

APPENDIX B3. Pre-Submission Consultation August-October 2019: Breckland Council Comments with STNP Responses

Saham Toney Neighbourhood Plan

Breckland Council comments for 2ND Regulation 14 Consultation

Page and Policy/ Paragraph No	Comment STNP RESPONSE	Justification	Suggested Amendments STNP ACTION
Whole Plan	While it is evident that the plan has been subject to a significant level of research, there remains concern that some policies are too restrictive and will have negative implications for viability. See individual responses to specific comments	Viability.	See individual comments. See individual actions noted against specific comments
Whole Plan	All references to NPPF (2018) should be NPPF (2019). See separate table at the end of these comments for checks The Plan makes 40 references to the NPPF. One of those (non-paragraph specific) requires correction to 2019, and one other while correct, will benefit from the addition of an NPPF paragraph reference. As agreed in discussion it will be noted that the Plan takes account of the June 2019 update to the NPPF (no specific changes are required for that)	Factual update.	As advised. P6.2 text amended from “NPPF (2018) or any of its successors” to “the most up to date version of the NPPF” T7D.6: The general reference to the NPPF has been improved by adding a reference to paragraph 170d
Whole Plan	Format — a number of paragraph's look like they have narrower line spacing (1 rather than 1.15) than the rest of the plan e.g.; T2H.3; T2L.6-7; T2P.6-10 (also worth checking throughout the plan. Will check and update as necessary	Consistency.	As advised. Complete document has been checked in this respect and standardised at 1.15 line spacing with 6pt interval

Whole Plan	<p>Maps — a few include text that is too small to easily read and the font size varies throughout.</p> <p>Will check and update as necessary but where maps are taken from other sources, it is not possible to amend text</p>	Clarity.	<p>Review format to standardise for the Reg.16 version.</p> <p>Following review, the following changes have been made to various maps:</p> <p>Policy Maps 1a and 1b: Instead of 3 maps to one (landscape) page these have been presented as one map per (portrait) page. A note has been added to each to clarify that the hard to read text at the bottom right of each map is present on the original Ordnance Survey map used as a background and relates to that map's copyright.</p> <p>Evidence Map 3B.1 Image sizes increased.</p> <p>Policy Map 5: Text size increased for inset map.</p> <p>Policy Map 7B: Text size of Key increased.</p> <p>Policy Map 7C.1: Clarity of text identifying Local Green Spaces improved.</p> <p>Policy Map 7D.1: Legend text size increased; note about Ordnance Survey map copyright text added as maps 1a and 1b.</p> <p>Policy Maps 7D.2a, b, c, 7D.3a, b and 7D.4 Replaced by a new set of maps 7D,1a/b,</p>
------------	--	----------	--

			<p>2a/b, 3a/b and 4a/b with larger legends and better readability</p> <p>All other maps are considered adequately readable and have not been amended in that respect.</p>
Page Cover	<p>Format — Typo on front cover regarding the name of the Parish.</p> <p>Agreed</p>	Clarity.	<p>As advised.</p> <p>Corrected</p>
Contents Page	<p>The format of the previous Reg.14 presented better and is easier to use than the current version e.g. Maps in a smaller font size.</p> <p>Agreed</p>	Clarity.	<p>Revert to previous Reg.14 format.</p> <p>Contents list updated accordingly</p>
p14, Figure 8	<p>Format -breaking up of text - it would look better if these graphics were placed where they were relevant in the preceding three pages.</p> <p>This is an optional change that may improve readability, and if so, it will be incorporated</p>	Better presentation.	<p>As advised.</p> <p>Placing the graphics 'where' relevant would simply result in the whole figure being "broken up" in a fashion that would read less well.</p> <p>As a result, this optional change was not implemented, but the figure has been moved nearer the start of section 3</p>
p19, 6.3.4	<p>Format -This para No appears twice.</p> <p>Agreed</p>	Typo.	<p>Amend remaining 5 para no's in the chapter.</p> <p>Paragraph numbers corrected accordingly</p>

