsistencies in the format, text and layout within the document which should be corrected and not repeated in future iterations.

With so many errors it does not build confidence in the District Council and raises many concerns when it is proposing such a major change – by moving to a criteria based system and removing settlement boundaries.

This change, if implemented, it will be so important to get all the detail, wording and implementation correct to prevent developers finding and using 'loopholes' in the policies to gain planning permissions in locations which are currently well protected.

It is difficult to understand what benefit will be derived from the change and why, considering the lack of support for it from the communities, it is still being proposed.

### 4.2. NP1: Neighbourhood Planning

#### NP1: Neighbourhood Planning

The Council will support the production of neighbourhood plans that are in general conformity with the principles set out in this Policy and the following strategic policies:

- a. All policies in Breckland Vision and Objectives and Sustainable Development Principles.
- b. Strategic policies directing the provision of affordable housing, design standards and infrastructure delivery.

#### Housing and Economic development

The District's Housing and Economic Development requirements will be met through a combination of completions since the base date of the Local Plan (2021), existing sites with planning permission that will be built during the plan period and through allocation of sites for development as part of the spatial development strategy. As such there is no requirement for housing or economic development sites to be allocated in neighbourhood plans to meet identified district level requirements.

The Council will expect communities preparing neighbourhood plans to identify local development requirements, and to address them in their plans where possible, reflecting the overall strategy set out in this plan for the pattern and scale of development and any allocations.

For neighbourhood plans to progress to referendum they are required to meet the Basic Conditions, which include being in conformity with the strategic policies of this plan.

At April 2024 Neighbourhood areas currently designated are:

Attleborough, Croxton, Brettenham, Kilverstone, Dereham, Kenninghall, Mattishall, Necton, New Buckenham, Rocklands, Saham Toney, Sporle and Palgrave, Swaffham, Swanton Morley, Watton and Yaxham

#### **4.2.1. Observations**

This policy seems pointless.

It sets out that the Council (Breckland DC) will “support the production of neighbourhood plans”, which should be welcomed. Especially as it is an expectation within the Localism Act 2011 on the Council to do so. You would have thought the Council would seek to support all communities in preparing a Neighbourhood Plan.

To attempt to set a requirement to “identify local development requirements” is not acceptable. Not only is the term unclear in its meaning (for example, does this mean local housing need or something else?) but it is the requirement of Breckland DC, in the National Planning Policy Framework (NPPF)<sup>1</sup> to provide the housing requirement for designated Neighbourhood Area. This is not a requirement that can be passed on to the local community in preparing their Neighbourhood Plan.

Breckland DC should identify which policies are ‘strategic’.

The penultimate paragraph is incorrect to state that “...being in conformity with the strategic policies of this plan.” The correct term in the Basic Conditions<sup>2</sup>

<sup>1</sup> NPPF, paragraph 67 and 68

<sup>2</sup> Schedule 10 paragraph 8 (2) of the Localism Act [Schedule 4B to the Town and Country Planning Act 1990 (as amended by the Localism Act 2011)] sets out a series of requirements (sub paragraph (2)) that Neighbourhood Plans must meet.

is “**general conformity**” and this is the requirement against which a Neighbourhood Plan will be tested by an independent Examiner.

The actual wording of the Basic Condition is:-

*The making of the plan is in **general conformity** with the strategic policies contained in the development plan for the area.*

#### 4.2.2. Neighbourhood Plan Impact / Implications

None.

#### 4.2.3. Swanton Morley Parish Council Response

##### Response

It would have been hoped that Breckland DC would support ALL and ANY of its communities that embark on the production of a Neighbourhood Plan in the full knowledge that for any Neighbourhood Plan to successfully pass its examination it must meet the Basic Conditions, including being in general conformity with the strategic policies contained in the development plan, before it can come into force.

Policy is unnecessary and attempts to duplicate what is already set out in the NPPF. Has no real meaning or delivery. It changes nothing in the approach or content of a Neighbourhood Plan. It fails to correctly state the requirement of Neighbourhood Plans to meet the Basic Conditions.

Neighbourhood Plans must meet the Basic Conditions – as set out in paragraph 8 of Schedule 4B to the Town and Country Planning Act 1990 (as amended) and referenced in the National Planning Policy Framework (NPPF)– or they will not pass their examination and will not be ‘made’.

Breckland DC, through the LPFU, cannot introduce or put in place further requirements to test Neighbourhood Plans. The Council cannot force Neighbourhood Plans to be in ‘conformity’, the requirement in the Basic Conditions is “**general conformity**”. Thus some variation in wording and policy may be acceptable between the Local Plan and a Neighbourhood Plan.

The NPPF also sets out the plan-making and positions the hierarchy of non-strategic policies.

Breckland DC cannot insist on the inclusion of “local development requirements” in a Neighbourhood Plan. It is Breckland DC’s role to provide the housing requirement for a designated Neighbourhood Area.

There are no policies in section 3: Breckland's Spatial Vision and Objectives to be in general conformity with.

This policy needs to be deleted or re-worded.

#### 4.2.4. Background Stuff

Relevant to the basic conditions test is “*guidance issued by the Secretary of State*” as set out in PPG. The PPG provides a great deal of advice on procedural and policy related matters related to neighbourhood plans. It provides clear explanations on what can or cannot be done in a neighbourhood plan and useful advice on the requirement for policies to be adequately justified and clearly expressed.

Planning Practice Guidance Neighbourhood Planning: Reference ID: 41 paragraphs 001-087.

The test of “*general conformity*” is fundamentally that the neighbourhood plan policies should not undermine the strategic policies of the Local Plan. The test is spelt out more fully in PPG (What is meant by ‘general conformity’? Reference ID: 41-074-20140306).

It does not preclude some variation from a strategic policy to reflect local circumstances providing the proposal upholds the general principle that underlies the strategic policy.

### 4.3. Breckland's Spatial Vision and Objectives (section 3)

No policies.

### 4.4. Sustainable Development Principles (section 4)

#### 4.4.1. GEN 01: General development principles

##### GEN 01: General development principles

Proposals for development will be approved where it can be demonstrated that they would accord with the policies of this Plan and the Breckland Design Guide, and applications are able to demonstrate they would:

- a. Maintain the individual identity of towns and villages and their distinct parts, does not result in physical coalescence that would harm this identity and does not result in the unacceptable loss of undeveloped land, open spaces, and locally important views of particular significance to the form and character of a settlement; and,

- b. Apply a design-led approach to demonstrate compatibility and integration with its surroundings and the distinctive local character of the area in terms of type, scale, massing, siting, form, design, materials, and details; and,
  - c. Be designed to provide an accessible, safe, and inclusive environment that maximises opportunities to increase personal safety and security through prevention or mitigation; and,
  - d. Contribute to mitigation of the likely effects of climate change and appropriate adaptations to the risk of climate change, taking full account of flood risk and water supply and demand; and,
  - e. Be acceptable in terms of their impact upon local amenity for new or existing residents and businesses, adjoining premises, and land uses; and,
  - f. Make the most effective and efficient use of available land, prioritising development of brownfield land; and,
  - g. Have regard to and address any identified impacts of a proposal upon the District's heritage assets, built and natural environment; and,
  - h. Be accommodated by, and make best use of, existing facilities and infrastructure, particularly in encouraging accessibility and walking, cycling and public transport, whilst making appropriate provision for new or additional infrastructure requirements.
  - i. Contributes to the creation of a healthy community and, in the case or major development of 10 dwellings or 1,000 square metres is accompanied by a rapid Health Impact Assessment (HIA) to assess whether a full HIA is required. Applications for 500 dwellings or more must be accompanied by a full HIA.
- All development proposals should minimise, and where possible, reduce all emissions and other forms of pollution, including light and noise pollution, and ensure no deterioration in air and water quality. Proposals will be refused where, individually, or cumulatively, there are unacceptable impacts arising from the development on:
- j. The natural environment, general amenity, and the tranquillity of the wider rural area, including noise and light pollution.
  - k. Health and safety of the public.
  - l. Air quality.
  - m. Surface and groundwater quality.

#### **4.4.2. Observations**

As a set of principles they are very generic and non-specific. Could be used to support existing SMNP policies.

(a) Seeks to provide protection for undeveloped land, open spaces and important views. It also deals with coalescence harming identity.

(b) Addresses, at a very high level, design and integration.

- (c) Identifies safety and security.
  - (d) Climate change – flood risk and water needs.
  - (e) Local amenity impact.
  - (f) Land use and prioritising brownfield land.
  - (g) Impact on natural and built heritage assets.
  - (h) Provision of infrastructure.
  - (i) Introduction of the requirement for Health Impact Assessment (HIA).
- Reducing pollution – light, noise, air and water quality.

#### **4.4.3. Neighbourhood plan Impact / Implications**

None.

#### **4.4.4. Swanton Morley Parish Council Response**

Response
<p>As a set of principles, it is difficult to understand how any development demonstrates the application of these or how the LPA will use in decision making – this is unclear and more clarity should be given around expectation.</p> <p>Would be useful for each principle to identify examples of both 'good' and 'bad' or 'acceptable' and 'not acceptable' to assist both developer proposals and transparently in the decision making process.</p> <p>For example. How are the impacts on heritage assets expected to be identified in (g)?</p> <p>Would be good to point to references such as Building for a Healthy Life, Secure by Design guides, other guides, etc... in addition to the Breckland Design Guide.</p>

## 4.5. GEN 02: Settlement hierarchy and spatial development strategy

### GEN 02: Settlement hierarchy and spatial development strategy

The following settlement hierarchy outlines all towns and villages in Breckland considered appropriate to define as a Market Town, Local Service Centre, or Secondary Village. All other settlements in Breckland not included in this policy are to be considered as Smaller Villages.

#### **Market towns:**

Most new development and approximately 75% of new housing development is directed to the following market towns.

Attleborough, Dereham, Swaffham, Thetford, Watton.

#### **Local Service Centres:**

Development appropriate to the scale and role of service centres is supported and approximately 14% of new housing development is directed to the following local service centres.

Ashill, Banham, Bawdeswell, Beetley, Garboldisham, Great Ellingham, Harling, Hockering, Kenninghall, Mattishall, Mundford, Narborough, Necton, North Elmham, Old Buckenham, Rockland All Saints, Shipdham, Sporle, Swanton Morley, Weeting.

#### **Secondary Villages:**

Generally, only minor development will be appropriate in Secondary Villages and approximately 8% of new housing development is directed to the following Secondary Villages.

Beeston, Carbooke, Caston, Gressenhall, Griston, Hockham, Litcham, Lyng, North Lopham, Quidenham, Saham Toney, Shropham, Thompson, Yaxham and Clint Green (Yaxham Parish)

#### **Smaller Villages:**

All the remaining settlements not named above are 'Smaller Villages'. Such settlements are included within the definition of open countryside where proposals for development will not be considered appropriate. However, minor proposals for new housing that address local need may be considered acceptable. In total capacity in smaller villages could provide 5% of new housing development.

#### **Strategic housing and mixed-use sites:**

A number of key locations provide key strategic opportunities for growth and investment in Breckland.

- Thetford Strategic Urban Extension, north of Thetford.
- Attleborough Strategic Urban Extension, southwest of Attleborough.

#### **Strategic Development Site Opportunities**

Housing, employment, and commercial development sites for which the Council will continue to develop an evidence base to determine suitability and deliverability ahead of selecting a final range of allocations.

#### **Housing**

- Barkers Farm (Larling)



- Robertson Barracks (Swanton Morley Hoe and Worthing parishes)

- Dereham

**Employment and commercial development:**

Maximising the potential of the district for economic growth strategic employment opportunities are identified in relation to the A11 and A47 road corridors, as well as within the core of Breckland, including.

- Snetterton

- Shipdham Airfield

- Moorfields, Dereham

#### 4.5.1. Observations

Much the same as before. Swanton Morley remains as a Local Service Centre (LSC), although Robertson Barracks is included as 'one for the future'.

- Market Towns take most development – c75% of new development.
- Local Service Centres (including Swanton Morley) – c14% of new development – although no new allocations proposed within paragraph 12.23. the SMNP additional allocation of 120 dwellings is carried forward. The exception to this is the possibility of Robertson Barracks being redeveloped but unlikely to happen until the late 2030's at the earliest.
- Secondary Villages (previously Local Plan references Villages with Boundaries these will be known as Secondary Villages within this draft Plan) – c8% of new development.
- Smaller Villages (all other villages – not specifically named as Secondary Villages - and settlements) – c5% on new development.

While the Cabinet Report dated 13<sup>th</sup> May 2024 section 1.20 (fifth bullet point) states:-

- Sets out alternative options for a strategic development site either at Dereham, Robertson Barrack's in Swanton Morley, or Barker's Farm Larling.

The text indicates that 'a' strategic development site (one) from the choice of three listed would be taken forward. This does not follow through into the text of this policy. As written all three locations and sites could be allocated.

#### 4.5.2. Neighbourhood Plan Impact / Implications

Possible large scale development (c2,000 new homes) is likely at Robertson Barracks – Parish should start, if not already, to identify infrastructure requirements.

### 4.5.3. Swanton Morley Parish Council Response

#### Response

There is a mismatch between the Breckland DC Cabinet Report dated 13<sup>th</sup> May 2024 and the way the Strategic Development Site Opportunities is detailed in Policy GEN 02. The Cabinet Report indicates a site at one of the three locations while GEN 02 could see all three locations being allocated.

Is this the intent of policy GEN 02 to allow all three allocations to come forward?

### 4.6. GEN 03: Built Form

#### GEN 03: Built Form

Built Form is defined as the closely grouped and visually well related residential, community, retail, and employment buildings of the main part of the settlement and land closely associated with them. The built form excludes:

- a. any individual building or group of dispersed buildings or ribbon developments which are clearly detached from the main part of the settlement;
- b. any ribbon development attached to the main part of the settlement where the buildings relate more to the surrounding countryside than to the main part of the settlement;
- c. existing commitments for residential, community, retail and employment use on sites which are physically/functionally related to the settlement;
- d. gardens, paddocks, and other undeveloped land on the edge of the settlement where this land relates more to the surrounding countryside than to the main part of the settlement;
- e. Agricultural land, woodland, meadow, areas of water and natural habitats that penetrate the built form or sections of large residential curtilages where the character of the land primarily relates to the countryside;
- f. (listed as e) Farmyards and associated agricultural buildings on the edge of the settlement;
- g. (listed as f) Open space, outdoor sports, and recreational spaces on the edge of the settlement.

#### 4.6.1. Observations

Provides a definition for “Built Form” and usefully examples of what is not classed as Built Form as defined.

Interesting that it specifically excludes ribbon development of buildings, those may have been seen before as an identifiable settlement without a boundary – the old HOU 05 – Settlements without Boundaries Policy.

This may make it more difficult to define the Swanton Morley's Built Form as large parts of the village are ribbon development, specifically, Dereham Road, Elsing Road, Gooseberry Hill, Mann's Lane, Norwich Road, Woodcote Lane, Woodcote Road.

Makes no reference to heritage assets within the definition, although most may fall within the exclusion definition (a).

#### **4.6.2. Neighbourhood plan Impact / Implications**

Policy 1: Protecting the identity of Swanton Morley would be affected. The Policy would need to reference the 'built form' rather than the settlement boundary.

It may make it more difficult to resist development, especially 'infill' in areas of Swanton Morley that are currently outside the defined settlement boundary but may fall within the 'built form' definition.

#### **4.6.3. Swanton Morley Parish Council Response**

##### **Response**

It would be useful for Breckland DC to identify what it sees as the strategic and non-strategic policies within the LPFUPO.

With large parts of Swanton Morley being 'ribbon development' it could make the application of the 'Built Form' definition very subjective and possibly inconsistent.

Not as definitive as a red line on a map.

#### **4.7. GEN 04: Development and the Built Form**

##### **GEN 04: Development and the Built Form**

Within the Market Towns, Local Service Centres and Secondary Villages, as defined in this Plan, development will be permitted where it accords with other applicable policies in the development plan.

All land outside of the built form is designated as open countryside.

Development in the open countryside will be strictly controlled, having regard to the need to protect the countryside and the setting of towns and villages.

Development will be restricted to the main categories listed below, and may be permitted as an exception, providing there is no significant adverse impact on the character of the countryside and that other Local Plan policies are satisfied

- a. Residential development in smaller villages (HOU 06)
- b. Affordable housing exception sites (HOU 07)
- c. Community-led development for housing (HOU 08)
- d. First homes and single plot exception sites (HOU 09)
- e. Residential replacement, extension, and alteration (HOU 10)
- f. Conversion of buildings in the countryside (HOU 11)
- g. Rural workers dwellings (HOU 12)
- h. Self and custom build homes (HOU 13)
- i. Specialist housing and accommodation needs (HOU 14)
- j. Residential and nursing (HOU 15)

Gypsy and Traveller And Travelling Showpeople sites (HOU 25)

Economic development

New employment development outside designated sites (EMP 08)

Farm diversification (EC 06)

Tourism related facilities and attractions (EC 07)

Tourist accommodation – camping, caravanning and holiday lets (EC 08)

Renewable energy development (INF 04)

#### **4.7.1. Observations**

Built Form, as defined in policy GEN 03, is being used as the new or replacement for settlement boundary. The principle of development within the Built Form is deemed as acceptable.

Anything outside of the Built Form definition is defined as countryside. Development in the countryside is restricted by the NPPF and other policies in the draft LPFUPO.

A list is provided where development may be permitted as an exception, with each defined category having its own policy to guide requirements and what is acceptable. For more details on impact see individual policy comments

under HOU 06, HOU 07, HOU 08, HOU 09, HOU 10, HOU 11, HOU 12, HOU 13, HOU 14, HOU 15, HOU 25, EMP 08, EC 06, EC 07, EC 08 and INF 04 later in this document.

There is a significant number of new homes identified as being delivered through what is classed as 'windfall development' which may be easier to realise through the criteria-based approach.

Bullet points identification stops after (j) should continue in same format to be consistent.

#### 4.7.2. Neighbourhood plan Impact / Implications

Reference to the settlement boundary in **SMNP Policy 1** will need to change to refer to the 'Built Form' should policies GEN 01, GEN 02, GEN03 and GEN 04 remain unchanged and adopted.

There is very little case law relating to the use of a criteria-based approach which could see new loopholes identified by developers which may prove difficult to defend against. Unintended consequences of this policy approach could emerge over time.

#### 4.7.3. Swanton Morley Parish Council Response

##### Response

It is good to see new and different thinking being brought forward with the use of Built Form. With relatively little track record and case law it does raise concern in its necessity and implementation. Especially as previous consultation responses are not supportive of the change.

The rationale is to seek an outcome “.....**enabling development necessary to meet the area's locally identified needs for example the delivery of elderly or special needs accommodation, self and custom build, extra care or sheltered housing, housing for rent, or for veterans.**” as stated in Paragraph 4.30. Although this seems a little perplexing as a reasoning for such a major shift in policy as all of these needs identified should be within the allocations being proposed or, if not, the flexibility already exists within the current Local Plan policies for exceptions to policy to be made based on the benefit derived from the development proposals outweighing the harm caused.

There is great concern that sites currently afforded protection, as outside the settlement boundary, could be deemed to be within the Built Form.

Will this enable more new homes to be delivered through 'windfall' development?

For consistency the list of categories from Gypsy and Traveller and Economic development should also have bullet point lettering.

## 5. Housing (section 5)

### 5.1. Development Requirements

Paragraph 5.6 – this sets an annual housing figure of 611.

*In accordance with the NPPF the HEDNA (Housing and Economic Development Needs Assessment for Breckland) uses the standard method as the starting point for establishing a housing requirement for the District. For Breckland this figure is 661 dwellings per annum. Across the Plan Period (2021 – 2046) this is the equivalent of 16,525 homes. (para.5.6)*

Paragraph 5.7 – seems a little confused as it states allocations of up to 17,930 new dwellings (15,430 plus the Strategic Development Option up to 2,500), creating a buffer of 75%.

This calculation seems incorrect. Allocation of 17,930 less the requirement of 16,525 creates a maximum buffer of 1,405 dwellings or 8.5%. This percentage figure does not match with either figure quoted in paragraph 5.7 of 75% or the 20%.

*Therefore, allocations for 15,430 dwellings (with further allocations of between 1,900 to 2,500 dwellings to follow depending on which Strategic Development Option is selected) are made in the Plan. This would provide for a minimum 75% buffer. For monitoring purposes, the standard requirement figure of 661 dwellings per year will be adopted. (last part of para.5.7)*

Section 5.14. Table 5.1: Sites with allocations in Breckland Local plan (2019) or (think this should be 'and' rather than 'or') Neighbourhood Plans (April 2023) does not add up to the total of 627, instead this table adds up to 1,230. The footnote (1) - [\(LP\[025\]029\) Existing allocation for 60 dwellings proposed to be replaced by new allocation for 90 dwellings. Therefore, supply from this current allocation is not included in committed supply to avoid double counting.](#) – it would seem none of the 603 dwellings have been counted.

