

Saham Toney Neighbourhood Plan
Consultation Statement (Regulation 16) Consultation – Comments Form

There are a number of concerns about the content of this Consultation Statement, particularly its accuracy. Firstly, it reproduces website and emails in plain text, rather than originals which increase the likelihood errors being made and risks not accurately recording how information was received. Also, the information regarding who actually made a number of the comment is missing from this document on public consultation.

Secondly, in relation to the response to Breckland’s comments on the 3rd Reg 14 version of the Neighbourhood Plan, it is disappointing that a number of the responses are not as comprehensive as they could be. Some response statements do not clearly or accurately reflect what changes will be made or where the Plan is being amended e.g. there is reference to the Health Checks, but the detailed response has not been included in the Statement, only a precis is provided. Also, a number of these responses are unnecessarily subjective particularly where the comment is not supported.

In view of this, this we have made general comments and identified a few specific examples (rather than every example) to demonstrate to points we are making.

Key STNP – Saham Toney Neighbourhood Plan – the Plan

Page and Paragraph No	Comment	Justification and any suggested amendments
General	It is far better practise to include the original documents / emails as valid evidence, rather than reproduce them in plain text. This would demonstrate an accurate position on the issue.	It avoids the extra resources needed to send them if requested by the Independent Examiner at the Examination.
p5 TABLE OF CONTENTS	<i>APPENDIX D3. Late Response to the Strategic Environmental Assessment Report by Breckland Council.....447</i> <i>APPENDIX D4. Late Response to the Habitats Regulations Assessment Report by Breckland Council.....448</i> These headings are inaccurate see comment below re p77.	Accuracy
Contents page - omission	There is significant concern that the detailed responses regarding the Health Checks have not been included in this Statement and only a summary has been included, which risks	Clarity

	misinterpretation. This has made it very difficult to understand all the recent changes to the Plan, particularly when this has been referred to in response to comments.	
13. CONSULTATIONS ON ENVIRONMENTAL ASSESSMENTS OF THE NEIGHBOURHOOD PLAN		
p67-82, Section 13	We have been advised that this information is not required here as the Environmental Assessment Reports should be self-contained and include this information.	
p67, Section 13	As previously advised, this is incorrect. It should read: “13.1 Screening of the Regulation 14 version of the Plan at the time of the first pre-submission of the latter, in March 2018, concluded that a neither Habitats Regulations Assessment (HRA) nor Strategic Environmental Assessment (SEA) of the Plan was not ere required at that stage”.	Accuracy
p76, para 13.9	There is concern that the emails have been withheld in this public document. As previously stated, the inclusion of full emails would demonstrate an accurate position on the issue.	Accuracy
p77/78, para 13.12 Late Response from Breckland Council	This is inaccurate; this response was the result of a review of all documents that are required at the Reg.15 stage, which is carried out on all Plans. As part of this review comments were made on both the SEA & HRA, and not just the former. Also, we sought advice English Heritage about our concerns with the SEA; this was not part of any formal consultation.	Accuracy
APPENDIX C3. Pre-Submission Consultation June-August: Breckland Council Comments with STNP Responses		
p323, Appendix C3. Whole section	Reference to a meeting held on 15 October 2019 has been made in relation to a number of Breckland Council’s comments on the 3 rd (and 2 nd) version of the Reg.14 Plan, concerning a number of outcomes of the meeting e.g. suggesting that phasing (re para 73 NPPF) and limiting the total allocation are approaches that Breckland Council supports. Also, in the 3 rd STNP comments, reference is made to an agreement being made, which we are not aware of. Also when reference is made to Appendix B3, it fails to indicate where in such responses can be found.	Accuracy - In light of these response statements, we would like to see evidence that the Council has been sent and agreed such minutes or signed off any agreement, in order to establish the accuracy of the response statements.
Whole section	It is also noted that an “*” have been added to some of the Breckland comments by the numbers in the 1 st column, but the Statement does not clearly clarify what this stands for.	Clarification of what this stands for is requested.
p324, Comment 3, General - Terminology	The response appears to confuse the terminology used. A <i>Local Plan</i> and <i>Local Development Plan</i> (LDP) are the same item, but its forms part of the <i>Development Plan</i> for a local area. Also, the Council refers to the <i>Local Development Scheme</i> (LDS) in comment 19 (not LDP) and LPD is used nowhere else in the Plan.	Accuracy