p19, 6.3.6 (c)	<p>MM 15 refers to HOU 03 and there is no MM162. Policy HOU 02 does not give ST its own target. MM159 provides ST with the 33 figure as a modification to Appendix 5 of the Plan.</p> <p>Agreed</p>	Factual update.	<p><i>"c) Main modification 159 to Appendix 5 of the emerging Local Plan sets out a housing target of 33 additional dwellings in Saham Toney between the date the Local Plan is approved and 2036";</i></p> <p>While the comment was agreed, subsequently Breckland Council published a 'clean' version of the Local Plan, with all 'MM' numbers removed (https://www.breckland.gov.uk/media/15825/Appendix-4-Breckland-District-Council-Local-Plan-Text/pdf/Appendix_4_-_Breckland_District_Council_Local_Plan_text.pdf?m=637195326545430000)</p> <p>Therefore all 'MM' references have also been removed from the Neighbourhood Plan</p>
POLICY 1: SERVICES, FACILITIES & INFRASTRUCTURE			
p21, P1.1	<p>Policy contains unnecessary wording.</p> <p>Agreed.</p>	Tautology.	<p><i>"... proposals will be supported where there is or is provided as part of the proposal sufficient social..."</i></p> <p>Unnecessary wording deleted from policy text, but as agreed during discussion of comments, it was moved to supporting text, as was P1.3</p>

p25, Evidence Map 1	<p>Format — Would recommend removing text on Map (B) & (C) as it can't be read or add as a footnote to the maps.</p> <p>Agreed.</p>	Clarity.	<p>As advised.</p> <p>For readability the three maps will be presented on separate pages.</p> <p>For better readability the three maps have been given separately as maps 1a, 1b and 1c.</p> <p>In discussion it was clarified that the comment refers to copyright text on the OS map original used as a background. There is no text on Maps B & C other than that on the OS original, which cannot be removed, but a note has been added in the map key to explain that</p> <p>A general note has been added at the start of the Plan thus: "Copyright: The Saham Toney Neighbourhood Plan uses Ordnance Survey copyrighted material as backgrounds to its maps and is entitled to do so by the Parish Council's PSMA registration No. 0100057926"</p>
POLICY 2A: RESIDENTIAL HOUSING ALLOCATION			
p26	<p>Concern over phasing of the developments e.g. If an application that is acceptable in planning terms, is submitted on STNP15 a refusal solely on the grounds of phasing would be difficult to sustain at appeal.</p> <p>This also applies to references to phasing in subsequent housing allocation policies.</p> <p>Development of all allocated sites without phasing is not sustainable, for example if that were to be 83 houses in the first 3 years of the plan</p>	<p>There is no national guidance that would permit the phasing of small sites to be delivered in this way.</p>	<p>Amend to simply set out the housing allocations in the neighbourhood plan i.e. remove phasing from the policy.</p> <p>This could however be listed as a Parish preference in the support text for individual sites.</p> <p>In a meeting to discuss the comments on 15 October 2019, it was agreed that paragraph 73 of the NPPF allows a Neighbourhood Plan to phase</p>

	<p>Considering both of the above, some allocated sites must remain developable, but not confirmed as deliverable at the start of the plan period</p> <p>Allocation policies provide flexibility by stating “development is expected between ...”</p>		<p>development, hence phasing of sites was retained.</p> <p>As also agreed in discussion, Policy 1 has been amended to highlight the need for phasing to allow delivery of adequately improved infrastructure, and a need to include checks as to whether there are capacity / planned upgrades for gas, electricity, water and sewerage services</p>
P2A.1	<p>Allocation numbering system is unclear. Why are there no STNP3, 8, 10, 11, 12.</p> <p>Agreed.</p>	Numbering issue.	<p>Requires clarification in the supporting text.</p> <p>It has been clarified in supporting text that 16 sites were put forward, of which only 11 were identified as suitable for allocation following a rigorous process of site assessment and site selection, but that for consistency between documents the original site numbering has been maintained. A direct reference to the Site Assessment and Site Selection Reports has been added to supporting text</p>
T2A.2	<p>The use of 'within' is too prescriptive.</p> <p>Not fully agreed</p>	Suggests that the 83 figure is a maximum.	<p>"....controlled, within the number allocated in this</p> <p><i>Plan in accordance with Policy P2A.1."</i></p> <p>In a meeting to discuss the comments on 15 October 2019, it was agreed that the extensive site assessment and selection work and the fact STNP allocates approximately 2.5 times more housing than required by the Local Plan, justify limiting the total allocation, and that greater flexibility of allocation numbers is more</p>