The two Neighbourhood allocations (including the Swanton Morley 120) add up to an additional 186 dwellings, if this is added on (to what is thought to be the incorrect number) to 627 it does not equal the 873 dwellings quoted. It would seem to be 60 short which may mean the 60 dwellings mentioned in footnote '4' relating to (LP[025]029) as not being included, may have been included at this stage.

The number of dwellings do not seem to add up.

## 5.2. HOU 01: Breckland's Housing Requirement

### HOU 01: Breckland's Housing Requirement

To enable the District to meet future housing needs the Local Plan sets a minimum requirement for delivery of at least 16,525 new homes between 1 April 2021 and 31 March 2046, to ensure an average minimum provision of 661 dwellings per annum.

#### 5.2.1. Observations

Set the requirement for the delivery of at least 16,525 new homes to meet the housing need for the District.

#### 5.2.2. Neighbourhood plan Impact / Implications

None. No new allocations being proposed.

#### 5.2.3. Swanton Morley Parish Council Response

##### Response

The rationale behind the allocation numbers of new homes seems a little confused. Table 5.1 does not seem to add up the number of dwellings correctly.

Provide clarity on the allocations buffer percentage.

The number of homes being delivered through 'windfall' seems a high percentage – 10.4% - of the total number of homes allocated. Less reliance should be placed on 'windfall' and more certainly by increasing the number of homes delivered through allocated sites.

## 5.3. Strategic Growth Options

### 5.3.1. SDP 01: Strategic Development Policy Option - Barkers Farm Larling

#### SDP 01: Strategic Development Policy Option - Barkers Farm Larling

The Council will work with the promoters of the site and key statutory undertakers to undertake a feasibility assessment exploring potential future opportunities and uses appropriate to the site, having regard to the site's opportunities and constraints and wider impacts of the proposal will be carried out.

To be deliverable the site will need to show an exemplar design approach that:

- a. Establishes a deliverable integrated access and transportation strategy which emphasises sustainable accessibility and traffic restraint and allows for the effective management and mitigation of any the impact of vehicular traffic from the site on the local highway network (B1111) as well as connectivity and permeability within and between the site and beyond, including links to the A11, Harling Road Railway Station and Snetterton employment areas.
- b. Provides for safe walking and cycling routes to Harling Railway Station and Snetterton employment areas. An enhanced railway service for Harling Road should be explored with the operators and Network Rail.
- c. Creates an inclusive, resilient, and safe community in which people of all ages have good access to high quality homes that meet housing needs the provision of area wide economic and social infrastructure and services, including (but not limited to) including local employment opportunities, local shops and community uses, education, primary health care, water supply, Broadband and power supply.
- d. Protects and enhances green infrastructure assets, corridors, and open spaces.
- e. Achieves high quality, locally distinctive, energy efficient and flood resilient design which addresses identified risks from all sources of flooding and mitigates against potential sources of noise and air pollution.
- f. Demonstrates measures to include required Biodiversity Net Gain.

This evidence would then inform the next iteration of this Local Plan and/ or the next local plan review, and/or a masterplan, for the site to be prepared and a proposal to be submitted and considered in accordance with policies in this local plan.

A masterplan should be prepared in accordance with the statement of community involvement and shall have been through the agreed process of consultation and approved prior to the determination of any related planning application.

### **5.3.2. Observations**

Likely for consideration in the next Local Plan, post 2046.

### **5.3.3. Neighbourhood plan Impact / Implications**

None – outside Swanton Morley Neighbourhood Area.

### **5.3.4. Swanton Morley Parish Council Response**

#### **Response**

No response or comments to make.



### 5.3.5. SDP 02: Strategic Development Policy Option 2 – Dereham

#### SDP 02: Strategic Development Policy Option 2 – Dereham

The Council will work with the promoters of the following site options within Dereham, alongside and stakeholders and consultees, to undertake a feasibility assessment exploring potential future opportunities and uses appropriate to the sites. The assessment will have regard to opportunities, constraints, and wider impacts upon Dereham of development of the potential sites.

079: Land at Dereham Hospital 90

032: Land at Norwich Road 120

144: Land at Dumpling Green 305

164: North of Dereham Road, Scarning 100

174: Southwest Urban Extension 1,400

368: East of Draytonhall Road 500

A Transport Assessment to be undertaken will comprise a full technical assessment of cumulative impact of the site options up to 2046. The purpose of the Assessment will be to assist the Council in developing one or more preferred allocation scenarios for the next stage of the Plan making process.

The Assessment will emphasise sustainable accessibility and traffic restraint, and allow for the effective management and mitigation of any the impact of vehicular traffic from each site on the local highway network as well as connectivity and permeability within and between each site and beyond, including:

- a. Direct links to the A47, via an improved junction with Drayton Hall Lane.
- b. The provision of a link road within sites to the south of the town.
- c. The implications of any future development at the Robertson Barracks site, improvements to the Tavern Lane Junction in the town and improved cycling and walking opportunities linking the sites to the town centre and key facilities.

To be considered for allocation in the Plan, each site will need to show an exemplar design approach that: establishes how it will contribute to an integrated access and transportation strategy, that is deliverable prior to the commencement of development, which emphasises sustainable accessibility and traffic restraint, and allows for the effective management and mitigation of any the impact of vehicular traffic from each site on the local highway network as well as connectivity and permeability within and between each site and beyond.

The allocation of sites will be considered on an individual basis, but this will need to be justified with evidence on how the development will contribute to the overall transport planning for Dereham and in particular the key issues identified in this Policy as well as demonstrating how any highway issues arising from the individual site can be mitigated.

Allocated sites must also:

- d. Contribute to open space / sport / cycle routes / and necessary infrastructure with reference to the other allocations in the Plan (schools, health etc).
- e. Create an inclusive, resilient, and safe community in which people of all ages have good access to high quality homes that meet housing needs the provision of area wide economic and social infrastructure and services, including (but not limited to) including local employment opportunities, local shops and community uses, education, primary health care, water, Broadband and power supply.

- f. Protect and enhance green infrastructure assets, corridors, and open spaces.
- g. Achieves high quality, locally distinctive, energy efficient and flood resilient design which addresses identified risks from all sources of flooding and mitigates against potential sources of noise and air pollution.
- h. Demonstrates measures to address Nutrient Neutrality and Biodiversity Net Gain.

This evidence would then inform the next iteration of this Local Plan and/ or the next local plan review, and/or masterplans, for the sites to be prepared and proposals to be submitted and considered in accordance with policies in this local plan.

Masterplans should be prepared in accordance with the statement of community involvement and shall have been through the agreed process of consultation and approved prior to the determination of any related planning applications.

### 5.3.6. Observations

Due to the significant range of site size (90 to 1,400) it is far more likely each site will be allocated as an individual site due to the complexities of a range of sites, each with their own constraints, timescales and solutions required for site specific issues.

### 5.3.7. Neighbourhood plan Impact / Implications

None – outside Swanton Morley Neighbourhood Area.

### 5.3.8. Swanton Morley Parish Council Response

#### Response

No response or comments to make.

### 5.3.9. SDP 03: Robertson Barracks, Swanton Morley and Hoe/Worthing

#### SDP 03: Robertson Barracks, Swanton Morley and Hoe/Worthing

In the event that the Barracks becomes available for redevelopment or change of use, or are known to shortly become surplus to requirements, whether for the whole or part of the landholding in that area, the council will work with the promoters of the site and key statutory undertakers to undertake a feasibility assessment exploring potential future opportunities and uses appropriate to the site, having regard to the site's opportunities and constraints and wider impacts of the proposal will be carried out.

To be deliverable the site will need to show an exemplar design approach that:

- a. Establishes a deliverable integrated access and transportation strategy which emphasises sustainable accessibility and traffic restraint and allows for the effective

management and mitigation of any the impact of vehicular traffic from the site on the local highway network as well as connectivity and permeability within and between the site and beyond, including north-south links with Swanton Morley, Dereham and the A47 and east to Norwich.

- b. Creates an inclusive, resilient, and safe community in which people of all ages have good access to high quality homes that meet housing needs the provision of area wide economic and social infrastructure and services, including (but not limited to) including local employment opportunities, local shops and community uses, education, primary health care, water supply, Broadband and power Supply.
- c. Protects and enhances green infrastructure assets, corridors, and open spaces.
- d. Achieves high quality, locally distinctive, energy efficient and flood resilient design which addresses identified risks from all sources of flooding and mitigates against potential sources of noise and air pollution.
- e. Demonstrates measures to address Nutrient Neutrality and Biodiversity Net Gain.

This evidence would then inform the next iteration of this Local Plan and/ or the next local plan review, and/or a masterplan, for the site to be prepared and a proposal to be submitted and considered in accordance with policies in this local plan.

A masterplan should be prepared in accordance with the statement of community involvement and shall have been through the agreed process of consultation and approved prior to the determination of any related planning application.

### **5.3.10. Observations**

This site is prime to be converted and rebuilt to become either a prison and/or to house asylum seekers as a detention camp. As has been seen, at what was previously RAF Coltishall, with the building of HMP Bure and the temporary housing of asylum seekers (currently suspended).

It would seem to far away from Dereham and the A47 connectivity links to be promoted as a potential hospital site.

The MOD may reconsider its position prior to 2031 and becoming surplus. Government (Conservative commitment by 2030 and Labour when it can) is set to increase defence spending to 2.5% of GDP which could instigate a retention and need for the site.

To be acceptable for residential development what key infrastructure requirement would be essential rather than desirable?

As a settlement it will not be integrated in the medium term with Swanton Morley and effectively always be separate. This is supported by the design approach (b) to 'create an inclusive, resilient and safe community' – separate.

In the longer term a masterplan could seek to establish linkage and connectivity through development along Worthing Road towards the northern parts of Swanton Morley, Primrose Lane and Grey Drive, which would bring another phase of housing growth.

### **5.3.11. Neighbourhood plan Impact / Implications**

Whilst outside the settlement boundary this would not stop sustainable development coming forward at the Barracks. Under the new system being proposed the Barracks would be seen as built form and acceptable 'in principle' for residential development.

No changes required.

Could develop policy specifically to seek delivery of key infrastructure and/or community benefits if known or subsequently identified.

### **5.3.12. Swanton Morley Parish Council Response**

#### **Response**

Should Robertson Barracks become surplus to the MOD requirements the Parish would welcome, although do have some concerns, the redevelopment of the site to residential use providing the necessary and appropriate infrastructure was delivered in a timely manner.

Key aspects required are:-

- Road network
- All utilities upgraded – water, sewerage, drainage, electric, broadband, etc....
- Safe pedestrian and cycle links to Swanton Morley
- Protection of heritage asset (Control Tower)
- Protection of Wensum Valley environment
- Phasing of development
- Construction Traffic Plan
- Protection and enhancement of local health, education and public transport services

## **5.4. HOU 02: Distribution of Housing Development**

### **HOU 02: Distribution of housing development**

The following policy outlines the spatial distribution of development over the period 2021/22 to 2045/46 across Breckland to each settlement and strategic site. To meet the local housing requirements sites are allocated in this Plan to give an overall supply of 15,480 dwellings. Between 1,900 – 2,500 further dwellings are expected to be allocated following the

completion of work to assess the three development options identified in this Plan. A total of 11,031 dwellings have been built or benefit from planning permission and considered in principle as appropriate locations for housing development.

<b>Settlement</b>	<b>Built/Committed</b>	<b>New Allocation</b>	<b>Total (2021-2023)</b>
<b>Market Towns</b>	<b>8,259</b>	<b>1,638</b>	<b>9,897</b>
Attleborough	832	0	832
Attleborough SUE	2,700	0	2,700
Dereham	654	0	654
Swaffham	652	430	1,082
Thetford	101	0	101
Thetford SUE	2,732	0	2,732
Watton	588	1,208	1,888
<b>Local Service Centres</b>	<b>1,853</b>	<b>464</b>	<b>2,317</b>
Ashill	114	65	179
Banham	101	0	101
Beetley	16	44	60
Bawdeswell	2	65	67
Garboldisham	45	0	45
Great Ellingham	415	0	415
Harling	105	0	105
Hockering	55	50	105
Kenninghall	24	15	39
Mattishall	103	0	103
Mundford	3	50	53
Narborough	55	100	155
Necton	128	0	128
North Elmham	36	40	76
Old Buckenham	20	12	32
Rocklands	20	23	43
Shipdham	233	0	233
Sporle	82	0	82
Swanton Morley	263	0	263

Weeting	33	0	33
<b>Secondary Villages</b>	<b>607</b>	<b>192</b>	<b>799</b>
Beeston	17	33	50
Beetley	16	44	60
Carbrooke	16	0	16
Caston	12	0	12
Gressenhall	6	0	6
Griston	61	20	81
Hockham	164	25	189
Litcham	16	50	66
Lyng	6	0	6
North Lopham	33	0	33
Quidenham	27	0	27
Saham Toney	102	0	102
Shropham	27	20	47
Thompson	10	0	10
Yaxham	94	0	94
<b>Other settlements</b>	<b>312</b>	<b>430</b>	<b>742</b>
<b>Windfall allowance</b>	<b>0</b>	<b>1,725</b>	<b>1,725</b>

The Lead Local Flood Authority has (LLFA) has identified the following settlements as having particular concerns around flooding. All new development in these areas will be required to demonstrate that pre application discussions have taken place with the LLFA and that that appropriate mitigation measures are agreed and in place:

Banham, Besthorpe, Caston, Griston, Little Ellingham, Kenninghall, Mattishall, Rocklands All Saints, Saham Toney, Swanton Morley and Thompson

#### 5.4.1. Observations

The distribution of housing development has not made any change to the Swanton Morley number of new homes at 263, which have permission or allocated in the current Local Plan and will be taken forward in the new Local Plan.

Be aware that the 'windfall allowance' is high, at 10.4% of the total new allocation. This will create plenty of opportunity for speculative development.

### 5.4.2. Neighbourhood Plan Impact / Implications

None.

### 5.4.3. Swanton Morley Parish Council Response

Response
Support the allocation for Swanton Morley remaining at the already high figure of 263 for such a small village.

## 5.5. HOU 03: Strategic Housing Options

HOU 03: Strategic housing options		
The Council will continue to review and develop evidence regarding deliverability of a major strategic allocation at the following locations:		
<b>Swanton Morley, Hoe and Worthing</b>		
SMH1 (010)	Robertson Barracks	2,000
<b>Dereham</b>		
DER 1 (079)	Land at Dereham Hospital	90
DER 2 (032)	Land at Norwich Road	120
DER 3 (144)	Land at Dumpling Green	305
DER 4 (164)	North of Dereham Road, Scarning	100
DER 5 (174)	Southwest Urban Extension	1,400
DER 6 (368)	East of Draytonhall Road	500
<b>Larling</b>		
LAR1 (388)	Barkers farm	1,900

### 5.5.1. Observations

Identifies Robertson Barracks and suggests limiting numbers to c2,000. Be aware under viability this could increase.

If the more negative response is given, be careful as the alternative uses may be far less palatable.

### 5.5.2. Neighbourhood Plan Impact / Implications

None. Any new development on Robertson Barracks, which falls within the Swanton Morley Neighbourhood Area, will be required to meet the policies of the Swanton Morley Neighbourhood Plan.

### 5.5.3. Swanton Morley Parish Council Response

#### Response

There are many justifiable concerns within the local community at the size of this proposal and the likely negative impact it would have on residents, their amenities, local services and infrastructure if not planned appropriately and delivered with the necessary infrastructure.

Despite concerns about the number of new homes and likely impact locally, as a growth point, this development could, however, deliver many benefits for Swanton Morley and the wider community.

This could be an opportunity to bring considerable local investment, local employment and improvements to services, such as bus service and health care.

The reuse of the site has the potential to enable community use of the on-site sports facilities, create small business and employment opportunities through the repurposing of existing buildings. Even the reuse of the existing very tall tower, as a shared mobile signal tower, could be used to resolve the poor signal strength in the wider area (which we all struggle with presently).

As a site it is currently too isolated for this number of new homes in the countryside without significant investment in highways – this is likely to be a serious constraint for the site whatever its reuse is.

### 5.6. HOU 04: Preferred housing allocations

#### HOU 04: Preferred housing allocations

In accordance with the distribution of housing development established the following sites are identified as preferred locations for housing development:

Site (C4S Ref)	Site name	Capacity to 2046
<b>Swaffham</b>		
SWA 1 (178)	West of New Sporle Road	130
SWA 2 (179)	East of Sporle Road	180
SWA 3 (195)	South of Sporle Road	120
<b>Watton (sites in Carbrooke Parish)</b>		
WAT 1 (225)	Land North and East of Shrublands	1,000
WAT 2 (224)	Land at Southmoor Farm	200
WAT 3 (086)	Land to rear of Shrublands	8
<b>Ashill</b>		
ASH 1 (320)	The Willows	20
ASH 2 (319)	Greenacre Close	45
<b>Bawdeswell</b>		
BAW 1 (231)	Reepham Road	40



BAW 2 (123 )	The Street	25
<b>Beeston</b>		
BEES 1 (028)	Back Lane	9
BEES 2 (058)	Beeston Playing Field And Dereham Road	5
BEES 3 (204)	School Farm Paddock	5
BEES 4 (059)	Rose Cottage Syers Lane	5
BEE 5 (203)	Back Lane	8
<b>Hockering</b>		
HOC 1 (400)	The Street	50
<b>Kenninghall</b>		
KEN 1 (167)	Powell Close	15
<b>Mundford</b>		
MUN 1 (361)	West Hall Drive	30
MUN 2 (360)	Bracken Rise	20
<b>Narborough</b>		
NAR 1 (105)	Chalk Lane	70
NAR 2 (103)	Chalk Lane (2)	30
<b>North Elmham</b>		
NEL 1 (206)	Back Lane	10
NEL 2 (205)	Land South of Eastgate Street	30
<b>Old Buckenham</b>		
OLD 1 (111)	Hargram Road	8
OLD 2 (209)	Attleborough Lane	4
<b>Rocklands</b>		
ROC 1 (065)	The Street	7
ROC 2 (064)	South of Bell Road (Southlands)	15
<b>Beetley</b>		
BEET 1 (284)	Shrublands	25
BEET 2 (134)	Fakenham Road	19
<b>Griston</b>		
GRI 1 (347)	Caston Road	20
<b>Hockham</b>		
HOC 1 (109)	West of Watton Road	20
HOC 2 (226)	Land south of Dawneal	5

<b>Litcham</b>		
LIT 1 (257)	Lexham Road	50
<b>Shropham</b>		
SHR 1 (142)	East of Rocklands Road	20
*Saved allocations from the Breckland 2019 Local Plan		

### 5.6.1. Observations

No saved allocations for Swanton Morley, although the two sites allocated by the Swanton Morley Neighbourhood Plan remain as allocated through that Plan.

### 5.6.2. Neighbourhood Plan Impact / Implications

None. No new allocations.

### 5.6.3. Swanton Morley Parish Council Response

Response
As a community that has welcomed growth and historically allocated additional sites, through our Neighbourhood Plan, we welcome that no additional sites are being proposed.

## 5.7. HOU 05: Large Housing Site Development Principles

HOU 05: Large housing site development principles
<p>The following site development principles apply to all applications for development that would either in whole, or in part, lead to the delivery of over 100 dwellings on a single site.</p> <p>Development must be planned and implemented in a coordinated way, through an agreed Masterplan that as a minimum establishes a broad concept plan for the site's development and the timely delivery of key infrastructure. With the exception of inconsequential development, proposals for development within the identified extensions which come forward prior to the production of, and agreement on, a broad Masterplan will be refused.</p> <p>Development must also be drawn together and guided by a design code, consistent with the Breckland Design Guide and associated guidance.</p>

The Masterplan and Design code should clearly evidence the support of all significant landowners and be submitted alongside an outline application for the proposed development.

Whilst phasing may be agreed, the local planning authority will need to be satisfied that the key aspects of the concept plan will be delivered. Therefore, to prevent the provision of appropriate infrastructure being either delayed or never materialising, appropriate safeguards will be put in place, through a Section 106 agreement, which ensure that specific aspects of the scheme are delivered when an appropriate trigger point is reached.

All major housing development (that would either in whole, or in part, lead to the delivery of over 100 dwellings on a single site) should have regard to and provide a range and type of homes appropriate to address Breckland's latest assessment of housing needs. Large scale sites are required to ensure that:

- a. 5% of dwellings should be marketed as Custom and Self Build units.
- b. 5% of dwellings should be bungalows.

### 5.7.1. Observations

Interesting that this policy introducing from nowhere the requirement for 5% of dwellings to be Custom or Self Build units and 5% of dwellings to be bungalows, which will alter the housing mix.