p324, Comment 5, General - Terminology	Any reference to the NPPF 'dictating' is not appropriate as the 'Basic Conditions' only require a Plan to have 'regard to' the Framework. The used of the word 'dictate' has also been incorrectly used in relation to the NP regulations in para 2.3 & 2.5, as well as Local Plan policy in para 3.6.5.	
p327, Comment 11 - General - proofing	In response to the issue of General proofing it states: "for example, the "error" noted on page 10, does not exist: the wording there is actually "... <i>in connection with the proposal for the Plan...</i> ". This response is inconsistent as although this response states that the example was incorrect, the amendment suggested was made. e.g. it changed from:-" <i>with the proposal for-the Plan</i> " to " <i>with the proposals in the Plan</i> ". N.B. It is not accurate to make reference to a single 'reviewer' when the Council has previously advised that their comments are made by a number of professionals at Breckland Council.	Accuracy and consistency - The statement should have been amended to acknowledge that the statement is correct as the amendment was made.
p329, Comment 16 - p11	The Consultation Statement response does not reflect the actual changes made in the Plan; it only makes reference to: " <i>initial, informal consultation</i> " and excludes specific reference to " <i>parishioners, businesses and organisations</i> ".	Accuracy - The Statement should accurately record what will be changed in the Plan.
p329, Comment 17 - p13, Figure 8	The response was to provide a" <i>Explanatory note added</i> ", but this appears to be missing from the Plan. Also, the response does not state what or where it will be added.	Clarity - The Statement should accurately record where and what will be changed in the Plan.
p330, Comment 26 - p23, para 5.3	b) What has been proposed as not been used in the Plan e.g. it states " <i>Satisfy the Local Plan minimum growth target and set an additional level of development via site allocation</i> ", where the latter has been amended to: " <i>Satisfy the Local Plan minimum growth target and provide certainty for future sustainable development, through the inclusion of site allocations</i> "(difference in bold).	Consistency - Either the Plan or Consultation Statement need to be amended, so they are consistent with one another.
p331, Comment 29 - p23, Footnote 2	The response does not clarify that the text in Footnote 2 will be amended or how.	Clarity - The Statement should accurately indicate what will be changed in the Plan.
p333, Comment 32 - p25, Policy 1, P1.4 #	The response regarding Local Plan policy INF 02 is a statement e.g. " <i>range of caveats that will hinder the provision of additional infrastructure in small rural villages such as Saham Toney</i> " and it fails to clarify how it will 'hinder' this.	
p335, Comment 37 - p32, Policy 2A #	The response " <i>It would be completely illogical and unjustified to further raise the minimum housing target to 70</i> " does not make sense. As aside from this policy already making reference to 70 units, national guidance makes reference to housing figures being a minimum number. Also, this approach is not consistent with the text in the Basic	

	Conditions statement which makes reference to the housing numbers being a 'minimum figure' on a number of occasions.	
p335, Comment 38 - p32, Policy 2A, P2A.1 #	In response to concerns about phasing, it includes " <i>(e) Local Plan allocation policies themselves mention phasing of development</i> ". This fails to acknowledge the different roles Local Plans and Neighbourhood Plans take in relation to this issue.	Para 73, NPPF.
p339, Comment 50 - p39, P2D.1 #	These responses are inaccurate as the required policy approach has been misunderstood. The first part of the response should be referring to para 5.17 of the Housing Allocation policy, which indicates when the 'local area criteria' applies and not a 'planning agreement', and para 3.4 outlines the actual 'local area criteria'. In the second part, the highest tier (criteria a) was deliberately omitted as it applied to the whole of the district, and therefore this does not apply to the Neighbourhood Plan.	Accuracy
p343, Comment 65 - p47, Policy 2F, P2F.2	This responsive misinterprets the comment being made. It was making reference to the policy approach taken towards ' <i>Landscape and Visual Appraisal</i> ' (in another section) that had been amended to take a more proportionate approach, as an example of how the same approach could apply to all sites concerning ' <i>ecological appraisals</i> '.	
p345, Comment 74 - p56-59, Policy Maps & Legends, 2G.1 & 2	We disagree with the explanation provided regarding errors in the printed Plan. There is nothing in the regulations that determine which is the 'master' copy. Also, this was a general request that a member of the Working Group questioned, so the request was also made as an 'reasonable adjustment' under the 2010 Equalities Act. Subsequently, errors were found within the Reg.16 version after it was 'submitted' to the Council. The Plan was amended and added to the Neighbourhood Plan website, without the Council being advised this has been done. This meant that two different online versions of the Neighbourhood Plan were made available for at least four weeks during the public consultation. When Breckland Council discovered this had occurred, it advised that the 'amended' version be removed as this was not the version that had been submitted, which was done. Fortunately, the errors amended are not considered to materially affect the content of the Plan and can be amended before the Referendum as 'minor errors' in the Plan.	
p346, Comment 76 - All site allocation policies (2H-2P) #	The Council is not aware of any 'agreement' made in the meeting referred to.	

p354, Comment 103 - p99 Policy 3B #	Not clear why reference to NPPF para 73 has been referred to as this does not deal with density. Also, the Council is not aware of any 'agreement' made in the meeting referred to.	
p356, Comment 110 - p105, Policy 3D, P3D.1	This response indicates that this has been amended, but no change was found in the Plan.	
p359, Comment 127 - p129, P7A.3	It is not clear why this response seems to dismiss the issue but does amend the Plan. Also it is not consistent with what has been presented in the Glossary, which indicates that ' <i>landscape sensitivity</i> ' and ' <i>visual sensitivity</i> ' refer to two different matters.	
p360, Comment 134 - p138-147, Photographs and Maps	The confusion suggested in the response is not accurate; the issue is about taking a consistent approach towards presentation e.g. all other titles in the Plan for the various images (map, figure, table or chart) are at the bottom, rather than top.	Consistency Move the titles for the Photographs and Maps underneath these images.
p360, Comment 135 - p139-147, Maps	It is not clear why reference to 'Plan length' has been mentioned when this wasn't the subject of the comment.	
p365, Comment 152 - p170-189, Policy 8A-9	While it is noted that comments have come from the County and Anglian water regarding the technical approach taken, this does not mean that they are appropriate land use policies. The Council also advised that a technical appendix was provided instead.	
p447/8	APPENDIX D3. Late Response to the Strategic Environmental Assessment Report by Breckland Council & APPENDIX D4. Late Response to the Habitats Regulations Assessment Report by Breckland Council. Both these headings are inaccurate see comment above re p77	