			<p>appropriate to a Local rather than Neighbourhood Plan.</p> <p>As a result, as agreed, the limit on numbers will apply when implementing the Plan.</p> <p>Text has been revised to be less overtly prescriptive, thus: "...the level of new residential development permitted will be managed within the number allocated in this Plan"</p>
POLICY 2C: RESIDENTIAL DEVELOPMENT OUTSIDE THE SETTLEMENT BOUNDARY			
p29, P2C.1	<p>a) It would be more appropriate to refer to Policy 2a, which already lists these sites.</p> <p>Agreed</p>	Duplication of policy.	<p><i>"Outside the settlement boundary, in addition to those sites listed in Policy 2A, the following residential developments will be supported:."</i></p> <p>& delete a) (as covered above).</p> <p>Text amended as suggested. P2C.1a deleted.</p>
	<p>b) What is meant by 'for people with a Saham Toney connection'?</p> <p>Agreed</p>	Clarity.	<p>Refer to Policy 2D to clarify this approach.</p> <p>Reference to Policy 2D added</p>
p30, P2C.3	<p>It would be better if such brownfield sites were also 'immediately adjoining' the settlement boundary, as it could be seen as supporting less sustainable sites.</p> <p>Agreed</p>	Consistency to reflect P2C.2.	<p>"In circumstances described in P2C.2, proposals</p> <p>for the development of brownfield sites proposals</p> <p>on land outside the sites but immediately adjoining the settlement boundary, will be looked....".</p> <p>Text amended as suggested</p>

p30, T2C.2	The reference to a hierarchy is not consistent with the policy as this currently gives equal weighting to criteria a.—c. and P2C.2 & 3 are 'exceptional'. Agreed	Consistency.	Amend text to reflect the approach to be consistent with the policy. Hierarchy in T2C.2 amended accordingly
p31, T2C.7	It would be useful to make reference to the site assessment documentation. It is referenced below the supporting text where relevant evidence base documents are listed, but could be added more explicitly if required. Please advise	Clarity.	As advised. A specific reference to the Site Assessment and Site Selection Reports has been added to supporting text
POLICY 2D: AFFORDABLE HOUSING			
p31, P2D.1	Revised wording is required to include reference to mix and type and the threshold for affordable housing. Agreed	To be consistent with national guidance.	Replace 1 st part of sentence with “ Affordable housing provided as part of the development of additional sites On allocated sites comprising 10 or more dwellings, where affordable housing of an appropriate mix and type to meet the identified local need, is to be provided, this shall be made available by preference...” Reworded in line with the suggested text, but with the addition of “or any other non-allocated sites that come forward” after “...allocated sites...”
P2D.2	This should follow Breckland's allocations policy. Agreed	Allocation of affordable housing is not a matter that should be left to discretion when there is an adopted policy in place.	Amend final line to ‘ ...prioritisation of other candidates will be at the discretion of the Local Housing Authority. in accordance with Breckland Council’s allocations policy ’. Reworded as suggested

P2D.3 [AD]	Suggest additional criterion. Agreed	To ensure that a qualifying allocated site provides affordable housing.	<i>"Where a site is, or has been, in a single ownership, artificial sub-division to avoid provision of affordable housing will not be permitted".</i> Criterion added as suggested
p342, T2D.78 & 89	Format - A line space is missing between these two paragraphs. Agreed, but with reference to corrected paragraph numbers as indicated	Presentation.	As advised. Format corrected accordingly
POLICY 2E: HOUSING MIX			
p33, P2E.1	Cannot require affordable housing on smaller allocated sites as suggested in criterion d. Agreed	Although para 63 (NPPG) makes reference to 'designated' rural areas of 5 units or less providing affordable	<i>"On qualifying sites, social and affordable housing for those who cannot afford market prices".</i> Criterion d amended as suggested
POLICY 2E: HOUSING MIX /POLICY 2F: COMMON CRITERIA FOR ALLOCATED SITES			
p33/37	It is not clear how this policy and P2F.1 be applied to STNP 2 for only 4 dwellings and other smaller allocations? These would appear to need to: <ul style="list-style-type: none"> • Include smaller homes of 3 bedrooms or less (2F) • include housing specifically designed for the older adults, suitable for independent living • include one, two and three-bedroom homes for parishioners who wish to downsize • include higher proportion of one and two-bedroom starter homes for first time buyers • include social and affordable housing for those who cannot afford market prices 		2E and 2F would benefit by being combined into a single policy. <i>"All residential development proposals shall have regard to the following considerations:</i> <i>P2FE.31 Dwellings shall be drained by an adequate individual and/or communal sustainable drainage system.</i> <i>P2FE.42 A full ecological appraisal shall be provided with the planning application, and shall include details of any mitigation measures necessary to preserve biodiversity on the site.</i>