This policy will apply should Robertson Barracks be allocated and taken forward. This is in addition to any other site specific policy relating to Robertson Barracks which may be drafted as the future use of the Barracks for development is known.

Policy requirements: -

- Masterplan
- Design Code
- Infrastructure trigger points through s106 Agreement
- Development will comprise of at least 5% of Custom and Self Build units and 5% of dwellings should be bungalows.

**Please note.** The policy is silent on whether any bungalows built as part of the Custom and Self Build units will also be counted as part of the 5% of dwellings that should be bungalows.

### 5.7.2. Neighbourhood Plan Impact / Implications

None.

### 5.7.3. Swanton Morley Parish Council Response

#### Response

The better coordination of development is welcomed. A more joined up approach will deliver better outcomes for existing and future residents.

Will this policy be applied to extensions of existing sites which would lead to the delivery of over 100 new homes?

The introduction of the requirement for both bungalows and Custom and Self Build units is seen as a good way to alter the housing mix.

Under this policy is it two distinct percentages – 5% for each category of Custom and Self Build and bungalows or could the situation arise that a Custom or Self Build unit that is a bungalow count towards both percentages?

### 5.8. HOU 06: Windfall Housing Development

#### HOU 06: Windfall Housing Development

A proposal for housing development within the main built form (defined in policy GEN 03) of a defined settlement (see policy GEN 02) will be supported where the site is not protected for its environmental, historic, community or other value, or allocated, designated, or otherwise safeguarded for another type of development.

#### **Adjacent to the built form of Market Towns, Local Service Centres and Secondary Villages**

A proposal to build appropriate scale housing development, on a site adjacent to the built form of a defined village will be supported where the proposal demonstrates that:

- a. A sequential approach to site selection has been taken where the re-use of previously developed land will come first before greenfield.
- b. It will provide a reliable source of supply. Applicants will be expected to provide evidence of the site's deliverability, especially in those villages where development has been completed within the plan period and there are existing outstanding commitments; and
- c. It will provide a housing mix in terms of size, type, and tenure to meet locally identified need, in accordance with the Council's Housing and Economic Development Needs Assessment (HEDNA). All proposals will individually or cumulatively. **(do what?: Sounds like something is missing)**

- d. Represents incremental and organic growth of the village by virtue of its location, scale, and nature.
- e. Does not result in the loss of open space that is important to the historic form and layout of the village or is an important social and community space; and
- f. Has no detrimental impact on the character and appearance of the village including its morphological character type as outlined in the Breckland Landscape and Settlement Character Assessment, surrounding area and countryside or result in the loss of countryside that makes a significant contribution to the character or setting of that part of the village.

#### **Within or adjacent to the built form of Smaller Villages**

In addition to meeting the above criteria any new Windfall Housing Development in Smaller Villages (as defined in Policy HOU 07) will need to demonstrate it is within or adjacent to the built-up area and will be limited to proposals that clearly meet an identified local need in accordance with the following policies:

- a. Affordable housing exception sites (HOU 08)
- b. Community-led development for housing (HOU 09)
- c. First Homes (HOU 09)
- d. d. Single plot exception sites to meet Specialist Needs (HOU 11)
- e. e. Self and custom build homes (HOU 13)

Development in the open countryside will only be permitted where the proposal accords with the following policies:

- f. Single dwellings and conversion of buildings in the countryside (HOU 17)
- g. Rural workers dwellings (HOU 19)

#### **5.8.1. Observations**

This has the ability to open up new areas of Swanton Morley that are currently outside of the existing Settlement Boundary, as they will now be within the Built Form, to potential development – subject to meeting the criteria.

“Identified **local** need” (c.)– is defined as District.

Does the other side of the road count as adjacent to the Built Form?

#### **5.8.2. Neighbourhood Plan Impact / Implications**

This has the potential to undermine SMNP Policy 1 and 2, as it could open up other areas of Swanton Morley currently outside the Settlement Boundary.

Simply referencing Policy 1 to the Build Form will not resolve this possible outcome. The requirement of NOT being ribbon development may exclude some areas.

### 5.8.3. Swanton Morley Parish Council Response

#### Response

There is little support for the ceasing of settlement boundaries. Should this happen there is great concern that using the 'Built Form' definition will provide more loopholes for developers to exploit.

There are concerns that this policy has the potential to open up new areas of Swanton Morley, though the definition of Built Form, to development, which is not supported.

By no longer having settlement boundaries and replacing with the criteria based system

There is no definition for 'adjacent' – the dictionary lists as next to, adjoining, neighbouring, next door, abutting, close to, near to, etc... - please could you confirm if this includes or excludes across a road?

Criteria (c.) looks like there is something missing from the end of the last sentence. "All proposals will individually or cumulatively." – expect to do what?

### 5.9. HOU 07: Small Scale Housing Development in Smaller Villages

#### HOU 07: Small Scale Housing Development in Smaller Villages

Small scale residential development will be permitted on sites within or adjacent to a recognisable group of dwellings in the following settlements

##### **Smaller Settlements (100 – 199 dwellings)**

From the date that this Plan is adopted, cumulative development permitted under this policy will be no more than 5 dwellings .

Billingsford, Croxton, Elsing, Guist, Horningtoft, Larling, Lexham, little Dunham, Little Ellingham, Little Fransham, Longham, Ovington, Riddlesworth, Scarning, Scoulton, Stanfield, Wendling, Westfield, Winburgh

##### **Larger Settlements (200 - 399 dwellings)**

From the date that this Plan is adopted, cumulative development permitted under this policy will be no more than 10 dwellings;

Beachamwell, Bintree, Blo Norton, Brigham, Brisley, Cranworth, East Tuddenham, Foulden, Foxley, Great Dunham, Hardingham, Hoe, Holme Hale, Little Dunham, New Buckenham, North Pickenham, North Tuddenham, Oxborough, Roudham, Snetterton, South Lopham, Sparham, Stow Bedon, Tittleshall, Weasenham, Whissonsett, Wretham

#### **Larger Settlements (over 400 dwellings)**

From the date that this Plan is adopted, cumulative development permitted under this policy will be no more than 15 dwellings:

Besthorpe, Bradenham, Colkirk Garvestone (with Reymerston and & Thuxton,) Mileham,

These development limits are in addition to schemes that may come forward under Policy **HOU: Affordable** housing exception sites.

In all cases proposals must respect the form and character of the settlement; and result in no adverse impact on the landscape and natural environment; and provide housing to meet identified local needs as set out under policies:

HOU 08: Affordable Housing Exception Sites

HOU 09 Community-led development for housing HOU 10: First Homes

HOU 11: Single Plot Exception Sites

HOU 13: Self and custom build homes (Single Plot)

The following Settlements lie within the Brecks Special Protection Area Buffer where no new build residential development is permitted:

Brettenham, Cockley Cley, Gooderstone, Great Cressingham, Hilborough, Ickburgh, Little Cressingham, West Tofts (in Lynford parish)

The following parishes do not contain a recognisable group of dwellings of sufficient scale or massing to warrant any further residential development

Bylaugh, Cranwich, Didlington, Gateley Kempstone, Little Cressingham, Merton, Narford, Newton, Rougham, South Pickenham, Stanford, South Acre, Sturston, Tottingham, Twyford and Wellingham

#### **5.9.1. Observations**

This relates to Smaller Villages within the settlement hierarchy and does not, therefore, apply to Swanton Morley as a Local Service Centre.

#### **5.9.2. Neighbourhood Plan Impact / Implications**

None – does not apply to Swanton Morley or the Neighbourhood Area.

### 5.9.3. Swanton Morley Parish Council Response

#### Response

No response as does not apply to Swanton Morley.

### 5.10. HOU 08 Affordable Housing Exception Sites

#### HOU 08 Affordable Housing Exception Sites

On sites outside but adjacent to defined settlements where residential development would not normally be appropriate, the Council will support affordable led housing exception sites.

In the Market Towns, Local Service Centres and Secondary Villages exception sites will be supported where they meet identified affordable housing needs across the whole of Breckland District.

In Smaller Villages exception sites, that are adjacent to the built up area will be supported where they meet identified affordable housing needs for that particular Parish or an immediately adjoining parish that does not contain a higher level settlement.

In all cases, applications for development will be permitted where the following criteria are met:

- a. The proposal delivers affordable housing (as defined in National Policy and including social and affordable rented housing, first homes, intermediate and shared ownership housing), to meet the needs of local people\* and
- b. The proposal is of good design quality utilising the Breckland design guide appropriate to its immediate surroundings and of a scale proportionate to existing development.

An element of market led housing will be permitted as a supplementary component of such schemes, where it is clearly demonstrated that:

- c. Appropriate evidence of the economic viability of a scheme is submitted and subject to independent evaluation, for which the applicant will bear the cost and confirmation that no alternative funding sources exist prior, to the Council's agreement that a 100% affordable housing scheme would not be viable; and,
- d. It is demonstrated that a local housing need would otherwise go unmet without delivery of the scheme; and,
- e. Development of a market housing element is the minimum necessary to bring forward affordable housing development and the principal use of the site would remain an affordable housing scheme; and,
- f. the development remains a comprehensive scheme brought forward as a whole.

The Council will in particular support and assist in the delivery of proposals for affordable housing that are brought forward by a legitimate community group such as a Parish Council or Community Land Trust and the scheme has general community support, with evidence of meaningful public engagement.

Where there is an identified need for specialist housing, schemes will be encouraged to provide an element of specialist housing with the proposal.



\* Local need in a Market Town, Local Service Centre or Secondary Village is defined as a need for affordable housing identified within Breckland District. Local need in a Smaller Village is defined as a need for affordable housing arising from current residents within the parish and adjoining parishes, those who have an existing family or employment connections, or those who have had to leave the parish due to a lack of suitable affordable housing.

### 5.10.1. Observations

There is a significant change in this policy when compared to the current Policy HOU 14 – Affordable Housing Exceptions, in which an exception site has to be justified by a Local Housing assessment which identifies a “local need” (defined in the policy as ***“Local need” is a need for affordable housing arising from current residents within the parish and adjoining parishes, those who have an existing family or employment connections, or those who have had to leave the parish due to a lack of suitable affordable housing.***)

The proposed new policy HOU 08 changes this for Market Towns, Local Service Centres and Secondary Villages where an exception site can be justified by meeting the **“identified affordable housing needs across the whole of Breckland District”** and removed the previous requirement to undertake a Local Housing Needs Assessment.

It is unlikely that any exception sites will come forward in the Market Towns, as such sites, if suitable for development adjacent to the settlement, would be development as residential sites under the new proposed policy HOU 06: Windfall Housing Development. Therefore, this policy must be targeted at allowing exception sites to come forward in Local Service Centre and Secondary Villages without any local justification of need and would not meet the requirements of HOU 06: Windfall Housing Development.

This could result in sites coming forward and being justified in the Swanton Morley Parish based on the general affordable housing need for Breckland.

### 5.10.2. Neighbourhood Plan Impact / Implications

None. SMNP Policy 5: Affordable Housing on Exception Sites would still apply in providing the criteria for allocation of any affordable homes should there be any delivered through an exception site in Swanton Morley.

### 5.10.3. Swanton Morley Parish Council Response

#### Response

Exception sites are a good way of delivering predominately Affordable Homes on sites which would not normally achieve planning permission.

First sentence refers to 'defined settlements', which is a change from Built Form.

It is disappointing to see the requirement for justification, through the requirement of a Local Housing Needs Assessment to be undertaken and for the Assessment to identify a local need, and we would strongly support the link to local need in Local Service Centres and Secondary Villages be established again by bringing back this requirement.

### 5.11. HOU 09: Community Led Development

#### HOU 09: Community Led Development

The District Council is generally supportive of community-led development. This may include schemes involving affordable housing, small business units, renewable energy generation and other appropriate uses. Schemes will be considered for sites adjoining the built form of Market Towns, Local Service Centres, Secondary Villages and Smaller Villages.

The non-housing elements of schemes will be assessed against other relevant Local Plan policies. However, the District Council will also expect schemes to accord with the applicable criteria in this Policy.

The affordable housing elements may be permitted on sites adjacent to the built form of a settlement as an exception to the normal policies of control where:

- a. The site is adjacent to a settlement which offers a range of services and facilities, and there is good accessibility by foot/cycle to those facilities.
- b. No significant harm would be caused to the character or setting of the settlement and the surrounding countryside.
- c. The scale of the scheme is appropriate to the location and the level of identified local affordable housing need.
- d. The scheme incorporates a range of dwelling sizes, types, and tenures appropriate to identified local need.
- e. The District Council is satisfied that (i) the scheme was initiated by, and is being led by, a legitimate local community group such as a Parish Council or Community Land Trust and (ii) the scheme has general community support, with evidence of meaningful public engagement.
- f. It can be demonstrated that the scheme will be well managed and financially viable over the long-term and that any benefits provided by the scheme can be retained by the local community in perpetuity; and
- g. The scheme accords with all other policies of the Local Plan.

An element of open market housing on the site will only be acceptable where: It is demonstrated through a financial appraisal that this is essential to enable the delivery of affordable housing or other community benefits on-site; and The community benefits of the scheme (such as the level of affordable housing or open space) are significantly greater than would be delivered on an equivalent open market site.

### 5.11.1. Observations

A 'green light' to community led development which is nice to see. In reality the policy brings nothing more than 'support' for what is already possible and achievable through the other policies.

The NPPF, paragraph 73, already states that "Local planning authorities should support the development of exception sites for community-led development (as defined in Annex 2) on sites that would **not otherwise be suitable** as rural exception sites."

It seems that this policy goes against the NPPF as it requires the scheme to accord with HOU 08: Affordable Housing Exception Sites.

### 5.11.2. Neighbourhood Plan Impact / Implications

None.

### 5.11.3. Swanton Morley Parish Council Response

#### Response

It is good to see the District Council seeking to support community led initiatives although, in reality, this policy does not make it any easier for such development to come forward and be delivered as there is a requirement to "the scheme accords with all other policies of the Local Plan".

If the scheme proposals meet all policies then the scheme could be delivered and achieve the necessary planning permission without the assistance or need for this policy.

It is, therefore, unclear what additional enablement or benefit would be derived from the existence of this new proposed policy.

It would seem that this proposed policy goes against the NPPF, paragraph 73.

## 5.12. HOU 10: First Homes

### HOU 10: First Homes

Proposals to deliver First Homes on sites adjoining the built form of Market Towns, Local Service centres, Secondary Villages and Smaller Villages will be supported where:

- a. The scheme comprises at least one or more types of affordable housing that are suitable for first time buyers or renters; and

- b. The scheme can demonstrate that products have regard to local income and local house prices; The HEDNA considers that the purchase price to make First Homes/discounted home ownership affordable for households in the rent/buy gap in Breckland is £130,000.
- c. Arrangements are in place to ensure housing remains at a discount for future eligible households and the dwellings remain affordable in perpetuity.

### **5.12.1. Observations**

Policy sets out the requirements to deliver 'First Homes' as first announced Written Ministerial Statement on Affordable Homes Update (24 May 2021) and subsequent Planning Policy Guidance (PPG).

As such the requirements of this policy already apply to policies: -

- HOU 05: Large housing site development principles
- HOU 06: Windfall Housing Development
- HOU 08: Affordable Housing Exception Sites
- HOU 11: Single plot exception sites
- HOU 24: Affordable Housing

First Homes should account for at least 25% of all affordable housing units.

### **5.12.2. Neighbourhood Plan Impact / Implications**

If delivered on an 'exception site' then the criteria in SMNP Policy 5: Affordable Housing on Exception Sites would apply.

If not classed as an 'exception site' then the SMNP Policy 5: Affordable Housing on Exception Sites would not apply.

### **5.12.3. Swanton Morley Parish Council Response**

#### **Response**

Unclear what this extra policy brings or why it is necessary as the requirements for First Homes, where they meet the definition of Affordable Housing, is already intrinsic while not specifically stated within policies:-

- HOU 05: Large housing site development principles
- HOU 06: Windfall Housing Development
- HOU 08: Affordable Housing Exception Sites

- HOU 11: Single plot exception sites
- HOU 24: Affordable Housing

Is this policy just seeking to set out what is defined as a "First Home"?

### 5.13. HOU 11: Single Plot Exception Sites

#### HOU 11: Single plot exception sites

Single plot exception sites that would deliver an affordable home on sites adjacent to the built form of Market Towns, Local Service centres, Secondary Villages and to smaller villages will be supported where:

- a. The proposal is for low-cost home ownership, where:
  - i. The applicant can demonstrate that they are unable to access a suitable home currently available on the open market in the parish; and
  - ii. The applicant has an evidenced strong local connection to the parish where the new dwelling is proposed; and
  - iii. The dwelling meets the council's current definition of affordable housing and will remain affordable in perpetuity; or
- b. The proposal will meet a locally agreed specific need for people with long term disabilities or for a veteran provided that:
  - i. The size and form of the building, its access and parking provide for the specific needs of residents with disabilities; and
  - ii. The application clearly demonstrates a local connection as well as a local need or requirement for the housing through medical evidence; and
  - iii. There are no alternative suitable or available sites within the built up area of a settlement, and
  - iv. There is no suitable property to meet the identified need available within the village.

In order to ensure that dwellings on exception sites remain affordable in perpetuity planning permissions relating to such sites may include conditions which restrict permitted development rights.

#### 5.13.1. Observations

This policy seems to identify what would be delivered as a Self and Custom Built Homes (Policy HOU 13) as an Affordable Home. If planning permission can be achieved through HOU 13 it is difficult to understand why an individual would use this policy which could restrict, through the possibility of restricting permitted development rights.

As there is a requirement for the “applicant” to demonstrate elements of suitability within the criteria (especially a.i) it would not be possible for a developer to gain permission with a view to selling or renting as an Affordable Home.

### **5.13.2. Neighbourhood Plan Impact / Implications**

As delivered on what is being defined as an ‘exception site’ then the criteria in SMNP Policy 5: Affordable Housing on Exception Sites would apply should the home subsequently be sold on or rented. (Not sure Breckland would see or recognise this).

### **5.13.3. Swanton Morley Parish Council Response**

#### **Response**

It is difficult to envisage an example when this policy would be used by an applicant rather than policy HOU 13: Self and Custom Built Homes. Please could you provide such an example?

Please could you confirm that the criteria in SMNP Policy 5: Affordable Housing on Exception Sites would apply should the home subsequently be sold or rented.

If so, will this be conditioned as part of any planning permission granted using this policy?

### **5.14. HOU 12: Specialist Housing and Accommodation Needs (2 or more dwellings)**

#### **HOU 12: Specialist Housing and Accommodation Needs (2 or more dwellings)**

Proposals to meet older persons/specialist housing needs or homes for veterans for two or more dwellings will be supported on sites adjacent to the built form of Market Towns, Local Service centres or Secondary Villages where:

- a. The location is well served by public transport or within walking distance of community facilities (within 400m) such as shops, medical services, public openspace, and social networks appropriate to the needs of the intended occupiers, or where this is not the case, such facilities are provided on site; and
- b. The scale, form and design of the development is appropriate to the client group and in relation to the settlement where it is located; and
- c. Highway, parking, and servicing arrangements are satisfactorily addressed; and

- d. Gardens and amenity space are provided and are of an appropriate size and quality.

Proposals for older persons/specialist housing or housing for veterans on suitable sites adjacent to the settlement (higher level settlements) should meet all of criteria (a) to (d) above and

- e. The scale of development should be clearly justified by evidence of need in the district; and
- f. Evidence is provided which demonstrates that there are no alternative suitable available sites within the adjacent settlement boundaries.

Proposals for specialist housing and accommodation to meet clearly evidenced needs arising from outside the district will be considered where they relate to suitable sites that are within or adjacent to the (more sustainable settlements)

In order to ensure that dwellings on exception sites remain affordable in perpetuity planning permissions relating to such sites may include conditions which restrict permitted development rights.

#### **5.14.1. Observations**

As with Policy HOU 06: Windfall Housing Development this policy also has the potential to open up new areas of Swanton Morley that are currently outside of the existing Settlement Boundary, as they will now be within the Built Form, to potential development – subject to meeting the Built Form criteria and the additional requires detailed in this policy.

This raises the same concerns of unwanted or inappropriate development.

#### **5.14.2. Neighbourhood Plan Impact / Implications**

The last part of this policy seems to indicate this is another form of 'exception site'.

As delivered on what is being defined as an 'exception site' (last paragraph of the policy) then the criteria in SMNP Policy 5: Affordable Housing on Exception Sites would apply to homes being classed as Affordable Homes. (Not sure Breckland would see or recognise this).

#### **5.14.3. Swanton Morley Parish Council Response**

##### **Response**

This policy, as with previous policies relating to the Built Form, raises concerns that areas outside the current settlement boundary of Swanton Morley could now become 'available or deemed suitable' for development.

## 5.15. HOU 13: Self and Custom Built Homes

### HOU 13: Self and Custom Built Homes

#### Part 1: Individual plots

Proposals for an individual self and custom build dwellings on sites adjacent to the built form of Market Towns, Local Service centres, Secondary Villages and to smaller villages, that are consistent with the policies of this local plan, to be built and occupied by the applicant or to be built on behalf of the applicant, will be supported in principle.

#### Part 2: Multiple plots on a site

Proposals for self and custom build dwellings on sites adjoining the built Form of Market Towns and Local Service Centres and that are consistent with the policies of this local plan, to be built and occupied by the applicant or to be built on behalf of the applicant, will be supported in principle.

When outline permission or permission in principle is sought for plots for custom and self-build homes and where details of each plot will be secured via a custom/self-builder at a later date, a plot passport is required. As a minimum, all plots are required to include a plot passport that summarises the main marketing details and specifications of the plot to include:

- a. The site location;
- b. The plot size (m2);
- c. The ratio of built footprint to overall plot size;
- d. The indicative developable footprint;
- e. Permissible building lines;
- f. Side spacing requirements; and
- g. Building heights.

Additional specifications, such as but not limited to materials, landscaping details, and access arrangements may be required on each plot where local context, a planning permission, or a permission in principle indicates this is necessary. Detailed applications for custom and self-build homes on plots with a plot passport will be expected to adhere to the parameters of the plot passport and clearly demonstrate how the criteria have been satisfied. Applications which satisfy the requirements of the plot passport will be supported in principle. Any variations on the plot passport parameters in a detailed application will require full justification for the changes to demonstrate that they are suitable for the plot if they are to be supported.

#### Part 3: Provision of plots on large sites

Proposals for 100 or more dwellings will provide serviced plots to deliver at least 5% of the total number of dwellings on the site as self-build or custom build homes. All plots set aside for self-build or custom build housing (secured via a legal agreement or planning condition) must include:



- h. Legal access onto a public highway;
- i. Water, foul drainage, broadband connection, and electricity supply available at the plot boundary;
- j. Sufficient space in order to build without compromising neighbouring properties and their amenity and the amenity of future occupiers; and
- k. An agreed design code or plot passport for the plots. If plots remain unsold after a thorough and proportionate marketing exercise which:
- l. Includes making details available to people on the Breckland custom and self- build register.
- m. Covers a period of at least 2 years from the date at which the plots are made available (with the 2 year time frame not commencing until
  - i. Thorough and appropriate marketing is in place; and,
  - ii. Criteria (a)-(d) have been implemented; prior to the application being made and if it can be demonstrated that they have been offered to the District Council, a housing association or the town/parish council for the delivery of affordable housing products then plots may be built out as conventional market housing subject to detailed permission being secured and the relevant District being satisfied that e) and f) have been satisfactorily concluded.

In all cases the Local Planning Authority will require a Unilateral undertaking to future-proof the scheme and ensure the plot(s) would only be constructed as Custom/Self-Build housing.

#### **5.15.1. Observations**

As with other policies that refer to the Built Form this policy may open up areas of Swanton Morley for new development which would have previously been seen as unacceptable – due to being outside the settlement boundary.

The policy gives the detail of expectations following on from the requirement being set in HOU 05: Large housing site development principles - for 5% serviced plots.

Criteria (m.) seems incomplete. “Covers a period of at least 2 years...” – what happens after the 2 years?

Self and Custom Built brings another delivery option and more choice to individuals. This will change the housing mix although it should be recognised that a higher percentage of Self and Custom Built homes are larger homes.

#### **5.15.2. Neighbourhood Plan Impact / Implications**

None. The Neighbourhood Plan is silent on Self and Custom Build.

### 5.15.3. Swanton Morley Parish Council Response

#### Response

As an alternative method of delivery and to being more individual choice this policy on Self and Custom Built is welcomed.

Having said that, as with other policies which refer to the Built Form, raises concerns that areas outside the current settlement boundary of Swanton Morley could now become 'available or deemed suitable' for development.

Criteria (m.) seems incomplete as it does not explain what the 2 year period is for – please could this information and clarity be provided.

### 5.16. HOU 14: Residential and Nursing Care

#### HOU 14: Residential And Nursing Care

Proposals for residential care homes/nursing care (Use Class C2) will be supported on suitable sites that are within or adjoining the built form of Market Towns or Local Service Centres.

Resisting development that would lead to a reduction in the number of extra care or care premises unless it can be demonstrated that a replacement facility will be provided or that such a use was not viable;

Where proposals relate to sites adjoining settlements, they will be subject to the following criteria:

- a. the local need or requirement for the facility is clearly evidenced; and
- b. evidence is provided which demonstrates that there are no suitable available sites within the built Form of settlements within the same or adjoining parishes.

Residential institutions which fall within Use Class C2 and do not provide self- contained accommodation or support independent living are not classified as housing and will not be expected to contribute to the provision of affordable housing.

#### 5.16.1. Observations

As with other policies this one relies on the Built Form to protect the countryside and may open up new areas of Swanton Morley to development.

Criteria (a.) states "local need" but fails to clarify how that need is quantified. Other policies relates to Market Towns or Local Service Centres requiring 'local need' this has been defined as the whole District and not just the immediate local Parish.

**5.16.2. Neighbourhood Plan Impact / Implications**

None.

**5.16.3. Swanton Morley Parish Council Response****Response**

This policy raises concerns that areas outside the current settlement boundary of Swanton Morley could now become 'available or deemed suitable' for development as with previous policies relating to the Built Form.

Please could clarity be given on how "the local need" is to be assessed and evidence – is local Parish or District?

**5.17. HOU 15: Replacement Dwellings****HOU 15: Replacement Dwellings**

Proposals for the replacement of dwellings in the open countryside must be contained within the existing curtilage. The building must be in residential use and not classed as abandoned.

Replacement dwellings must be of a scale and design sensitive to the countryside setting, with a height and size similar to that of the original dwelling. If an alternative height or scale is proposed, the applicant will be expected to demonstrate that the scheme exhibits exceptionally high quality of design and enhances the character and appearance of the locality.

The original dwelling is taken to be the house as it stood at 1st July 1948 (or as originally built if constructed after this date).

**5.17.1. Observations**

This policy does what it says 'on the tin' by guiding development for replacement dwellings in the countryside – outside the Built Form.

The last paragraph has particular significance as it removes or does not recognise any extensions made to the original dwelling after 1<sup>st</sup> July 1948, thereby removing these from the footprint when calculating the 'existing curtilage' of the dwelling to establish the size limit of any replacement.

**5.17.2. Neighbourhood Plan Impact / Implications**

None.

### 5.17.3. Swanton Morley Parish Council Response

#### Response

No response or comments to make.

### 5.18. HOU 16: Dwelling Annexes and Alterations

#### HOU 16: Dwelling annexes and alterations

Applications for the creation of a residential annexe will be permitted if there is no material harm to any neighbouring uses, including the living conditions of nearby residents or the overall character and appearance of the surrounding area taking into account the surrounding built form and street scene, and where all the following criteria are met:

- a. The existing dwelling enjoys a lawful residential use; and,
- b. The proposal is in the same ownership as the main dwelling; and,
- c. The proposal does not constitute a new or independent dwelling; and,
- d. It is located within the curtilage of the principal dwelling and shares its vehicular access and amenity space; and,
- e. It is designed in such a way as to easily allow the annexe to be used as an integral part of the main dwelling when it is no longer needed for independent occupation; and,
- f. there is no boundary demarcation or sub-division of the land between the main dwelling and the annexe; and,
- g. is of a scale subservient to the principal dwelling; and,
- h. is sited to achieve a clear dependency between the annexe and the main building at all times that requires occupants to have regular contact and interdependence; and,
- i. there shall only be one annexe per residential dwelling; and,
- j. consists of not more than the minimum level of accommodation required to support the needs of the occupant, being suitable in size, scale, and materials and clearly ancillary and visually subordinate to the principal dwelling; and,
- k. has a clear functional connection with the main dwelling (e.g. the occupant should be a dependent relative of the residents of the main dwelling or directly employed at the main dwelling as a nanny or carer).

#### Extension or alteration

Extensions or alterations to existing residential properties will be permitted where all the following criteria are met:

- l. The extension or alteration is not disproportionate in size in relation to the original dwelling/plot and does not alter substantially the character of the dwelling.
- m. The extension or alteration must be subservient to the existing dwelling.
- n. The extended or altered dwelling respects the character of the existing dwelling.
- o. The design remains in keeping with the existing dwelling and building materials.
- p. The extension or alteration will not adversely affect the amenity of neighbouring property.

In the open Countryside, an extension to an existing dwelling must be in keeping with the height, scale and character of the original dwelling and would not adversely affect the character and appearance of the locality or its countryside setting.

#### **5.18.1. Observations**

Criteria (j.) relates to the needs of the 'occupant', this seems strange to relate to a specific occupant. While (k.) stipulates a relative or employee as occupant. These seem at odds with the principles of planning. Planning policy should relate to what is or is not acceptable in terms of usage rather than to any individual.

The individual needs – no matter how portrayed (medical, support, etc...) – are not a material consideration in planning.

Over time occupants are likely to change in the lifetime of any building.

Would this exclude an annex for an extra bedroom in a B&B?

#### **5.18.2. Neighbourhood Plan Impact / Implications**

None.

#### **5.18.3. Swanton Morley Parish Council Response**

##### **Response**

Personal circumstances are generally not a material planning consideration in decision making but this policy proposes to use personal circumstances (criteria j. and k.) which does not seem appropriate. The focus should be on use of the property and/or annex and its suitability against the development management policies.

In the case of an existing B&B would this preclude an annex to provide an additional bedroom for the B&B to rent out?

### 5.19. HOU 17: Single Dwellings in the Open Countryside and Conversion of Buildings in the Open Countryside

#### HOU 17: Single Dwellings in the Open Countryside and Conversion of Buildings in the Open Countryside

The sustainable re-use of appropriately located and constructed buildings in the countryside for economic purposes will be supported.

The re-use of existing buildings in the countryside for residential purposes will be permitted where the commercial use of the building has been shown to not be viable. The building proposed to be converted should be substantially intact and capable of conversion without significant extension or re-building and of value to the landscape of the District. The residential re-use of modern agricultural or industrial buildings considered to be of no aesthetic value, regardless of their location, will not be considered appropriate.

The re-use of existing buildings in the countryside for residential purposes will be permitted where the commercial use of the building has been shown to not be viable. Alternative business use, include tourism, outdoor recreation and community uses

For the conversion of buildings in the countryside, regard will be had to the following criteria:

- a. The impact of the development on the character and appearance of the landscape and the quality of design. Development will be resisted where a proposal fails to take the opportunity to make a positive contribution to the appearance of the locality;
- b. Access to the highway and the ability of the highway network to accommodate the demands resulting from the proposed development; and
- c. Consideration of potential conservation and biodiversity issues, in line with the policy of this Plan, and national regulations.
- d. Demonstrable evidence that the building has been marketed for sale or let for business use with a commercial agent and the District Council's business website at an appropriate price for at least 12 months.

For residential conversions, it is often the case that buildings require substantial works to enable them to be re-used, in order to meet Building Regulations and the demands of the new use. Therefore, in order to be acceptable in planning terms, a building should be capable of residential conversion without the need for significant rebuilding or extension. This restriction will mainly apply to modern buildings which are limited in their suitability for re-use due to their modular and/or temporary construction. The policy limits residential re-use to buildings that are predominately constructed using traditional local techniques as these buildings are more suited to residential re-use.

The character of the existing building should be respected and that bedrooms will be expected to have windows which allow for a view and are not solely served by rooflights.

Isolated dwellings in the open countryside will not be permitted unless they are designed to exceptional quality, in that it: - is truly outstanding, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and - would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area.

### 5.19.1. Observations

Similar to existing Local Plan policy, which I am not aware has caused undue issues.

The last paragraph relating to building new isolated dwellings in the countryside of 'exceptional quality' seems a little subjective as no criteria is outlined. The NPPF, para. 84 provides the same exception with a little more detail on requirement.

### 5.19.2. Neighbourhood Plan Impact / Implications

None.

### 5.19.3. Swanton Morley Parish Council Response

#### Response

The reuse of commercial buildings to the countryside that no longer have a viable use is supported.

The building of isolated dwellings in the countryside of 'exceptional quality' should provide more detail of requirements require to meet that standard, alternatively this part of the policy is not required as it is already provided for within the NPPF, para, 84 and duplicates the wording used.

## 5.20. HOU 18: Build To Rent

### HOU 18: Build To Rent

1. Proposals to deliver sites for build to rent housing schemes will be permitted within the built Form of Settlements subject to the following:

- a. All the units are self-contained and let separately; and
- b. 20% of the homes are for affordable private rent; and
- c. Affordable private rental dwellings will be broadly representative of the mix and type of the overall development; and
- d. Affordable private rent is provided with a minimum 20% discount of local market rents; and
- e. The discount on the affordable private rent home will apply in perpetuity; and
- f. Units are to be in a single ownership and management control; and

- g. There is to be an agreed professional and on-site management scheme, run by a member of an accredited ombudsman scheme and a recognised professional body; and
- h. The homes are to be used as build to rent properties for at least 15 years.

In granting planning permission for build to rent the Local Planning Authority will impose a planning condition requiring scheme operators to offer tenancies of 3 or more years to all tenants in the development, who are eligible to live in the country for that period (under the right to rent).

In granting planning permission for build to rent the Local Planning Authority will consider the use of planning obligations to ensure the appropriate continued management of both affordable and private rent units.

### **5.20.1. Observations**

As with other policies referring to the Built Form, this policy could enable development to come forward in Swanton Morley on sites that are currently deemed unacceptable.

Although this policy is slightly different in that it only permits development within the Built Form and not adjacent.

### **5.20.2. Neighbourhood Plan Impact / Implications**

None.

### **5.20.3. Swanton Morley Parish Council Response**

#### **Response**

This policy raises concerns that areas outside the current settlement boundary of Swanton Morley could now become 'available or deemed suitable' for development as with previous policies relating to the Built Form.

## **5.21. HOU 19: Rural Workers Dwellings**

### **HOU 19: Rural Workers Dwellings**

Proposals for permanent dwellings in the countryside for full-time workers in agriculture, horticulture, forestry, and other rural activities will be permitted where:

- a. It can be demonstrated that the dwelling is essential to the functional needs of the business i.e. there is a need for one or more full time workers to be readily available on-site at most times;



- b. It can be demonstrated that the enterprise has been established for at least three years and is, and should remain, financially viable;
- c. There is no other accommodation within the site/holding or within the surrounding area, which is currently suitable and available, or could be made available;
- d. A dwelling or building suitable for conversion to a dwelling within the site/holding has not been sold on the open housing market without an agricultural or other occupancy condition in the last five years;
- e. The proposed dwelling is no larger than that required to meet the functional needs of the enterprise, nor would it be unusually expensive to construct in relation to the income that the enterprise could sustain;
- f. The proposed dwelling is sensitively designed and in keeping with its rural surroundings and will not adversely affect the setting of any heritage asset;
- g. The proposed dwelling will have satisfactory access;
- h. The proposed dwelling is well landscaped, is sited to minimise visual intrusion and is in close proximity to existing buildings to meet the functional need of the business; and
- i. Where the proposal involves a new business that cannot yet demonstrate financial soundness, a temporary dwelling (in the form of a caravan, mobile home or wooden structure that can easily be dismantled and removed from the site) may be acceptable provided all the other criteria outlined above are met.

Where a new dwelling is permitted, the occupancy will be restricted by condition to ensure that it is occupied by a person, or persons currently or last employed in local agriculture, horticulture, forestry, and other rural activities, or their surviving partner or dependant(s). Applications for the removal of an occupancy condition related to rural workers will only be permitted where it can be demonstrated that:

- j. There is no longer a need for accommodation on the holding/business and in the local area
- k. The property has been marketed for a reasonable period (at least 1 year) and at a price which reflects the existence of the occupancy condition. The applicant will be required to submit an independent valuation to justify the market price, for which the applicant will bear the cost.
- l. The dwelling has been made available to a minimum of three Registered Social Landlords operating locally on terms which would prioritise its occupation by a rural worker as an affordable dwelling - and that option has been refused.

#### **5.21.1. Observations**

Same as previous policy covering this type of dwelling.

#### **5.21.2. Neighbourhood Plan Impact / Implications**

None.

### 5.21.3. Swanton Morley Parish Council Response

#### Response

No response or comments to make.

### 5.22. HOU 20: Technical Standards For New Dwellings

#### HOU 20: Technical Standards For New Dwellings

##### Accessibility

All new dwellings must meet Building Regulation M4(1)<sup>3</sup> and 25% should meet M4(2)<sup>4</sup> standards for all new buildings with 5% meeting the M4(3)<sup>5</sup> Standard.

##### Water efficiency

To minimise impact on the water environment all new dwellings should achieve the Optional Technical Housing Standard of 110 litres per day per person for water efficiency as described by Building Regulation G2. Proposals which go further than this (to, for example, 85 litres per day per person) would be particularly supported.

##### Water management

In addition to the wider flood and water related policy requirements policies of this Plan, all residential development or other development comprising new buildings:

- a. must ensure outside hard surfacing is permeable (unless there are technical and unavoidable reasons for not doing so in certain areas) thereby reducing energydemand on the water recycling network; and
- b. should consider the potential to incorporate a green roof and/or walls in accordance with good design principles; and
- c. must ensure each proposed garden area includes a rain harvesting water butt(s) of minimum 100litre capacity.

##### Internal Space in a Home

All market new homes across all tenures will meet the Government's Nationally Described Space Standard (NDSS).

For Affordable rented housing the Council will require standards for the following occupancy rates:

<sup>3</sup> M4(1) sets basic standards for all new buildings. Known as "Category 1: Visitable dwellings.

<sup>4</sup> M4(2) sets a higher standard for accessible homes, which is broadly equivalent to the Lifetime Homes Standard. Known as Category 2: Accessible and adaptable dwellings.

<sup>5</sup> M4(3) sets a standard for wheelchair accessible homes. Known as Category 3: Wheelchair user dwellings.

1 bed (2 persons); 2 bed (4 persons); 3 bed (5 persons) and 4 bed (6 persons).

For affordable ownership properties:

1 bed (2 persons); 2 bed (3 persons); 3 bed (4 persons) and 4 bed (5 persons).

### Energy Efficiency

New homes will be required to adopt the Fabric Energy Efficiency Standard to measure energy efficiency and the requirements of Building Regulations including Parts F and L.

#### 5.22.1. Observations

Accessibility: A single new dwelling must be to M4(1) standard, developments of four or more will require to have 25% at M4(2), with the 5% of M4(3) on development of 20 or more. Are percentages resulting in part dwellings rounded up or down?

Would seem to cover more than just new dwellings as reference is made to “or other development comprising new buildings”.

Criteria (c.) requires water butt(s) in “garden areas” – what is a “garden area”? Is this just individual garden relating to each home or is this wider to cover communal gardens, open space, formal and informal recreation areas, any landscaped areas?

The expectation is that it would only be for the garden of homes but the wording is unclear.

#### 5.22.2. Neighbourhood Plan Impact / Implications

None.

#### 5.22.3. Swanton Morley Parish Council Response

##### Response

Accessibility: Are percentages resulting in part dwellings rounded up or down?

There is reference to “new buildings” in Accessibility and in Water management – this seems to indicate the standards are wider than just for new dwellings as stated in the third paragraph “all residential development or other development comprising new buildings:”.

Please could clarity be given on what a ‘garden area’ is in criteria c.

### 5.23. HOU 21: Securing a Mix of Housing

#### HOU 21: Securing A Mix of Housing

1. The Council will require proposals for residential development to include a mix of market housing which contributes towards a balance of house types and sizes across the District in accordance with the latest HEDNA.
2. In assessing the housing mix in residential schemes the Council may take into account the following circumstances where it may not be appropriate to provide the full range of housing types in accordance with the latest HEDNA:
  - a. physical constraints, such as those associated with small sites of less than 5 houses and conversion schemes, where opportunities for a range of different house types are limited;
  - b. locational issues, such as highly accessible sites within or close to a town centre where larger homes and low/ medium densities may not be appropriate;
  - c. sites with severe development constraints where housing mix may impact on viability;
  - d. sites where particular house types and/ or building forms may be required in order to sustain or enhance the setting of a heritage asset; and
  - e. developments in parish or neighbourhood plan areas, where there is an up-to- date local housing needs assessment which provides a more appropriate indication of housing need.

The mix of housing should take account of the prevailing character of the area by providing for a form of development which is complimentary to the local area.

#### 5.23.1. Observations

It should be welcomed that the appropriate mix of housing is sought and criteria 2.e. would indicate whichever is more recent – HEDNA or a Parish local housing needs assessment – may be used when it is deemed inappropriate to follow the HEDNA.

#### 5.23.2. Neighbourhood Plan Impact / Implications

None.

#### 5.23.3. Swanton Morley Parish Council Response

##### Response

No response or comments to make.