	<p>There also appears to be some duplication on housing size in both b policies.</p> <p>See discussion points below</p> <p>In a meeting to discuss the comments on 15 October 2019, it was clarified that this comment is an optional suggestion</p> <p>It was agreed that Policy 2E, as worded, does not require a proposal to meet each and every criterion, but rather to address each in the application</p>		<p>P2FE.53 <i>Satisfactory biodiversity and wildlife-friendly measures shall be incorporated into the design of the dwellings, gardens and public areas.</i> P2FE.64 <i>Each dwelling shall have off-road parking in accordance with the guidance given in Appendix 2 of the emerging Local Plan and the most up to date version of Norfolk County Council's document "Parking Standards for Norfolk".</i></p> <p>P2FE.75 <i>Development shall include positive measures commensurate with the site size to enhance green infrastructure.</i></p>
P33/37 (continued)			<p>P2E.46 <i>"Residential development proposals shall A housing mix and tenure which responds to local housing need having particular regard to the demographic characteristics of the Parish of Saham Toney, and as set out in the Saham Toney Housing Needs Assessment, May 2019. The</i></p> <p>following.....proposals. including:</p> <p><i>I. a. Housing specifically designed for the older adults, suitable for independent living, in accordance with Lifetime Home Standards;</i></p> <p><i>II. b. More a majority of one, two and three-bedroom homes for parishioners who wish to downsize but to continue to live in the Neighbourhood Area, and others c. a higher proportion of one and two-bedroom starter homes for first time buyers, and others;</i></p>

			<p><i>P2E.7 Standards shall meet those set out in emerging Local Plan Policy HOU 10, or any future update to that policy.</i></p> <p>2FE.28 a For sites that will deliver On sites of <i>10 or more dwellings & social and affordable housing for those who cannot afford market prices.</i></p> <p>STNP do not consider it appropriate to merge Policies 2E and 2F, as they deal with different topics</p> <p>Given the optional nature of the suggestion to merge Policies 2E and 2F, it has been decided to do that only in part. Elements of Policy 2F relating to housing mix and tenure have been moved to Policy 2E with the relevant suggested amendments incorporated. Policy 2E thus remains a single-subject policy.</p> <p>All other general criteria for new housing remain in Policy 2F, with the relevant suggested amendments generally incorporated, but adapted to reflect the findings of an updated Housing Needs Assessment. To make clear that Policy 2F applies to both allocated housing sites and any other housing sites that may come forward, its title has been amended to “Common Criteria for Residential Development Sites”.</p> <p>P2F.6 has been deleted as it is dealt with in Policy 3D.</p>
--	--	--	--

DISCUSSION POINTS FOR STNP MEETING WITH S HEINRICH 15 OCTOBER 2019:

Saham Toney housing needs are for more 1, 2 or 3-bedroom houses to offset the current imbalance of houses with 4, 5 or more bedrooms. That is set out in the Parish Housing Needs Assessment

Policy 2E sets out and summarises the overall needs and states they “shall be addressed”, but not that all must be included in any one development. If this is unclear, we are willing to discuss better wording. It is a general policy applicable to all housing development that may come forward, not just the allocated sites.