## 5.24. HOU 22: Sub-Division and Multi-Occupation of Dwellings Within Breckland

### HOU 22: Sub-Division And Multi-Occupation Of Dwellings Within Breckland

The conversion or change of use of existing dwellings and buildings in other uses to self-contained flats or shared accommodation including houses in multiple occupation will be supported only where:

- a. the existing building is capable of conversion without causing harm to the amenities of future occupants, neighbours and the wider area or would result in safety issues;
- b. in the case of an existing dwelling, it can be demonstrated there is an established lack of demand for the single family use of the property concerned;
- c. the development will not lead to or increase an existing over-concentration of such uses in the area;
- d. adequate provision is made for external communal areas, bin storage and collection, and on-site parking and cycle storage unless it can be demonstrated that the site is sustainably located on a regular bus route or within walking distance of the town or village centre; and
- e. adequate provision of outdoor private amenity space.

Purpose built shared accommodation will be granted within the built form of settlements, where the criteria set out in c) to e) above are satisfied.

#### 5.24.1. Observations

Defines the requirements for this type of development.

#### 5.24.2. Neighbourhood Plan Impact / Implications

None.

#### 5.24.3. Swanton Morley Parish Council Response

##### Response

No response or comments to make.

## 5.25. HOU 23: Residential Development on Backland and Garden Sites

### HOU 23: Residential Development on Backland and Garden Sites

#### Tandem or backland development

Proposals for tandem or backland development will be permitted where they:

- a. demonstrate a satisfactory means of access to an existing public highway in accordance the Policy of this Plan, that has an appropriate relationship with existing residential properties;
- b. do not cause unacceptable harm to the amenity of the residents of existing or proposed properties;
- c. are equal or subordinate in scale to surrounding buildings, particularly those fronting the highway, and
- d. that sufficient garden/amenity space for the existing host dwelling(s) and proposed dwelling(s) is retained and provided for in character with surrounding area and
- e. are sympathetic to the landscape, historic environment, and character of the area and the existing pattern and grain of development character as well as the appearance of the surrounding area through its form, layout, boundary treatments and other characteristics

### **Residential Gardens**

Housing development on garden land and/or to the rear or side of existing residential property within a defined Settlement will be supported provided that:

- f. the form, density, scale, and external appearance of the development is in keeping with the character and appearance of the area;
- g. the relationship between buildings within and outside the site ensures that the privacy and amenity of existing and future residents are preserved;
- h. the means of access is appropriate in size and design to accommodate vehicles and pedestrians safely and would not result in harm to the amenities of adjoining residents from noise and disturbance from vehicle movements;
- i. high standard of landscape is incorporated into the design; and
- j. development of the site does not compromise the ability for the more comprehensive development of a wider area. distinctive landscape and nature conservation features, such as trees, hedgerows, and ponds, are retained; and,
- k. the proposed and existing dwellings retain sufficient private and, if appropriate, communal amenity space. In character with the surrounding local area

#### **5.25.1. Observations**

Defines the requirements for this type of development.

#### **5.25.2. Neighbourhood Plan Impact / Implications**

None.

#### **5.25.3. Swanton Morley Parish Council Response**

##### **Response**

No response or comments to make.

#### 5.25.4. HOU 24: Affordable Housing

##### HOU 24: Affordable Housing

The national definition of affordable housing as set out in the National Planning Policy Framework, is applied for the purpose of this policy.

Residential development proposals capable of delivering 10 or more units, or the site has an area of 0.5 hectares or more will be expected to deliver a proportion of the development as affordable housing on-site to help meet existing and future affordable housing needs of the District as set out in the HEDNA;

- a. 25% of qualifying developments should be affordable housing;
- b. The size, mix, type, and tenure of affordable homes as defined in national policy, will meet the identified housing need of Breckland as established by the HEDNA and agreed by Breckland District Council; what rented / ownership / social rent etc
- c. The affordable housing should be provided on site. Provision will be made through planning obligations to secure the affordable housing and to ensure it is available at an affordable price for future eligible households or for the subsidy to be recycled for alternative affordable housing provision;
- d. The affordable rented housing provided on-site should be maintained as affordable housing in perpetuity. Provision will be provided through planning obligations in order to provide the affordable housing and to ensure its availability to initial and successive occupiers;
- e. The Council will seek for affordable housing to be distributed across a development as single units or small clusters, rather than in a single area. The Council will consider exceptions if an applicant can demonstrate that it is necessary for the long-term management or viability of the affordable housing. Their appearance should be indistinguishable from that of open market homes, reflecting local distinctiveness and design policies in the Local Plan and in subsequent neighbourhood plans; and
- f. The applicant will be required to submit an open book viability assessment where schemes do not meet the above policy requirements. In such cases the Council will commission an independent review of the viability study, for which the applicant will bear the cost.

##### Commutated Sums

Affordable housing should be delivered on site. Where evidence is provided that the site is not viable if provision is made on site in line with the requirements set out in this policy, a commuted sum will be sought at £50,000 per equivalent whole dwelling as recommended by the Council's Local Plan CIL Viability Assessment, or the figure set out in any successor evidence endorsed by the Council.

Off-site contributions in lieu of built units on site will only be considered where this is robustly justified by evidence. Where the provision of onsite units threatens the viability of the development. The applicant will be required to submit an open book viability assessment in accordance with **clause vi** of this policy

##### Vacant Building Credit

In seeking a vacant building credit in respect of the affordable housing on brownfield land, an application will only be considered on the following basis:

- g. Where the building has not been vacated for the sole purpose of redevelopment;
- h. Where the existing building(s) has not been abandoned; and
- i. Where specific information on the floorspace of the proposed residential development and the calculation of the claimed offset has been provided.

#### **5.25.5. Observations**

Paragraph 5.160 does not follow the NPPF definition of Affordable Housing, it also misses out completely 'Starter Homes'. Although the policy itself does start by referencing the NPPF definition as the correct one to use.

Some text seems to be missing from the last part of section (b.).

In the Commuted Sums section the final paragraph refers to "clause vi" which doesn't exist. Most likely should refer to clause f.

#### **5.25.6. Neighbourhood Plan Impact / Implications**

None.

#### **5.25.7. Swanton Morley Parish Council Response**

##### **Response**

Is there more text to be added to the last part of section b. between Council and what?

In the final paragraph of the Commuted Sums section refers to "clause vi" which doesn't exist. Please could this error be corrected.

### **5.26. HOU 25: Provision for Travellers and Travelling Showpeople**

#### **HOU 25: Provision for Travellers and Travelling Showpeople**

The Local Plan supports the provision of the following:

71 additional pitches for Gypsy and Traveller households, of which 39 should be provided in the first five years of the plan;



Meeting the identified need for additional pitches / plots (and any additional requirements associated with newly confirmed need from unknown households) will be considered via a range of options including:

- a. Part of strategic housing allocations
- b. Deliverability of existing sites
- c. New sites

The provision of pitches and plots on new sites will be supported, having regard to the Gypsy and Traveller Accommodation Needs Assessment where:

- d. The site is otherwise suitable for residential development and the associated necessary infrastructure requirements will be made available as part of the development proposal;
- e. The site will have safe access to the highway and will not result in any unacceptable impact on the capacity and environment of the highway network;
- f. The site is in a sustainable location and is of a scale that is not disproportionate to the size of the nearest settlement and the availability of community facilities and infrastructure, including but not limited to transport, education, healthcare, and other community infrastructure provision;
- g. The site provides a suitable level of residential amenity for the proposed residents and there is no significant adverse impact on the amenity of nearby residents; and
- h. The site is sensitive to local character and does not have an adverse visual impact on the character and appearance of the surrounding landscape and

Plots for Travelling Showpeople should also be of a sufficient size to enable the storage, repair, and maintenance of equipment. Preference will be given to brownfield locations and those that can readily be serviced. Transit sites should be in close proximity to the main established travelling routes in the area.

Sites that have unrestricted planning permission for Gypsy and Traveller or Travelling Showpeople use are safeguarded for this use. Planning permission for alternative development or changes of use will not be permitted, unless it can be robustly evidenced that there is no longer a need for Gypsy and Traveller provision.

#### **Non-Travelling Gypsy and Travellers**

The provision of pitches and plots for non-travelling gypsy, travellers and showpeople will be supported, having regard to the need identified in the Gypsy and Traveller Accommodation Needs Assessment. Proposals will be considered in accordance with the criteria of this policy.

#### **5.26.1. Observations**

There is nothing in this policy which would make it any easier to obtain planning permission in the Swanton Morley Parish when compared to the current Local Plan policy for this type of development.

#### **5.26.2. Neighbourhood Plan Impact / Implications**

None.

### 5.26.3. Swanton Morley Parish Council Response

#### Response

No response or comments to make.

## 6. Employment and Economic Development

### 6.1. EMP 01: Economic Growth Strategy

#### EMP 01: Economic growth strategy

Proposals for economic growth and development in Breckland that support increased opportunities to employment for residents will be encouraged with particular priority for growth in the district driven by:

- a. Supporting proposals for investment in existing employment areas across Breckland's market towns.
- b. Recognising the A11 corridor as a key strategic hub for economic growth and investment, focused in particular on the Snetterton Commercial Hub, providing opportunities for major inward investment across a range of activities but in particular those that can support clustering of expertise in sectors such as Manufacturing, clean tech, agri-food/agri-tech and ancillary uses, construction and development related business and services and businesses complementary to the Snetterton Circuit such as in motor sports.
- c. Maximising the opportunity for additional economic growth and investment arising from the completion of duelling the A47 between Dereham and Norwich.
- d. Supporting the principle of positive investment in existing farms to support business development and the visitor economy.
- e. Supporting proposals which encourage sustainable economic development through education and skills training.

#### 6.1.1. Observations

A general policy about supporting economic growth.

#### 6.1.2. Neighbourhood Plan Impact / Implications

None.

### 6.1.3. Swanton Morley Parish Council Response

#### Response

No response or comments to make.

## 6.2. EMP 02: Employment land provision

### EMP 02: Employment land provision

For the period 2021 to 2046 a total of 130 hectares of employment land will be allocated to provide a choice of employment sites to meet economic need and demand.

The distribution of new employment allocations will reflect sustainability principles, the overall spatial strategy and the development needs of local communities.

#### 6.2.1. Observations

There are no allocations proposed of employment land in Swanton Morley.

#### 6.2.2. Neighbourhood Plan Impact / Implications

None.

#### 6.2.3. Swanton Morley Parish Council Response

##### Response

No response or comments to make.

## 6.3. EMP 03: Attleborough employment allocation EmpA1

### EMP 03: Attleborough employment allocation EmpA1

Land amounting to at least 10 hectares (net) is allocated for employment use (within Classes E(g) and B2 of the Use Classes Order) to the west of London Road.

Development will be subject to compliance with the following criteria:

- a. Provision of safe highway access from London Road;
- b. Appropriate design, layout, and landscaping in keeping with the site's location as a key gateway into Attleborough from the A11; and
- c. Development proposals will be informed by the presence of designated and non-designated heritage assets and their settings. The scheme design will seek to conserve and, where possible, enhance the setting of heritage assets.

#### 6.3.1. Observations

Beyond the area of influence of the Neighbourhood Plan.

### 6.3.2. Neighbourhood Plan Impact / Implications

None – outside Swanton Morley Neighbourhood Area.

### 6.3.3. Swanton Morley Parish Council Response

Response
No response or comments to make.

## 6.4. EMP 04: Snetterton Commercial Hub – General Employment Area

EMP 04: Snetterton commercial hub – General Employment Area
<p>The distribution of employment development across the site is subject to the following:</p> <ul style="list-style-type: none"> <li>a. Land is allocated for office, light industrial and manufacturing use. The layout of any development should not prejudice future expansion of the site;</li> <li>b. Within the southern extent of the Snetterton General Employment Area as defined on the Policies Map, proposals for employment use delivering office, and research and development and manufacturing will be preferred. Proposals that are associated with motorsport, automotive and advanced engineering will be encouraged;</li> <li>c. Within the eastern extent of Snetterton General Employment Area as defined on the policies map, proposals for employment development within class B8 of the Use Classes Order (as amended) will be preferred;</li> <li>d. Proposals that create a new edge to the employment area shall be expected to provide appropriate boundary treatment to minimise the impact on the landscape, having regard to the principles of the Landscape Character Assessment and Breckland Design Guide to ensure design that is complementary to the surrounding area and uses;</li> <li>e. Proposals which encourage sustainable economic development through education and skills training.</li> </ul>

### 6.4.1. Observations

Beyond the area of influence of the Neighbourhood Plan.

### 6.4.2. Neighbourhood Plan Impact / Implications

None – outside Swanton Morley Neighbourhood Area.

### 6.4.3. Swanton Morley Parish Council Response

Response
No response or comments to make.

### 6.5. EMP 05: Snetterton Employment Allocation EmpS1

EMP 05: Snetterton employment allocation EmpS1
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Land to the northwest of the General Employment Area
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Land is allocated for employment use (within Classes E(g) and B2 and B8 of the Use Classes Order) to the northwest of Snetterton North General Employment Area. Development will be subject to compliance with the following criteria:
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- |   |
|---|
| <ul style="list-style-type: none"> <li>a. Development is laid out in a manner that does not preclude the potential for future development in the vicinity;</li> <li>b. Proposals for employment development within class E(g) and B2 of the Use Classes Order (as amended) will be preferred;</li> <li>c. Provision of safe highway access from Chalk Lane;</li> <li>d. Suitable noise attenuation measures (which could include building design measures, screening, fencing or bunding) are provided to avoid harm to nearby residential amenity;</li> <li>e. Provision of new structural landscaping to the western boundary of the site;</li> <li>f. Proposals minimise the impact on the landscape, having regard to the principles of Landscape Character Assessment and Breckland Design Guide to ensure design that is complementary to the surrounding area and uses.</li> <li>e. Proposals which encourage sustainable economic development through education and skills training.</li> </ul> |
|---|

#### 6.5.1. Observations

Beyond the area of influence of the Neighbourhood Plan.

#### 6.5.2. Neighbourhood Plan Impact / Implications

None – outside Swanton Morley Neighbourhood Area.

#### 6.5.3. Swanton Morley Parish Council Response

Response
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No response or comments to make.
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### 6.6. EMP 06: Snetterton Employment Allocation EmpS2

EMP 06: Snetterton employment allocation EmpS2
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Land to the east of the General Employment Area
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Land amounting to approximately 6 hectares (net) is allocated for employment use (Within Classes E(g), B2 and B8 of the Use Classes Order) to the east of the Snetterton South General Employment Area. Development will be subject to compliance with the following criteria:

- a. Provision of safe highway access from Harling Road;
- b. Proposals for employment development within class B8 of the Use Classes Order (as amended) will be preferred;
- c. Appropriate design and layout in keeping with the site's location as a key gateway with frontage onto the A11; and
- d. Appropriate noise attenuation measures are provided at the northern border of the site with the A11 trunk road, if required.
- e. Proposals minimise the impact on the landscape, having regard to the principles of Landscape Character Assessment and Breckland Design Guide to ensure design that is complementary to the surrounding area and uses.
- f. Proposals which encourage sustainable economic development through education and skills training.

#### **6.6.1. Observations**

Beyond the area of influence of the Neighbourhood Plan.

#### **6.6.2. Neighbourhood Plan Impact / Implications**

None – outside Swanton Morley Neighbourhood Area.

#### **6.6.3. Swanton Morley Parish Council Response**

##### **Response**

No response or comments to make.

### **6.7. EMP 07: General Employment Areas**

#### **EMP 07: General employment areas**

Sites that are identified as General Employment Areas, employment allocations that have not been superseded by this Plan and proposed employment allocations in this Plan, as illustrated on the Policies Map will be protected for employment use.

Proposals to accommodate new employment development or employment led mixed use schemes, will be permitted on General Employment Areas where the following criteria apply:

- a. It is not a town centre use, unless the location is sequentially preferable and need has been demonstrated; and,
- b. It will not undermine the function of the wider employment area; and,
- c. The scale, bulk and appearance of the development is compatible with the character of its surroundings; and,
- d. There is no significant detrimental health impacts, (assessed through a health impact assessment where appropriate), on the amenity of neighbouring land uses and the character of the area by virtue of increased levels of noise, odour, emissions, or dust and impacts on light; and,
- e. The traffic generated does not have a severe adverse impact on local amenity, highway safety or the operation of the highways network.

Proposals for mixed-use development in identified employment areas will be supported provided that they:

- f. Incorporate a significant employment element (E(g), B2 and B8 uses);
- g. Support the improvement of an employment area that is in need of upgrading; and,
- h. Are compatible and do not constrain the operations of adjoining businesses.

Where the site is considered as having no reasonable prospect of coming into use justification would be needed as to whether the site no longer suitable, available and/or economically viable, including evidence of appropriate marketing for a minimum of 12 months (unless it is demonstrated by the applicant that this would not be appropriate) and an assessment future market demand.

### 6.7.1. Observations

A general policy about employment areas. There are no new allocations proposed for Swanton Morley.

### 6.7.2. Neighbourhood Plan Impact / Implications

None.

### 6.7.3. Swanton Morley Parish Council Response

#### Response

No response or comments to make.

## 6.8. EMP 08: Employment Development Outside General Employment Areas – Sustaining a Prosperous Rural Economy

### EMP 08: Employment Development Outside General Employment Areas – Sustaining a Prosperous Rural Economy

Development proposals that contribute to sustaining a prosperous rural economy will be encouraged. To support the rural economy, proposals for economic development in the countryside (on sites that are not identified General Employment Areas or allocated sites) will be permitted where they satisfy the following criteria:

- a. It is demonstrated that there are no other suitable sites available on identified or allocated employment sites or within the settlement confines; and,
- b. The proposals demonstrate that the business can make a long term contribution to the local economy;
- c. There are particular reasons for the development not being located on an established or allocated employment site including:
  - i. The expansion of an existing business;
  - ii. Businesses that are based on agriculture, forestry, or other industry where there are demonstrable sustainability advantages to being located in the countryside; or
  - iii. Industries and / or businesses which would be detrimental to local amenity if located in settlements, including general employment areas.
- d. The development is compatible with uses in the surrounding area in terms of noise, smell, dust, pollution, lighting, or operations at unreasonable hours;
- e. Where new buildings are proposed the landowner has not disposed of, or converted, any buildings to a residential use in the previous 3 years which could have met the needs of the development proposed;
- f. The design respects local building styles and materials;
- g. Any new buildings, conversions and curtilage treatments are of a high quality design, are appropriate in terms of siting scale, form, massing, character, and appearance having regard to the surrounding rural area and its setting in the wider rural landscape;
- h. New or replacement buildings are located within or adjoining an existing group of buildings and further expansion into the open countryside is avoided;
- i. It would not generate traffic of a type or amount inappropriate for the rural roads, byways or restricted byways affected by the proposal or require improvements to these roads, byways, or restricted byways which could be detrimental to their character and use by motorised and non-motorised traffic;
- j. It would not have a detrimental effect on the fabric, character and setting of historic buildings or other heritage assets; and

#### Replacement of Rural Buildings



The replacement of rural buildings for commercial and B Use Classes as defined in the Use Classes Order may be considered acceptable where the proposal:

- k. Involves the removal of a building that is substantially intact but is not a traditional building of clear architectural or historic interest;
- l. Represents a clear and substantial improvement in terms of size, scale, impact, and design from the original; and
- m. The replacement buildings are well located to the existing buildings, unless it can be demonstrated that an alternative location would be visually less prominent.

#### **Loss of Existing Employment Uses**

Existing Employment (Outside General Employment Areas, employment allocations that have not been superseded and proposed employment allocations).

Employment uses in locations outside of those defined on the Policies Map are considered important to the economy, particularly those in rural areas.

Proposals that will result in a permanent loss of employment uses with no alternative proposed will be considered on their own merits. The loss will be weighed in the planning balance, taking into account factors such as the long term sustainability of the location, individual site constraints and the existing and potential market demand for employment uses.

#### **6.8.1. Observations**

A general policy about encouraging economic sustainable growth to support the rural economy.

#### **6.8.2. Neighbourhood Plan Impact / Implications**

None.

#### **6.8.3. Swanton Morley Parish Council Response**

##### **Response**

The redevelopment of Robertson Barracks as a 'mixed use' site has the potential to bring considerable local investment, to create small business and employment opportunities through the repurposing of the existing technical buildings.

### **6.9. EC 01: Town Centre Retail Strategy**

EC 01: Town centre retail strategy

The Local Plan town centre and retail strategy seeks to:

- a. Support the diversity of main town centre uses in order to enhance their continued vitality and viability with regard to retail, business, cultural and leisure services;
- b. Allow the appropriate provision (in line with needs) of larger retail units (over 200 sq. m) in town centres through the amalgamation of units in order to attract those retailers requiring larger modern shop units as long as the overall retail mix is enhanced;
- c. Deliver improvements to the built environment, including public realm, and streetscape. Encourage innovative design and improvements in local design quality. Both of which can contribute to developing a strong local identity and sense of place.
- d. Work with partners to support the active management of the larger town centres; and
- e. e. Promote better accessibility through improvements in pedestrian and cycle environment and the designation and management of car parking where it is demonstrated it will bring a positive improvement.

#### **6.9.1. Observations**

Beyond the area of influence of the Neighbourhood Plan.

#### **6.9.2. Neighbourhood Plan Impact / Implications**

None – outside Swanton Morley Neighbourhood Area.

#### **6.9.3. Swanton Morley Parish Council Response**

##### **Response**

No response or comments to make.

### **6.10. EC 02: Main Town Centre Development Requirements and Retail Strategy**

#### **EC 02: Main Town Centre Development Requirements and Retail Strategy**

Policies in the Local Plan will seek to support and enhance the vitality of the District's hierarchy of centres and seek to direct floorspace requirements in line with the breakdown in the 2017 retail study projections over the plan period.

Town	Hierarchy	Convenience	Comparison	Food/Drink
Thetford	Key centre	1,509	2,986	757
Dereham	Main centre	839	4,793	849
Swaffham	Medium town	0	737	220
Watton	Medium town	514	1,048	181

These centres will be the preferred location for retail, food and non-food, office, leisure and cultural facilities and other town centre uses as defined by national policy. Retail and other town centre development will be supported, provided that it is of an appropriate scale that reflects the size and role of the centre, respects the character of the centre, including any special architectural and historic interest and contributes to maintaining and enhancing its existing retail function.

#### **6.10.1. Observations**

Swanton Morley not classed as a Town within the hierarchy. Policy has no impact.

#### **6.10.2. Neighbourhood Plan Impact / Implications**

None.

#### **6.10.3. Swanton Morley Parish Council Response**

Response
No response or comments to make.

### **6.11. EC 03: Town Centre Impact Assessments and Sequential Test**

EC 03: Town Centre Impact Assessments and Sequential Test
<p>An impact assessment for retail, leisure and/or office schemes will be required on schemes of 1,000 sq. m gross and over in Thetford and Dereham and 500 sq.m gross and over in Attleborough, Swaffham and Watton. Support will also be dependent on how it reflects need as identified in the latest available Retail Needs Assessment (or equivalent) and other evidence.</p> <p>Site selection for retail and other town centre functions should follow the sequential test and prevailing national policies and guidance.</p>

**6.11.1. Observations**

Swanton Morley not classed as a Town within the hierarchy. Policy has no impact.

**6.11.2. Neighbourhood Plan Impact / Implications**

None.

**6.11.3. Swanton Morley Parish Council Response****Response**

No response or comments to make.

**6.12. EC 03: Town Centre Impact Assessments and Sequential Test****EC 04: The sequential approach to main town centre development**

The Local Plan will seek to enhance local provision through focusing retail and leisure proposals within town centres, with retail uses focused within the Primary Shopping Areas. The development of additional retail floorspace outside of defined centres will be restricted where it fails the sequential and impact tests (except where it serves local need). Retail frontages and town centre boundaries will be defined on the policies maps.

The retail role of local service centres will be maintained. The importance of rural shops and facilities will be a material consideration in any application that would result in their loss. Proposals that seek to preserve and enhance the settlement's vitality and viability, or implement environmental improvements, will be supported.

Extensions of rural shops and facilities as well as proposals for conversion into shops that are designed to enhance viability will also be supported.

**6.12.1. Observations**

Swanton Morley not classed as a Town within the hierarchy. Policy has no impact.

**6.12.2. Neighbourhood Plan Impact / Implications**

None.

### 6.12.3. Swanton Morley Parish Council Response

#### Response

No response or comments to make.

### 6.13. EC 05: Retail development in Key Settlements

#### EC 05: Retail development in key settlements

For the Key Settlements of Attleborough and Thetford, a significant proportion of the retail need for the plan period will be met through development of small scale service provision in the Strategic Urban Extensions to serve the expanded communities. Retail proposals will be supported where they seek to deliver up to 2,400 sq. m gross floorspace A1-A5 use in Thetford and up to 1,900 sq. m gross floorspace A1-A5 use in Attleborough in a local parade format, which has been informed by the Breckland Retail and Town Centre Study. Proposals should be well connected to the local catchment, providing pedestrian, and cycling links and seek to cater for local shopping needs through the delivery of small units as defined under the Sunday Trading Act (280 sq. m gross) capable of serving top-up convenience needs.

#### 6.13.1. Observations

Swanton Morley is not classed as a key settlement and not named in the policy wording. Policy has no impact.

Paragraph 7.12 makes reference to the role of Local Service Centres serving a wider rural community. Seeks to support the retention of rural shops and the provision of new facilities.

#### 6.13.2. Neighbourhood Plan Impact / Implications

None.

### 6.13.3. Swanton Morley Parish Council Response

#### Response

No response or comments to make.

## 6.14. EC 06: Farm Diversification

### EC 06: Farm Diversification

Proposals for farm diversification requiring planning permission will be permitted on existing farm-holdings provided that:

- a. They would make a positive contribution to the continued viability of the farm holding; and,
- b. They would retain or enhance the character of traditional farm buildings; and,
- c. Where possible, the proposal re-uses existing buildings of substantial and permanent construction which are structurally sound and capable of conversion without major alterations or the development is well-related to existing buildings if no suitable buildings are available for re- use; and,
- d. The agricultural diversification is subservient to the main agricultural use of the farm; and,
- e. Wherever possible, they add value to produce emanating from the farm or produced locally, or contribute to the tourism economy; and,
- f. The scale and nature of the diversification proposals are appropriate for the location and would not have an unacceptable impact on residential amenity, biodiversity, natural environment, landscape character and the enjoyment of the countryside; and,
- g. They do not require new dwellings within the rural area to support the enterprise; and,
- h. They do not create extensive areas of hard-standing, and
- i. The volume and type of traffic that would be generated is appropriate to the accessibility of the site and the standard of the local highway network.

#### 6.14.1. Observations

Nothing new in this policy compared to the existing Local Plan diversification policy. Development is no more likely than now.

#### 6.14.2. Neighbourhood Plan Impact / Implications

None.

#### 6.14.3. Swanton Morley Parish Council Response

##### Response

No response or comments to make.

## 6.15. EC 07: Tourism Related Facilities and Attractions

### EC 07: Tourism Related Facilities and Attractions

The enhancement and expansion of existing tourism attractions, and tourism infrastructure will be supported in accordance with the development strategy where this would benefit the local economy; the environment and infrastructure can accommodate the visitor impact; and proposals would be of a suitable scale and type for their location.

Proposals for new tourism related development attracting a significant number of visitors should be located within, or be accessible to, the five market towns. Smaller development proposals involving new tourism related development should be of a suitable scale and type to protect the character of the townscape and landscape within which they are situated. All development proposals will be assessed against the extent to which they meet the following criteria:

- a. They can establish an economic benefit for Breckland or bring regeneration benefits, particularly through the redevelopment of brownfield land;
- b. Are accessible by sustainable modes of transport or where a proposal is not readily accessible by sustainable modes of transport, it can be demonstrated that the development relies on a specific geographical resource, or contributions are made to improve accessibility;
- d. Offer the potential to improve access to rights of way, and/or green infrastructure; and,
- e. In the case of proposals in the countryside, demonstrate the need for a rural location for that development.

### 6.15.1. Observations

Policy indicates that large scale (significant) tourism related development should be located in or near to the five Market Towns. Which should exclude Swanton Morley.

The criteria numbering is incorrect.

### 6.15.2. Neighbourhood Plan Impact / Implications

None.

### 6.15.3. Swanton Morley Parish Council Response

#### Response

Bullet point lettering missing 'c.' in sequence and jumps from b. to d.

## 6.16. EC 08: Tourist Accommodation – camping, caravanning and holiday lets

### EC 08: Tourist accommodation – camping, caravanning and holiday lets

Proposals for new or extended caravan, caravan-lodge, camping sites, will be supported where:

- a. The need for the additional accommodation can be justified.
- b. Proposals are located within, or adjacent to, an existing settlement, or on sites where existing service providers require additional space to expand.
- c. There is no significant adverse impact on the character and appearance of the area or natural assets.
- d. The proposal is of an appropriate scale and nature relative to its location and would not (by itself or cumulatively) have a significant adverse impact in terms of the amount and nature of traffic generated.

Proposals for holiday cottage accommodation will be supported where:

- e. The need for the additional accommodation can be justified.
- f. Schemes for new development are located within, or adjacent to, an existing settlement; and
- g. In the case of schemes in the countryside, they involve the re-use of an existing building in the countryside for a maximum of 2 holiday dwellings, and do not involve new build accommodation.

#### 6.16.1. Observations

This policy has been expanded over the previous Local Plan policy EC 07 which covered this type of development. It now has a list of requirements and robust justification to achieve support.

#### 6.16.2. Neighbourhood Plan Impact / Implications

None.

#### 6.16.3. Swanton Morley Parish Council Response

##### Response

No response or comments to make.



## 7. The Environment, Climate Change and Managing Resources

### 7.1.ENV 01: Climate Responsive Design

#### ENV 01: Climate Responsive Design

All development should take the available opportunities to integrate the principles of sustainable design and construction into proposals.

All major development proposals (Major Development means 10 dwellings or more) should prepare a Sustainability Statement as part of the Design and Access Statement submitted with their planning application, outlining their approach to:

- a. adaptation to climate change,
- b. carbon reduction,
- c. water management,
- d. site waste management and use of materials

Existing buildings should be retained, remodelled, or refurbished before demolition is considered to reduce carbon impact.

New buildings should be designed for flexibility to allow uses of the buildings to adapt and change over time.

Energy efficiency should be embedded in design both to minimise costs to users and to reduce their environmental impact. All developments should follow the energy hierarchy and design in energy efficiency features from onset.

The use of water saving appliances and fixtures along with systems which improve wastewater quality leaving the development are encouraged in Breckland.

Improving biodiversity is also a vital tool to responding to Climate change, the Environment Act 2021 imposes a mandatory requirement to provide a biodiversity improvement of 10% on all new developments and further guidance and biodiversity policies can be found at ENV 03.

#### 7.1.1. Observations

A general policy in relation to climate change and achieving sustainable design.

It introduces the requirement for a 'Sustainability Statement' to be included in the Design and Access Statement submitted with any planning application.

#### 7.1.2. Neighbourhood Plan Impact / Implications

None.

#### 7.1.3. Swanton Morley Parish Council Response

##### Response

No response or comments to make.

## 7.2. ENV 02: Retaining and Enhancing Green and Blue Infrastructure

### ENV 02: Retaining and Enhancing Green and Blue Infrastructure

The integrity and connectivity of existing green infrastructure, as indicated in the policies map should be retained, protected, and enhanced with new green infrastructure being delivered where possible to support sustainable development.

New developments will be expected to exploit the opportunities to incorporate green infrastructure and enhance existing connectivity; recognising the intrinsic value of the green infrastructure network and ensuring that the functionality of the network is not undermined as a result of development.

Through its layout and design, new development should respond to the location of existing green infrastructure and support appropriate uses and functions. Where it is considered that the development will have a detrimental effect on the quantity or function of existing green infrastructure, compensatory provision will be required in the form of new and/or enhancements to the existing green infrastructure, mandatory Biodiversity uplifts would also be included in these requirements. Where appropriate, the Council will seek to secure through planning obligations provision for the future management and/or maintenance of green infrastructure. Developments that fail to exploit opportunities to integrate and enhance the existing local green infrastructure network will not be favourably considered.

Development proposals should also have regard to Council endorsed strategic green infrastructure strategies and made neighbourhood plans when considering opportunities on site to provide connections and linkages with the wider network of green infrastructure.

Opportunities for linking green infrastructure in line with wider strategic areas should be considered when preparing development proposals. These include linking green areas in the local vicinity of a site including designated areas of open space and local green space designations, Public Rights of Way and areas protected by environmental designations. These should be identified to explore possible opportunities for improving connectivity between sites, where appropriate, and in the context of balancing other planning considerations for the site.

All major development of 50 homes or more located on greenfield sites should provide green space that is proportionate to its scale. Green infrastructure can include public open space, natural sustainable drainage system such as swales,

basins and rain gardens, allotments, new and retained habitats including woodland trees and hedgerows, green and blue corridors, and recreational access routes. Some additional guidance on the design of green infrastructure on new developments can be found in the Breckland Design Guide.

### 7.2.1. Observations

The necessity to integrate and connect to existing green infrastructure is the main focus of this policy. With the failure of new development not to exploit opportunities being considered unfavourably.

Links to the Neighbourhood Plan Policy 10 which already requires linkages to the existing network and encourages connectivity to the wider countryside.

### 7.2.2. Neighbourhood Plan Impact / Implications

None.

### 7.2.3. Swanton Morley Parish Council Response

#### Response

No response or comments to make.

## 7.3. ENV 03: Improving Biodiversity

### ENV 03: Improving Biodiversity

All qualifying development proposals must achieve at least 10 percent biodiversity net gain within their schemes, and this must be calculated using the statutory biodiversity metric and demonstrated within a biodiversity net gain plan. The plan must demonstrate meaningful contributions in its biodiversity uplift proposals providing more joined up habitat which safeguards and enhances habitat connectivity at both site level, locally and within the wider landscape scale.

Developments which provide more than the 10% mandatory requirement will be favourably considered.

Onsite delivery of Biodiversity net gain should be considered initially if this would deliver the most appropriate outcome for biodiversity and provide the most local benefit. Some guidance on onsite biodiversity design is provided within the Breckland Design Guide.

Locally defined ecological networks will be identified in the Norfolk Local Nature Recovery Strategy which is currently being prepared by Norfolk County Council and these will be the focus for the delivery of off-site and landscape scale biodiversity net gain.

The Wensum Catchment has initially been identified as a strategic significant site. As the LNRS evolves, further sites will be assigned to the strategic significance category, but in the meantime any habitat parcel assigned to this category must be fully justified and demonstrate that it is in accordance with the Norfolk County Council's Biodiversity Partnership work and the Norfolk Green Infrastructure Map

For developments which fall outside the scope of mandatory biodiversity net gain, enhancement for biodiversity should be included as part of the proposals, commensurate with the scale of the development.

### **7.3.1. Observations**

Aligns with the new requirements in the NPPF. Detailing the Norfolk Local Nature Recovery Strategy (LNRS) from Norfolk County Council (still being drafted) to be the focus of off-site biodiversity net gain.

The Wensum Catchment, important to Swanton Morley, is identified as a strategic significant site.

### **7.3.2. Neighbourhood Plan Impact / Implications**

None.

### **7.3.3. Swanton Morley Parish Council Response**

#### **Response**

No response or comments to make.

## **7.4. ENV 04: Protection and Enhancement of the Landscape**

### **ENV 04: Protection and Enhancement of the Landscape**

The landscape of the District is valued for, its benefit to the rural character and in the interests of biodiversity, geodiversity, and historic conservation. Development proposals will be

expected to contribute to and where possible enhance the local environment by recognising the intrinsic character and beauty of the countryside.

Development should have particular regard to maintaining the aesthetic and biodiversity qualities of natural and man-made features within the landscape, including a consideration of individual or groups of natural features such as trees, hedges and woodland or rivers, streams or other topographical features.

Development proposals will have regard to the findings of the Council's Landscape Character Assessments and the Breckland Design Guide in the design of their schemes to respond sympathetically to the landscape character.

High protection will also be given to the river valleys and chalk rivers in Breckland as identified in the Landscape Character Assessments, recognising their defining natural features, rich biodiversity, and undeveloped character of their shallow valleys.

#### **7.4.1. Observations**

Policy outlines the protection of the landscape, is general in approach and requires development schemes to have regard Breckland's Landscape Character Assessments and Design Guide in the design.

#### **7.4.2. Neighbourhood Plan Impact / Implications**

None.

#### **7.4.3. Swanton Morley Parish Council Response**

##### **Response**

No response or comments to make.

### **7.5. ENV 05: Trees, Hedgerows and Development**

#### **ENV 05: Trees, Hedgerows and Development**

Trees and significant hedge and shrub masses form part of the green infrastructure network and should be retained as an integral part of the design of development and identified early on in the project. The exception to this is where their long-term survival would be compromised by their age or physical condition, or there are exceptional and overriding benefits in accepting their loss.

Development requiring the loss of a tree or hedgerow including preserved trees, protected hedgerows and trees, trees in Conservation Areas, ancient trees, aged and veteran trees,

and trees classified as being of categories A or B in value (BS5837:2012) will require surveys and a robust argument to demonstrate the requirement for loss by suitably qualified experts and. Loss of trees can only be permitted where:

It can be robustly evidenced that it is unavoidable and that it would allow for a substantially improved overall approach to the design and landscaping of the development that would outweigh the loss of any tree or hedgerow.

Where the loss of such features is demonstrably unavoidable, adequate replacement provision, preferably by native species will be sought. Where the loss of a tree is accepted in these circumstances, developers will be required to ensure the loss is suitably compensated for, taking into account the size and condition of the tree.

#### Development Affecting Trees and Hedgerows

Where a proposed development retains existing trees and hedgerows on-site, or where development occurs within a tree root protection area, provision must be made for their care and protection throughout the duration of the development with mitigation measures being put in place to ensure that development works do

not have a harmful impact on existing trees. To ensure that tree cover and habitat is retained, it is important that both the short term and long-term impacts that a development may have on trees is evaluated at the earliest opportunity. Accordingly, the Council will require that a Tree Survey, Arboricultural Impact Assessment, Tree Protection Plan and Method Statement be undertaken by suitably qualified professional in accordance with BS5837:2012

### **7.5.1. Observations**

All common sense policy elements.

Protection for trees and hedgerows. The Neighbourhood Plan Policy 11, criteria 9, already has the requirement for retention of trees and hedgerows. Any loss of trees or hedgerows as a result of development requires the following of "established practice".

The new ENV 05 being proposed provides the detail necessary to be recognised as the practice to be followed.

### **7.5.2. Neighbourhood Plan Impact / Implications**

One to watch at the next stage (Regulation 19 consultation) to see if the Neighbourhood Plan wording needs to be adjusted or not.

### 7.5.3. Swanton Morley Parish Council Response

Response
No response or comments to make.

### 7.6. ENV 06: Designated Historic Assets

ENV 06: Designated Historic Assets
<p>The significance of designated heritage assets (including their settings), such as listed buildings, scheduled monuments, registered parks and gardens and conservation areas, will be conserved, or wherever possible enhanced. Proposals that may affect the significance of a designated heritage asset will be required to provide proportionate evidence to the assets importance, sufficient to identify its significance, including any contribution that its setting makes to enable any impact to be fully assessed in accordance with national policy.</p> <p>Development that will affect any designated heritage asset will be subject to comprehensive assessment and should conserve or, wherever possible enhance the architectural and historic character, appearance and setting of the asset. Where a proposed development will affect the character or setting of a Listed Building, particular regard will need to be given to the protection, conservation, and potential enhancement of any features of historic or architectural interest.</p> <p><b>Listed Buildings and their settings</b></p> <p>All proposals should demonstrate an understanding of the significance of the building and/or its setting. Any harm to, or loss of significance should require clear and convincing justification.</p> <p>Proposals should contribute to the preservation of the building, not be detrimental to the building's character or any architectural, archaeological, artistic, or historic features that contribute towards its special interest and be appropriate in all aspects of its design and detail. All building materials and methods of construction traditional and contemporary should respect the character of the building.</p>

#### 7.6.1. Observations

A standard policy to protect designated heritage assets. Provides details of requirements for development.

### 7.6.2. Neighbourhood Plan Impact / Implications

Supports the wording in the Neighbourhood Plan Policy 11, criteria 1.

### 7.6.3. Swanton Morley Parish Council Response

Response
No response or comments to make.

### 7.7. ENV 07: Non-Designated Heritage Assets

ENV 07: Non-Designated Heritage Assets
<p>Development should be expected to conserve, or wherever possible enhance the historic character, appearance and setting of non-designated historic assets. Proposals that could affect previously unrecognised heritage assets will be expected through agreement with the Council, to undergo an appropriate assessment, proportionate to the significance of the asset. The assessment must provide sufficient information for any impact to be fully assessed. In weighing applications that are likely to directly or indirectly affect non-designated heritage assets, a balanced judgement will be undertaken, having regard to the scale of any harm or loss and the significance of the heritage asset.</p> <p>The conversion of non-designated buildings identified in the Norfolk Historic Environment Record, or through Neighbourhood Plans, of particular architectural or historic merit for economic or residential purposes in locations that would otherwise be unacceptable will be considered where this would ensure the retention of the building. Proposals will be considered having regard to relevant national policy and guidance. In the case of traditional dwellings which positively contribute to the character of Breckland, applications for replacement will be expected to be accompanied by a Design and Access Statement which includes a structural survey that demonstrates that demolition is necessary and that there is no alternative and viable solution of renovation to provide an acceptable standard of accommodation. Proposals should demonstrate an understanding of the significance of the building and its setting. Proposals should respect the historic fabric, design, materials, elevational treatment, and ornamentation of the original building; not result in an unacceptable level of loss, damage or covering of original features; and have regard to the setting, plot layout and any boundary features as appropriate.</p>



### 7.7.1. Observations

Setting out protection for non-designated heritage assets. As there is no list of such non-designated assets identification proves more uncertain. In paragraph 8.51 a general method is detailed as a planning proposal likely to cause harm to a traditional building, whilst there is a broad list of possible types there is no actual definition of a traditional building.