Policy 2F applies specifically to the allocated sites, for which the identified housing needs have been addressed when agreeing policies with site owners. Hence all of the smaller allocated sites will be for houses of 3 or less bedrooms (whereas if say a non-allocated site for 5 houses came forward, its proposal would have to include details of an appropriate housing mix and may be able to make a case for an element of larger houses)

While the two policies could be merged, we would wish then to apply P2F.1 and 2 to all sites and perhaps move all or most of the present Policy 2E to supporting text

POLICY 2F: COMMON CRITERIA FOR ALLOCATED SITES			
p37	Welcome the introduction of Policy 2F. Noted		No action required
	Reference to "visibility splays" could also be included in this policy as it is included in all of them. Agreed	Consistency.	"P2E.x - Visibility splays no less than 2.4m x 59m to each side of the access where it meets the highway". A new criterion has been added accordingly to the general policy 2F.
POLICY's 2G -2Q			
	All these site allocate policies would benefit from re phrasing as policy, rather that statements, at the start & criteria a) of the policy. Agreed Also requiring all the criteria to be complied with could be considered too restrictive. Not agreed	Clarity.	"Development at (site name) & include ref No & Map ref in brackets for x new dwellings, will be permitted subject to meeting the following criteria..." A modified version of the suggested revised text has been implemented, as follows: "Development of (brown/greenfield) land amounting to approximately x hectares at (site name) designated as Site STNP(x), and as shown on Policy Map 2x for up to x new dwellings, will

			<p>be permitted subject to meeting the following criteria:"</p> <p>In a meeting to discuss the comments on 15 October 2019, it was agreed that since these are site specific policies, a requirement to comply with all criteria is relevant and acceptable and hence no change was made in this respect</p>
All site based policies (P2*.2)	<p>See comments re Policy 2A re phasing.</p> <p>In a meeting to discuss the comments on 15 October 2019, it was agreed that para 73 of the NPPF allows phasing in a Neighbourhood Plan</p>	Ability to enforce.	<p>As advised.</p> <p>No change to policy text required</p> <p>For consistency with actions taken in response to other comments regarding the phasing of development, supporting text has been added to each site allocation policy as follows "T2x.x Phasing of development is justified by paragraph 73 of the National Planning Policy Framework."</p>
P2H.3; P2K.3; P2L.3; P2M.3; P2N.3; P2O.3; P2P.3.	<p>All these criteria outline what is not required, rather than was is, and therefore should be removed from the policy criteria. This applies to all policies where there is a reference to this.</p> <p>Agreed</p>	Consistency.	<p>Either moved to the supporting text for each site or make a general statement made under POLICY 2F: COMMON CRITERIA FOR ALLOCATED SITES.</p> <p>The common criteria were removed from all noted policies except 2K (was 2L at the Reg. 14 stage). There was no need to move it to supporting text or Policy 2F since criteria for the provision of affordable housing are already covered in Policy 2D.</p>

			In the case of Policy 2K affordable housing is required as the site area is greater than 0.5 hectares as noted in the comment to P2L.1, page 53 of the Plan
P2G.3; P2I.3; P2J.3; P2Q.3	<p><i>"Therefore, under no circumstances shall viability be accepted as a reason to vary those criteria".</i></p> <p>This is considered to be prescriptive as there may be unforeseen changes to costs / market conditions etc. This applies to all policies where there is a reference to this.</p> <p>Agreed (but noted this applies to all site allocation policies 2G-2Q, and to point T2x.2 of supporting text rather than to policy text as noted in this comment</p>	Not in line with the NPPF.	<p><i>"Therefore, under no only under exceptional circumstances will be viability be..."</i></p> <p>Supporting text of site allocation policies changed as suggested</p>
T2G.1; T2I.1; T2J.1; T2K.1; T2L. 1; & T2J.1	<p>If there is an issue about the deliverability of these sites, they should not be allocated.</p> <p>In discussion it was agreed that the NPPF allows "developable" sites outside the first 5 years of a Plan</p>	Para 16 requires sites to be deliverable (NPPF).	<p>Remove allocation if not deliverable.</p> <p>No change required</p>
POLICY 2G: SITE ALLOCATION STNP1: GRANGE FARM, CHEQUERS LANE			
p40, P2G.1	<p>Suggest 'maximum' be replaced with 'approximately'.</p> <p>In discussion it was agreed that given the weight of evidence provided for the allocated sites, the flexibility implied by use of "approximately" is not appropriate. Hence it will not be added. It was further agreed that the word "maximum" is superfluous</p>	Policy is too prescriptive.	<p>"...for the provision of a maximum approximately 10 new dwellings on predominantly brownfield land at Grange Farm..."</p> <p>Amended to "...Development of predominantly brownfield land amounting to approximately x hectares at Grange Farm, Chequers Lane, designated as Site STNP1, and as shown on Policy Map 2H, for up to 10 new dwellings ..."</p>
	<p>e) — g) could these not be combined as they are not separate issues?</p> <p>Agreed</p>	Addresses similar issues.	<p>As advised.</p> <p>Combined as suggested.</p>