The policy does require an assessment and seeks to identify any harm to a previously unrecognised heritage asset (non-designated) but does not use the term from the text in paragraph 8.51 of a 'traditional building'.

### 7.7.2. Neighbourhood Plan Impact / Implications

Can be seen to supports the wording in the Neighbourhood Plan Policy 11, criteria 1, as the policy wording is "local heritage asset and their setting". The wording is not specific on designated or non-designated.

### 7.7.3. Swanton Morley Parish Council Response

#### Response

More clarity should be provided on what is to be recognised, or at least considered, as a non-designated asset.

## 7.8. ENV 08: Archaeological Sites

### ENV 08: Archaeological Sites

Development proposals should identify assets of archaeological significance. An archaeological evaluation will be required for development sites that are known or thought to have the potential to include non-designated heritage assets with archaeological interest. Where appropriate, archaeological remains should be left in situ following further design/engineering work. If the benefits of a particular development are considered to outweigh the importance of retaining archaeological remains in situ, satisfactory excavation and recording or remains will be require before development is begun.

### 7.8.1. Observations

A standard policy setting out the expected requirements to protect sites, assets and undertaking excavation.

### 7.8.2. Neighbourhood Plan Impact / Implications

None.

### 7.8.3. Swanton Morley Parish Council Response

#### Response

No response or comments to make.

## 7.9. ENV 09: The Brecks Protected Habitats and Species

### ENV 09: The Brecks Protected Habitats and Species

All development that leads to a net increase in built development within Breckland Special Protection Area (SPA) or within a 1500 metre (primary) buffer of component parts of Breckland SPA which support or are capable of supporting Stone Curlew, as shown on the policies map, has the potential for 'likely significant effects' on Breckland SPA alone or in combination with other developments, and as such will require a project level HRA.

All development that leads to a net increase in built development within the 1500 metre (secondary) buffer around areas outside the SPA that have been identified where there are concentrations of Stone Curlew (most recently using data from 2011 to 2015), as shown on the policies map may also require project level HRA. Within this zone, where it can be shown that adverse effects can be prevented, for example where alternative land outside the SPA can be secured to adequately mitigate the potential effects, planning permission may be granted provided the local planning authority is satisfied that there is sufficient certainty that the proposed measures will be effective and deliverable.

Large developments adjacent to, or just outside the primary or secondary buffer may also require project level HRA. Residential applications outside of the SPA but located in areas where comprehensive Stone Curlew data is missing must provide records or carry out surveys to inform impacts on Stone Curlew outside of the SPA.

#### Woodlark and nightjar

All development that leads to a net increase in residential development within 400 metres of components of the SPA that support or are capable of supporting Woodlark and/or Nightjar as shown on the policies map, has the potential for 'likely significant effects' on

Breckland SPA alone or in-combination with other developments, and as such will require project level HRA.

#### **Special areas of conservation**

Road traffic emissions affecting air quality, new road infrastructure or road improvements within 200 metres of sites designated as special area of conservation have the potential for 'likely significant effects', and as such will require project level habitats regulations assessment.

#### **7.9.1. Observations**

Sets out the protection and requirements for the Brecks, habitats and specific species.

#### **7.9.2. Neighbourhood Plan Impact / Implications**

None.

#### **7.9.3. Swanton Morley Parish Council Response**

##### **Response**

No response or comments to make.

### **7.10. ENV 10: Development in Nutrient Sensitive Areas**

#### **ENV 10: Development in Nutrient Sensitive Areas**

All residential developments which are located in the nutrient sensitive zones of the River Wensum SAC and/or The Broads SAC, which would lead to an increase in overnight accommodation and all non-residential development that, by virtue of its scale or type, may draw people from outside the catchments of the SACs and/or generate unusual quantities of surface water and/or (by virtue of the processes undertaken) contain unusual pollutants within surface water run-off are required to demonstrate that the development is nutrient neutral.

All qualifying development proposals must calculate the nutrient load of their schemes using either the Natural England calculator or the Norfolk-wide calculator and provide a nutrient mitigation plan to demonstrate how they will achieve a nutrient neutral position with their development proposals.

### 7.10.1. Observations

Sets out the issue of nutrient pollution and the requirements for when and how development needs to demonstrate a nutrient neutral position. This policy is all new following Natural England's intervention March 2022.

### 7.10.2. Neighbourhood Plan Impact / Implications

None.

### 7.10.3. Swanton Morley Parish Council Response

#### Response

In the Levelling Up and Regeneration Bill a new duty was introduced on water companies to upgrade their wastewater treatment works. Requiring them to achieve the highest technological levels for nutrient removal by April 2030. Will this make this policy redundant after 2030?

## 7.11. ENV 11: Agricultural Intensification

### ENV 11: Agricultural Intensification

Proposals that involve major agricultural Development or intensification must have considered and addressed the following issues:

#### Residential Amenity

All applications need to consider its impact on any nearby residential amenity including noise, odour and light pollution and demonstrate how any of these impacts have been considered and mitigated.

#### Noise

Any proposals which involve the increase in machinery or operations which are likely to increase noise adversely on any nearby residential amenity, European Protected Sites for Species sensitive to noise and/or prevailing landscape acoustic character would be required to provide a noise impact assessment with associated provisions to minimise or mitigate the increase in noise. This would apply to any proposals which would increase in existing operations.

#### Odour

Any proposals which are likely to release odours or add to existing odorous processes including but not limited to intensive animal rearing, processing animal remains or storage

of animal waste, which are likely to impact on nearby residential amenity, would be required to provide an odour assessment and associated odour management plan for the proposal.

### **Light pollution**

Any outdoor lights associated with the proposed agricultural development should explain the purpose of its use and should be:

- a. Fully Shielded (enclosed in full cut-off flat glass fitments)
- b. Directed downwards to where it is needed (mounted horizontally to the ground below horizon height and not tilted upwards)
- c. Switched on only when needed (no dusk to dawn lamps)
- d. Be no brighter than necessary with a colour temperature of less than 3000K and ideally to a maximum of 500 lumens.
- e. White light low-energy lamps (preferably LED's) and not orange or pink sodium sources

### **Landscapes and Visual Impact**

All agricultural proposals will be required to demonstrate how they have considered the impact of their development on the surrounding countryside and how these impacts have been addressed in the design of their proposals.

### **Biodiversity and Geodiversity**

All agricultural proposals (except a few exemptions) will be required to meet the mandatory requirement of 10% Biodiversity Net Gain. Any proposals that exceed this will be favourably considered.

Proposals should consider any geodiversity impacts of their schemes and avoid such impacts, however, if these cannot be avoided, should demonstrate how these would be minimised and mitigated for.

### **Agricultural Development near The Brecks SPA**

All proposals which are within the 1,500m constraint zone of the Brecks would be required to provide HRA to demonstrate the need for the facility and justify why it cannot be located elsewhere on the farm outside of the buffer and justify why this is the best location within the buffer.

Additional information would be required on:

The lighting scheme including information on the light impacts of the proposal. The scheme should demonstrate how the layout of the building has been designed to avoid vehicle headlights and any lighting from doorways and windows. Any security lighting must not spill towards the SPA.

Demonstrate that no increase of pedestrian activity within the SPA area would result from the development proposals.

Demonstrate that there is no significant increase in noise levels and if required provide a noise impact assessment.

For proposals for grain or fodder stalls, a pest management plan would be required.

### **Ammonia and Nitrogen Deposition and Air Pollution**

For any applications within 10Km of a European Protected Site, which include:

- f. an agricultural building to house any of the following livestock- beef and dairy cattle, pigs, or poultry or
- g. to create a new or expand an existing pit, tank, or lagoon for storing slurry or
- h. for an anaerobic digester with a combustion plant;

an air quality impact assessment will be required.

For applications for anaerobic digesters without a combustion plant within 500m of a European Protected Site, an air quality impact assessment will be required.

### **Water Consumption**

Any proposals which require the use of water within its operations should include a water management plan demonstrating the efficient use of water including the use of water harvesting and reuse systems where possible.

Any potential impact from the development scheme on water supplies for local residents, a hydrogeological assessment should be included with the application.

### **Water Quality**

All new agricultural development which may adversely affect water quality e.g. through the increase of livestock, slurry provision or water run off within the designated nutrient sensitive catchment areas of the River Wensum SAC and The Broads SAC are required to

demonstrate how these impacts have been considered to reduce their impacts through building design, slurry covers, waste management systems and other nutrient management measures.

Any applications which involve increased livestock in proximity of a river course will be expected to demonstrate measures to reduce the nutrient inputs into the River Wensum SAC or The Broads SAC e.g., by restricting livestock access to the riverbank through fencing and the implementation of sediment traps.

Any intensification of existing farming practices must demonstrate that they are legally compliant in terms of having the necessary permits for further development to be approved. Any new development which enables legal compliance will need to be explained within the application.

### **Flood Risk and Surface Water Run Off**

In areas particularly prone to flooding and in respect of planning applications for major agriculture developments (sites of 1 hectare or more), the Environment Agency will be consulted. A Flood Risk Assessment may be necessary in accordance with the requirements of the NPPF, paragraph 103.

Where such a Flood Risk Assessment is deemed necessary, it should be appropriate to the scale and nature of the development and should consider:

- i. Flood risk and surface water run-off implications;
- j. Any increased risk arising elsewhere;
- k. Measures proposed to deal with these risks and effects, e.g. restricting run-off to the Greenfield rates;
- l. Explaining what attenuation measures are in place designed to the 1% with climate change standard to prevent flood risk; and
- m. How the scheme is designed to prevent run-off and erosion issues

Sustainable drainage systems should be utilised where possible following the latest CIRIA SuDs Manual

### **Highways Safety and Access**

Any potential impact on existing highways should be considered early on with consultation with the Local Highways Authority

### **Public Rights of Way**

Any development that has an adverse impact on Public Rights of Way would have to provide thorough justification for its impact.

### **The Historic Environment**

The Local Plan seeks to protect the historic environment and heritage assets from any adverse effects from development including agricultural development.

Any development proposals likely to have a potential impact on a heritage asset would be required to provide a detail heritage statement.

#### **7.11.1. Observations**

Policy too big, it should be broken down into the specific topic areas or just more manageable / understandable chunks.

Light Pollution section of policy lists specific requirements and/or standards. These run the risk of becoming out of date as technologies advance. It would make sense to reference where these standards come from (such as Institution of Lighting Professionals Guidance Note GN01/21The Reduction of Obtrusive Light (2021)) and to add a criteria relating to subsequent updates or requirements or guidance.

Paragraph 8.94 has bullet points listed as d. e. f. and g. although the subsequent text which appears to reference these as a), b) and c) in paragraph 8.96.

#### **7.11.2. Neighbourhood Plan Impact / Implications**

None.

#### **7.11.3. Swanton Morley Parish Council Response**

##### **Response**

Policy too big and covers too many key and important areas. Suggest it should be broken down into the specific topic areas or just more manageable / understandable chunks.

Light Pollution section of policy lists specific requirements and/or standards. These run the risk of becoming out of date as technologies advance. It would make sense to reference where these standards come from (such as Institution of Lighting Professionals Guidance Note GN01/21The Reduction of Obtrusive Light (2021)) and to add a criteria relating to subsequent updates or requirements or guidance.



Criteria b. includes the words “.....*mounted horizontally to the ground below **horizon height**....*” – what does ‘horizon height’ mean and where is it measured from?

Under the Policy section headed Ammonia and Nitrogen Deposition and Air Pollution the words “an air quality impact assessment will be required.” Seem to need either their own bullet point or to be included in the requirement statement at the beginning which would then state “For any applications within 10km of a European Protected Site an air quality impact assessment will be required, which include:”

Criteria j. “Any increased risk arising **elsewhere;**” seems excessive as written, suggest should be limited to arising as a consequence of the development impact.

## 7.12. ENV 12: Open Space, Sports and Recreation

### ENV 12: Open Space, Sports & Recreation

Open space designations as identified through latest evidence are shown on the Policies Map.

#### Existing Provision

Development that would result in the loss of existing designated open space will only be permitted if:

- a. It can be demonstrated (through a local assessment) that there is an excess of recreational or amenity open space in the settlement and the proposed loss will not result in a current or likely shortfall during the plan period; or
- b. recreational facilities within the open space will be enhanced by the proposed development on an appropriate portion of the open space: or
- c. the community would gain greater benefit from the development providing a suitable alternative recreational or amenity open space in an equally accessible and convenient location.

#### New Provision

Currently, all new residential development of 11 or more dwellings will be expected to provide a contribution towards outdoor playing space equivalent to 2.56 hectares per 1,000 population, which equates to 25.6m<sup>2</sup> of outdoor playing space per person. As set out in the Open Space Assessment (2015), this 25.6m<sup>2</sup> is broken down to 17.6m<sup>2</sup> of outdoor sport area and 8m<sup>2</sup> of children's play space.

There is a presumption that for developments comprising of 25 dwellings or more, outdoor playing space will be provided within the development site. Where on-site provision is provided, the space should be of an appropriate type to serve the needs of the development well related to the proposed residential properties and having regard to relevant standards.

With residential development, priority should be given to the provision of children's play areas since the facility is most likely to be required within an easy reach of dwelling and will be required to conform to the 0.8ha per 1000 people standard in provision of children's play area.

It is recognised that there may be cases where the direct provision of outdoor playing space on-site is not the preferred option. It may be that outdoor playing space does not represent an efficient use of land in the context of the site location or that there is a deliverable opportunity to secure a more meaningful area of outdoor playing space that better serves the whole community in close proximity to the application site.

Contributions in lieu of on-site provision for sites of 25 or more dwellings will be the exception and will need to be supported by robust evidence from the applicant that on-site provision is not appropriate and/or viable.

For sites of less than 25 dwellings, on-site provision will be preferable, but may not be appropriate in all cases and proportionate evidence will be required from the applicant to demonstrate that on-site provision is not appropriate. Any contribution will need to be towards a specific deliverable scheme in consultation with the relevant parish council and the developer contributions policy in this document. It will be secured through a section 106 agreement.

Where it is not possible to accommodate outdoor sports areas onsite, negotiations will occur on a site-by-site basis to determine specific provision and financial contributions taking into account the financial viability of the development.

In addition to the on-site and off-site contributions, a contribution will be required for 10 years maintenance of the facility. Off-site contribution will be proportional to the type of facility provided and will be calculated having regard to the need for land acquisition, provision of facilities and 10 years maintenance.

Where it can be established through an up-to-date Open Space Assessment that a proposal is located in a Parish assessed to have sufficient play space, provision for other forms of open

space which will be informed by the findings of the Open space assessment would be considered as potential to mitigate the specific impacts arising from the proposal.

#### Occupancy Rates

1 Bedroom	1.5 persons
2 Bedroom	2.0 persons
3 Bedrooms	2.5 persons
4 Bedrooms	3.0 persons
5 Bedrooms +	3.5 persons

Any additional provision on open space will be informed by the Open Space Assessment. Additional guidance on the design of Open Space can be found in the Breckland Design Guide.

#### **7.12.1. Observations**

Protection for open space designations and details of new provision requirements.

#### **7.12.2. Neighbourhood Plan Impact / Implications**

Links to Neighbourhood Plan Policy 7 – Local Green Space – and Policy 8 Protection of Existing Open Space.

#### **7.12.3. Swanton Morley Parish Council Response**

##### Response

No response or comments to make.

### **7.13. ENV13: Local Green Space**

#### ENV13: Local Green Space

Applications relating to Local Green Space will be determined in accordance with national policy.

In addition to existing areas of Local Green Space and areas identified through Neighbourhood Plans, the following locations are identified as potential locations for Local Green Space Designation:

006: Old Highways Surveyor Land, Burton Manor, Southburgh, Cranworth

007: Old School, Playing Field, Cranworth
009: Cranworth Village Green, Cranworth
001: Playing Field behind Croxton Village Hall, Croxton
023: Land to north of Lolly Moor, Westfield, Dereham
015: Gressenhall Playing Field, Gressenhall
068: Dereham Road/Old Hall Road, Mattishall
032: North of Dereham Road, west of Back Lane, Mattishall
033: Rayners Way / Dereham Road, Mattishall
039 / 040: Cathedral Meadows, Church Lane, North Elmham
041: Prince William Wood, Orchard Close, North Elmham
005: Land to rear Wayland Road, Rockland All Saints
021: North End, Snetterton
002: Old Swaffham to Watton Railway (Sporle Road and Norwich Road), Swaffham
012: Open space at Swans Nest, Otter Road (site including Play Area adjacent Clover Road), Swaffham
018: Village Hall Playing Fields, Swanton Morley
019: Playing field, Manns Lane, Swanton Morley
020: Cricket Club, The Angel, Swanton Morley

#### **7.13.1. Observations**

Three sites listed in Swanton Morley for designation as Local green Space

- 018: Village Hall Playing Fields, Swanton Morley
- 019: Playing field, Manns Lane, Swanton Morley
- 020: Cricket Club, The Angel, Swanton Morley

There are no further submitted sites for Swanton Morley that are not being proposed for designation as Local Green Space.

#### **7.13.2. Neighbourhood Plan Impact / Implications**

Links to Neighbourhood Plan Policy 7 – Local Green Space and Policy 8 Protection of Existing Open Space, which includes all three of the new spaces being proposed.

### 7.13.3. Swanton Morley Parish Council Response

#### Response

Welcome the inclusion of the three sites in Swanton Morley as potential locations for Local Green Space designation.

## 8. Design Quality and Principles (Section 9)

Breckland Design Guide has 6 overarching themes with design guidance for each.

- **Theme 1:** Guidance on complementing and enhancing local character through the thorough understanding of the local context.
- **Theme 2:** Guidance on including the local planning authority and communities early on within the design process.
- **Theme 3:** Guidance on developing schemes which integrate with nature and the local landscape.
- **Theme 4:** Guidance on providing active travel links to services and parking design.
- **Theme 5:** Guidance on creating distinctive character to respond sensitively to the local context.
- **Theme 6:** Guidance on creating climate responsive designed development.

Applicants and their agents will be expected to demonstrate how their designs have incorporated this guidance within their development schemes.

### 8.1. Observations

These are six principles – not policies – and act as guidance only.

Duplicates in several areas some of what is in the actual policies. The policy requirements are the element for decision making.

### 8.2. Neighbourhood Plan Impact / Implications

None and unlikely to as not policy.

The Neighbourhood Plan does reference the Breckland Landscape Character Assessment in 2007, which has been updated with the Breckland Landscape and Settlement Character Assessment and Breckland Design Guide. Therefore, the references should be updated although there may be content elements of the original document which are still appropriate to use.

### 8.3. Swanton Morley Parish Council Response

#### Response

Breckland DC should make it clearer if these are policies with requirements or, as seems to be the case, principles with no policy status.

Policies GEN 01, HOU 05, HOU 08, EMP 04, EMP 05, EMP 06, ENV 02, ENV 03, ENV 04, ENV 12, COM 01 and each of the Site Specific Policies – Housing in Section 12 already requires development proposals to 'accord' with the Breckland Design Guide.

## 9. Community

### 9.1. COM 01: Healthy Lifestyles

#### COM 01: Healthy Lifestyles

New development in Breckland is expected to contribute to the protection and improvement of the physical, social, and mental health and wellbeing of Breckland's residents and to refer to the Breckland Design Guide in creating healthy places to live which are:

- a. Inclusive, safe, and attractive places to live which encourage social interaction and provide for all age groups and abilities.
- b. Designed to enable active and healthy lives through prioritising access to inclusive, active, and environmentally sustainable forms of travel and through promoting road safety and managing the negative effects of road traffic.
- c. Diverse in a mixture of housing types and tenures that meet the needs of all sectors of the population: the elderly, those with disabilities, extended families; low-income households; and those seeking to self-build.
- d. Energy efficient homes with good standards of indoor air quality and ventilation and adaptable to the impact of climate change.
- e. Protected from environmental houses such as noise, ground and water contamination, flood risk, vibration, and poor indoor and outdoor air quality.
- f. Employment diverse in the variety of quality employment opportunities for all skillsets and abilities along with the education and training facilities to enable residents to fulfil their potential.
- g. Socially enriched with social infrastructure to support development such as health, leisure and education which is accessible and inclusive.
- h. New green infrastructure as well as protecting and enhancing existing green infrastructure to promote well-being.

j. Digital inclusion through high-quality broadband and other digital services to homes, educational facilities, and employment.