<p>P2G.1 h)</p>	<p>A full LVIA would not be reasonable on a development of 6 units; a landscape impact compliance statement would be more appropriate.</p> <p>It is that although the site is for 10 rather than 6 dwellings and therefore constitutes “Major development”, it is not of a size that would require Environmental Impact Assessment (EIA) and hence a full LVIA may not be appropriate, notwithstanding that its cost should not be an issue: STNP has obtained a quotation from a qualified landscape consultant to perform individual and cumulative LVIA of a group of 5 sites including this one at a cost of £5400 + VAT.</p> <p>It is not relevant if a development is for 6 or 60 dwellings; it could still have harmful landscape impact if not sited / designed in an acceptable way</p> <p>STNP requested a template and examples of a landscape impact compliance statement, as suggested by the comment. In an email dated 6 December 2019, Breckland Council advised it was unable to provide either and instead suggested reference to the evaluation section of the Breckland Settlement Fringe Landscape Assessment 2007 as a guide. A review of that section shows that it sets out a method based on the guidelines for landscape and visual impact assessment that were current at the time of its preparation. Hence STNP is unwilling to specify a requirement for a landscape impact compliance statement.</p> <p>In accordance with the Guidelines for Landscape and Visual Impact Assessment, 3rd Edition, for developments not subject to EIA, it is reasonable to request a</p>	<p>Viability.</p>	<p>Breckland Council will provide this.</p> <p>The requirement for a full LVIA has been replaced by a requirement for a proportionate LVA</p>
-----------------	---	-------------------	---

	proportionate Landscape and Visual Appraisal (LVA), which is a less onerous assessment of effects)		
POLICY 2H: SITE ALLOCATION STNP2: DISUSED PIGGERY, OFF HILLS ROAD			
p43 P2H.1	<p>An exact measurement of the site should be undertaken.</p> <p>Agreed, ref NPPF paragraph 63 which defines “major development” as being one for 10 or more dwellings, or where the site is “0.5 hectares or more in area”. The owner of site STNP2 has provided measurements of the part of the site to be used for housing of 63 x 43m. In addition, the site access road will be approximately 70m long by 4.5m wide. Hence the total site area = to be 0.30 hectares. Therefore, the affordable housing criterion does not apply</p>	If the site is over 0.5ha then in line with current NPPF, affordable housing will be required.	<p>Determine for certainty whether the site is under or over 0.5ha.</p> <p>Site area amended in Policy</p>
T2H.5	<p>If there is a risk of asbestos why is there no requirement for a Ground Contamination Risk Assessment, when this is required for other sites with this issue?</p> <p>It has been agreed with the site owner that a Ground Contamination Risk Assessment will be added</p>	Consistency	<p>As advised.</p> <p>Criterion added to Policy as follows:</p> <p>“A Ground Contamination Risk Assessment shall be provided with the planning application, based on a full intrusive ground investigation, and shall set out in detail all measures required to eliminate identified risks;”</p>
POLICY 21: SITE ALLOCATION STNP4: LAND AT THE JUNCTION OF POUND HILL AND PAGE'S LANE			