Health and Social care partners and Public Health are to be consulted on all planning applications for housing developments of 50 dwellings or more, and for care homes, housing for the elderly, student accommodation and loss of open space.

LPAs will also consult on those sites less than 50 dwellings where there is likely to be cumulative impact (exceeding 50 dwellings) when considered with other contiguous application/s or applications close by. Health partners and Public Health comments to focus on ensuring development will enable healthy lifestyles and allow service delivery to be planned effectively.

### 9.1.1. Observations

A big policy with lots of words. Mainly made up of common-sense statements. The only requirement is for Health and Social care partners and Public Health to be consulted on all planning applications for housing developments of 50 dwellings or more (including where there is likely to be cumulative impact (exceeding 50 dwellings) when considered with other contiguous application/s or applications close by) and for care homes, housing for the elderly, student accommodation and loss of open space.

There is an error in the bullet point numbering. Bullet point 'j.' should be 'i.'

### 9.1.2. Neighbourhood Plan Impact / Implications

None.

### 9.1.3. Swanton Morley Parish Council Response

#### Response

No response or comments to make.

## 9.2. COM 02: New Development and Health Impacts

### COM 02: New Development and Health Impacts

New development will be expected to take appropriate steps to avoid/mitigate potential negative effects on health and facilitate enhanced health and well-being through the provision of conditions supportive of good physical and mental health. Where possible, new

development should also seek to reduce disparities in health between different parts of Breckland by addressing detrimental environmental social and economic conditions.

Development in Air Quality Management Areas and those areas identified as affecting or likely to affect the control of relevant pollutants within the Air Quality Management Area, should be consistent with the local air quality action plan.

Developers will be expected to demonstrate the above, through the following criteria:

- a. A Health Impact Assessment where the Council considers there are likely to be clear health implications from the proposal.
- b. A Healthy Planning Checklist for development of 5 dwellings/1,000m<sup>2</sup> of non-residential development or more.
- c. An assessment of the likely impact of the development on air quality, for development of 5 dwellings/1,000m<sup>2</sup> of non-residential or more, in or impacting on areas identified as 'at risk' of exceeding air quality objectives.

### 9.2.1. Observations

Another wordy policy with aspirations of resolving "...disparities in health between different parts of Breckland..." which in itself is unlikely to be achieved.

The require of the policy is for a Health Impact Assessment (criteria (a.)), although there is no qualifying number which should mean this would be a requirement for all development in Air Quality Management Areas.

Criteria (b.) and (c.) both have a qualifying number of 5 dwellings/1,000m<sup>2</sup> of non- residential development or more.

Further requirements (b.) introduces a Healthy Planning Checklist and assessment of impact on air quality for development of 5 dwellings/1,000m<sup>2</sup> of non- residential development or more.

### 9.2.2. Neighbourhood Plan Impact / Implications

None.

### 9.2.3. Swanton Morley Parish Council Response

#### Response

Is the intent for ALL development to undertake Health Impact Assessment in Air Quality Management Areas?



### 9.3.COM 03: Protection of Amenity

#### COM 03: Protection of amenity

For all new development consideration will need to be given to general amenity impact issues, especially residential amenity. Development will not be permitted which causes unacceptable effects on the residential amenity of neighbouring occupants or does not provide for adequate levels of amenity for future occupants.

In assessing the impact of development on the living conditions of occupants, regard will be had to the following amenity considerations:

- a. The protection of adequate areas of usable and scheduled private amenity space for the occupiers of existing dwellings;
- b. The provision of adequate areas of usable and secluded private amenity space for the occupiers of proposed dwellings, in keeping with the character of the immediate surrounding areas;
- c. Overlooking of windows of habitable rooms and private amenity space.
- d. Overbearing impact/visual dominance.
- e. Overshadowing of private amenity space.
- f. Loss of daylight and/or sunlight to existing windows of habitable rooms.
- g. Odour, noise, vibration or other forms of nuisance such as artificial light pollution, insects, and vermin, and
- h. Other forms of pollution (including contaminated land, dust, air pollution, for example the emission of particulates etc).

#### Observations

A strange policy as it does not make any requirements. Instead, it seems to list what would normally be considered material considerations in the decision-making process.

#### 9.3.1. Neighbourhood Plan Impact / Implications

None.

#### 9.3.2. Swanton Morley Parish Council Response

##### Response

No response or comments to make.

## 9.4. COM 04: Protecting and Enhancing Community Facilities

### COM 04: Protecting and enhancing Community Facilities

The creation, enhancement and expansion of community facilities will be supported where this would enhance the existing offer, benefit the local economy and be of a suitable scale and type for its location and in locations in proximity to the area that they will serve.

Proposals, including change of use (outside permitted development rights), which result in the loss of local community buildings (most recently used for this purpose where the use has ceased), will not be permitted unless:

- a. It can be demonstrated that there is no local need for the facility or that its continuing function is no longer viable following appropriate marketing, or
- b. An equivalent facility in terms of quality is provided to serve the same community in an accessible location.

All proposals relating to the provision, loss or redevelopment of Indoor Sports Facilities will have regard to the key findings and recommendations of the latest guidance on Indoor Sport and Built Sports and Recreational Facilities.

### 9.4.1. Observations

This policy basically supports new and enhanced community facilities, as well as adding some protection against loss criteria.

### 9.4.2. Neighbourhood Plan Impact / Implications

None – this policy provides support in the same way the Neighbourhood Plan Policy 15 does.

### 9.4.3. Swanton Morley Parish Council Response

#### Response

No response or comments to make.

## 10. Resilient and Adaptable Infrastructure

### 10.1. Sustainable Transport

#### INF 01: Sustainable Transport

The Council will work in partnership to promote a safe, efficient, and convenient sustainable transport system. This will be achieved through:

- a. supporting improvements to the road and rail connections both within the District and to the wider area;
- b. locating development so as to ensure wherever possible, new development is accessible to sustainable modes of transport and makes provision for improved public transport;
- c. promoting improved access to, and interchange between, all modes of transport to key settlements and town centres;
- d. d. reducing the need to travel by private car in towns and villages and increasing the proportion of shorter journeys made on foot or cycle; thereby providing a genuine alternative to the car and helping to facilitate a modal shift and commensurate reduction in carbon emissions; and
- e. promoting and improving safety, security, and healthy lifestyles by encouraging walking and cycling, creating, and improving links to existing routes and, for new developments, ensuring the provision of facilities such as secure, accessible bicycle parking with changing facilities on site.

Development should:

- f. seek to minimise the need to travel;
- g. promote opportunities for sustainable transport modes;
- h. not adversely impact on the operation or safety of the strategic road network;
- i. improve accessibility to services; and support the transition to a low carbon future.

#### **10.1.1. Observations**

Nothing new and nothing to deliver any change.

#### **10.1.2. Neighbourhood Plan Impact / Implications**

None.

#### **10.1.3. Swanton Morley Parish Council Response**

##### **Response**

Around our major Market Towns at certain times and at certain points there is already issues. No individual development is going to resolve the current issues, there needs to be a wider review and strategic solutions or things will just continue to get worse.

### **10.2. INF 02: Transport Requirements**

#### **INF 02: Transport Requirements**

Developments should be of high quality, sustainable in design, construction and layout as well as offering maximum flexibility in the choice of travel modes for all potential users. Proposals will be permitted that:

- a. integrate satisfactorily into existing transport networks;
- b. mitigate impacts on the local or strategic highway networks arising from the development itself, or the cumulative effects of development, through the provision of, or contributions towards, any relevant transport improvement deemed to be necessary, including those secured by legal agreement;
- c. protect, and where possible enhance, access to public rights of way;
- d. provides safe, suitable, and convenient access for all users, including appropriate parking and servicing provision in terms of amount, design, and layout (Appendix 2 provides a starting point); and
- e. avoid inappropriate traffic generation and do not compromise highway safety.

Development proposals that are likely to generate a significant number of heavy goods vehicle movements will be required to demonstrate by way of a Routing Management Plan that no severe impacts will be caused to the efficient and safe operation of the road network and no material harm caused to the living conditions of residents.

Major development proposals should include an assessment of the impacts of new development on the existing transport network; and demonstrate how they will maximise connectivity within and through a development and to the surrounding areas, including the provision of high quality and safe pedestrian and cycle routes. Where potential transport impacts are identified, developers will be expected to produce Transport Assessments to assess the impacts and identify appropriate mitigation, together with Travel Plans where appropriate.

### **10.2.1. Observations**

Nothing new, no new ideas or magic solutions. Just more of the same.

While the policy requires a Routing Management Plan there is no mention of construction traffic and its routing. Enforcement will be difficult.

### **10.2.2. Neighbourhood Plan Impact / Implications**

None – the Neighbourhood Plan Policy 16 covers most of this, where issues are identified it also requires mitigation to be delivered.

### **10.2.3. Swanton Morley Parish Council Response**

#### **Response**

Is the Routing Management Plan for post construction and the management of the long-term impact of HGV's? If so, what about construction traffic?

More reports will be required, such as Routing Management Plans – nice idea but they have no power to ensure compliance or enforcement - with Transport Assessments – which will inform us of what we already know - that at certain times and on certain routes we already have traffic issues (congestion) - and Travel Plans which hopefully will assist with the delivery of a few more footpaths and cycleways but, sadly, not resolve any of the strategic challenges we face.

We are a rural and spread-out District which by its nature has a heavy reliance on motor transport. Public transport will only resolve elements of this if it becomes convenient, reliable and affordable. Which will not happen while there is a commercial element. If public transport is to work it needs suitable investment and Council ownership.

### **10.3. INF 03: Flood Risk and Surface Water Drainage**

#### **INF 03: Flood Risk & Surface Water Drainage**

All new development will:

- a. be located to minimise the risk of flooding, mitigating any such risk through design, and implementing sustainable drainage (SuDS) principles.
- b. incorporate appropriate surface water drainage mitigation measures to minimise its own risk of flooding and should not materially increase the flood risk to other areas. Particular care will be required in relation to habitats designated as being of international importance in the area and beyond which are water sensitive, as well as habitats designated of regional or local importance. Care will also be required in water sensitive zones specifically the nutrient sensitive zones to the East of the District.
- c. demonstrate it has considered the Lead Local Flood Authority Statutory Consultee for Planning Guidance Document April 2024.

Developers will be required to show that the proposed development would:

- d. not increase green field run off rates and vulnerability of the site, or the wider catchment, to flooding from surface water run-off from existing or predicted water flows;
- e. wherever practicable, have a positive impact on the risk of surface water flooding in the surrounding area adjacent to the development; and
- f. address potential impact of infiltration upon groundwater Source Protection Zones and/or Critical Drainage Catchments.

This will be minimised through the installation of infiltration and attenuation measures to dispose of surface water in accordance with sustainable drainage system (SuDS) principles

and the refinements to, and evolution of, the technical evidence base and guidance (as may be updated and superseded over the life of this Plan).

Proposals for vulnerable development in medium (zone 2) and higher flood risk areas (zones 3a and 3b) must be accompanied by a site-specific flood risk assessment, clearly identifying whether the development will be safe for its lifetime, taking account of the vulnerability of its users, and whether there may be any potential increase or reduction in flood risk elsewhere. In line with the sequential test, areas of functional floodplain should be protected from development. Where possible, through proposals for re-development, opportunities to reinstate areas of functional flood plain should be taken (e.g. reducing building footprints or relocating to lower flood risk zones).

Consideration should be given to assessing opportunities to undertake river restoration and enhancement as part of a development to make space for water. Enhancement opportunities for renewing assets will be encouraged, where viable (e.g. de-converting, the use of bio-engineered river walls, raising bridge so fits to take into account climate change). Any proposals for enhancement and restoration of the river corridor should be subject to consultation with Norfolk County Council as Lead Local Flood Authority, and in relevant cases with neighbouring authorities.

In the case of major development on unallocated sites, if the sequential test shows that it isn't possible to use an alternative site, the applicant will need to submit an additional exception test in line with national policy on Flood Risk Assessments.

All applications should reflect best practice and the Lead Local Flood Authority (LLFA) guidance document April 2024, and any updated version providing the appropriate information required to assist in the determination of such application as issued by the LLFA. This includes the requirement to provide details of means of adoption and maintenance of the systems over the lifetime of the development at the pre-application stage. In adherence with this guidance, drainage strategies must also consider the potential increase in the volume of run-off from a development as a result of increases in the area of impermeable surfaces. Although run-off rates may be restricted to equivalent greenfield rates, the duration over which the site could discharge at this rate is likely to increase.

### **10.3.1. Observations**

All common sense requirements. Referencing guidance from the Lead Local Flood Authority Statutory Consultee for Planning Guidance Document April 2024.

Seems limited in dealing with flood risk as it focuses on surface water drainage and fails to address other sources of potential flooding.

Future management costs of SuDS maintenance not recognised or any provision / contribution made.

### **10.3.2. Neighbourhood Plan Impact / Implications**

The Neighbourhood Plan Policy 12 relates directly to flood risk and mitigation. It covers all likely areas of flood risk and requires mitigation.

### **10.3.3. Swanton Morley Parish Council Response**

#### **Response**

The policy is limited in its scope to surface water flooding. It should also be extended to other types of flooding beyond surface water drainage, such as fluvial, groundwater, sewerage, other artificial sources, etc....

Norfolk County Council, as the Lead Local Flood Agency (LLFA), adopts the drainage systems although no provision or contribution is made towards the future maintenance.

If not maintained the SuDS systems will cease to be affective, more flooding is likely to occur.

Future Management Plans for SuDS should be identified at construction stage, be recognised by / acceptable to the LLFA as part of the adoption process with a cost contribution to cover the first 10 years of operation.

## **10.4. INF 04: Renewable Energy Development**

### **INF 04: Renewable Energy Development**

The Council supports proposals for new renewable energy and low carbon development, subject to consideration of the impact of the development and whether this can be made acceptable. Proposals will be considered having regard to the extent to which there are:

- a. adverse impacts on the local landscape, townscape or designated and non-designated heritage assets assessed in line with the policies of this Plan;
- b. adverse effects on residential amenity by virtue of outlook / overbearing impact, traffic generation, noise, vibration, overshadowing, glare, or any other associated detrimental emissions, during construction, operation, and decommissioning;
- c. an irreversible loss of the highest quality agricultural land;

- d. cumulative impacts of renewable energy development on an area; and
- e. adverse impacts upon designated wildlife sites; nature conservation interests; and biodiversity, assessed in line with the policies of this Plan.

Proposals will be permitted where the impact is, or can be made, acceptable. Applications will be expected to demonstrate that any adverse impacts can be mitigated. Proposals for renewable energy development including the landward infrastructure for offshore renewable schemes requiring planning permission will be assessed to determine whether the benefits they bring in terms of the amount and usability of energy generated outweigh any adverse impacts. When attributing weight to any harm, in addition to other relevant policies in the Local Plan, regard will be given to national policy and guidance, statutory duty and legislation which seeks protection and enhancement of the landscape; designated and non-statutory heritage assets.

Where appropriate the authority will consider the need for planning conditions requiring the decommissioning and removal of all plant and ancillary equipment, and if necessary the restoration of land, on the cessation of use.

#### **Solar Energy Development**

The effective use of land by focusing large scale solar farms on previously developed and non-agricultural land, will be encouraged provided that it is not of high environmental value.

Particular factors that the Council will need to consider where a proposal involves greenfield land include:

- f. the proposed use of any agricultural land has been shown to be necessary and poorer quality land has been used in preference to higher quality land, where possible; and,
- g. that the proposal allows for continued agricultural use where applicable and/or encourages biodiversity improvements around arrays.

#### **10.4.1. Observations**

This policy sets out what is and what is not acceptable in the development of renewable energy generation.

#### **10.4.2. Neighbourhood Plan Impact / Implications**

None.



### 10.4.3. Swanton Morley Parish Council Response

#### Response

No response or comments to make.

## 10.5. INF 04: Renewable Energy Development

### INF 05: Telecommunications

The Council will support proposals for the provision and improvement of telecommunications infrastructure provided that:

- a. The installation and any associated apparatus is sited and designed to avoid any unacceptable impact on visual and residential amenity, highway safety, the historic environment and the character and appearance of the area where it would be sited;
- b. Any building-mounted installations would not have an unduly detrimental impact on the character or appearance of the building; and
- c. It has been demonstrated that there are no reasonable opportunities for sharing a site, mast, or facility with existing telecommunications infrastructure in the area that would not result in a greater visual impact.

The Council expects proposals for residential and business development to include sufficient on-site SuperFast and UltraFast broadband infrastructure to enable connectivity to wider networks.

### 10.5.1. Observations

Requirements as you would expect from this sort of policy topic.

Last paragraph has the most impact on development to ensure it has the infrastructure to connect to the wider network,

### 10.5.2. Neighbourhood Plan Impact / Implications

None. The Neighbourhood Plan Policy 13 provides support for enhanced mobile communications and broadband infrastructure.

### 10.5.3. Swanton Morley Parish Council Response

#### Response

No response or comments to make.

## 10.6. INF 06: Developer Contributions

### INF 06: Developer Contributions

The Council will secure site specific developer contributions for developments of 10 or more dwellings or a gross internal floorspace of 1,000 square metres, excluding rural exception sites, in order to properly service, manage and mitigate the impact of development, subject to viability, which:

- a. Directly related to the development, is necessary to make the development acceptable and fairly and reasonably relate in scale and kind; and
- b. Cannot be secured by planning conditions.

Details of significant infrastructure requirements are identified within the Council's Infrastructure Delivery Plan and emerging update Developer contributions will be required to secure infrastructure which is necessary to ensure:

- c. The delivery of affordable housing;
- d. d. The delivery of community infrastructure (including education, libraries, town and village halls, police, and fire service provision);
- e. The delivery and ongoing maintenance of formal and informal open space including allotments, sport, and recreation, play space or other facilities (or financial contribution) required directly to serve the development and contribute to local community facilities;
- f. Pedestrian and highway safety improvements necessary to mitigate the impact of development on the wider highway network and to secure satisfactory access to the development;
- g. A range of sustainable modes of transport that occupants and visitors to the development are able to access;
- h. The provision of health care facilities;
- i. The delivery of environmental infrastructure (biodiversity management, landscaping, flood defences, SUDs, waste management) and, where necessary their maintenance; and
- j. The delivery of any other infrastructure requirements in a made Neighbourhood Plan.

The delivery of development will need to align with the provision of infrastructure. As such, development may require to be phased to ensure the provision of infrastructure in a timely manner. Planning obligations may be used to secure the phasing arrangement. Commuted payments will be sought to secure the necessary future maintenance of infrastructure.

Planning obligation requirements under the responsibility of the County Council

such as education, highways, and adult services are clearly set out in the NCC's Planning Obligation Standards publication, which is updated annually.

#### **10.6.1. Observations**

This policy outlines the developer contributions but on developments of 10 or more. Paragraph 11.43 seems to indicate that site-specific contributions will be secured and delivered by the developer.

#### **10.6.2. Neighbourhood Plan Impact / Implications**

None. The Neighbourhood Plan Policy 6 sets out the requires where planning obligations are identified to be delivered by development.

#### **10.6.3. Swanton Morley Parish Council Response**

##### **Response**

No response or comments to make.

### **11. Site Specific Policies - Housing**

No comments or assessment made of policies as no impact on Swanton Morley NP.

#### **11.1. Local Service Centres**

Only comment in relation to Swanton Morley allocation below.

#### **11.2. Development In Local Service Centres: Swanton Morley**

Paragraph 12.23: Swanton Morley will accommodate 263 dwellings between 2021 and 2046 as follows:

- Completions 2021 – 2023 = 100 dwellings
- Dwellings with Planning permission (April 2023) = 43 dwellings
- Existing Allocations carried forward into this Plan = 120 dwellings (These are in the Swanton Morley Neighbourhood Plan)
- New sites allocated in the Local Plan = 0

**11.2.1. Observations**

Proposes no new housing allocations and confirms the Neighbourhood Plan allocation of 120 is carried forward from the existing Local Plan into the new Full Update Local Plan.

**11.2.2. Neighbourhood Plan Impact / Implications**

None.

The Neighbourhood Plan Policy 2 sets out the allocation. While Policy 3 has the specific requires to be delivered as the sites are developed.

**11.2.3. Swanton Morley Parish Council Response**

Response
No response or comments to make.

**11.3. Secondary Villages**

No comments or assessment made as no impact on Swanton Morley Neighbourhood Plan.

**12. Saved Housing Policies and Proposals**

No comments or assessment made as no impact on Swanton Morley Neighbourhood Plan as all policies are site specific and do not relate to Swanton Morley.

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# Swanton Morley Parish Council

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