p45, P2I.1 f)	<p>A full LVIA would not be reasonable on a development of 13 units; a landscape impact compliance statement would be more appropriate.</p> <p>See P2G.1h)</p>	Viability.	<p>Breckland Council can provide this.</p> <p>The requirement for a full LVIA has been replaced by a requirement for a proportionate LVA</p>
POLICY 2J: SITE ALLOCATION STNPS: LAND TO THE EAST OF POUND HILL			
p48, P2J.1 g)	<p>A full LVIA would not be reasonable on a development of 12 units; a landscape impact compliance statement would be more appropriate.</p> <p>See P2G.1h), but note this site has subsequently been removed from allocation following independent masterplanning studies and a professional review of its landscape impact</p>	Viability.	<p>Breckland Council can provide this.</p> <p>Site removed from allocation so comment is no longer applicable. Hence no action is required on it</p>
POLICY 2K: SITE ALLOCATION STNP6: LAND AT THE JUNCTION OF POUND HILL AND PAGE'S LANE			
p50 P2K.3 [JH]	<p>An exact measurement of the site should be undertaken.</p> <p>A survey confirmed the exact site area to be 0.488 hectares (see drawing below), therefore affordable housing is not required, but note this site has subsequently been removed from allocation following independent masterplanning studies and a professional review of its landscape impact</p>	<p>If the site is over 0.5ha then in line with current NPPF, affordable housing will be required.</p>	<p>Determine for certainty whether the site is under or over 0.5ha.</p> <p>No change to policy required (also policy deleted for other reasons)</p>

p50, P2K.1 d)	<p>A full LVIA would not be reasonable on a development of 6 units; a landscape impact compliance statement would be more appropriate.</p> <p>See P2G.1h), but note this site has subsequently been removed from allocation following independent masterplanning studies and a professional review of its landscape impact</p>	Viability.	<p>Breckland Council can provide this.</p> <p>Site removed from allocation so comment is no longer applicable. Hence no action is required on it</p>
	<p>e) & f) could these not be combined as they are not separate issues?</p> <p>Agreed, but note this site has subsequently been removed from allocation following independent masterplanning studies and a professional review of its landscape impact</p>	Addresses similar issues.	<p>As advised.</p> <p>Combined as suggested, but policy subsequently deleted for other reasons</p>
TP2K.6 & 9	<p>Are duplicate, with the latter containing more information.</p> <p>Agreed. Note that the comment applies to T2K.6 & 9</p>	Duplication.	<p>Delete para TP2K.6.</p> <p>T2K.6 deleted. Following points renumbered accordingly, but policy subsequently deleted for other reasons</p>
POLICY 2L: SITE ALLOCATION STNP7: PAGE'S FARM			
p53 P2L.1	<p>The site is over 0.5ha. It is therefore required to deliver affordable homes in line with NPPF, as are all sites of over 0.5ha.</p> <p>Agreed</p>	Para 63 (NPPG) states affordable housing should not be sought on sites that are not major (0.5 hectares or more.	<p>Change paragraph to reflect that affordable housing will be required on this site.</p> <p>A requirement for no fewer than two affordable homes has been added</p>

P2L.1 i)	A full LVIA would not be reasonable on a development of 8 units; a landscape impact compliance statement would be more appropriate. See P2G.1h)	Viability.	Breckland Council can provide this. The requirement for a full LVIA has been replaced by a requirement for a proportionate LVA
	f) — h) could these not be combined as they are not separate issues? Agreed	Addresses similar issues.	As advised. Combined as suggested
POLICY 2M: SITE ALLOCATION STNP9: OVINGTON ROAD			
p57, P2M.1	Concern has been previously expressed about the low density of this site. In response mention was made about <i>"part of the site being at high risk of surface water flooding"</i> . Agreed. Also note this is a developer proposal and therefore must be deemed viable		Reference to the low density should be made in para T2M.6. Supporting text has been added as follows: “The low housing density on this site is justified by the following underlying factors: a) Part of the site is at high risk of surface water flood risk; b) Concerns raised by the Local Highways Authority with regard to highway access for a greater number of dwellings and a need to provide a pedestrian pavement in that circumstance where land is not readily available for that purpose; c) The developer’s wish to provide houses with larger gardens.”

	g) & h) could these not be combined as they are not separate issues? Agreed	Addresses similar issues.	As advised. Combined as suggested
POLICY 2N: SITE ALLOCATION STNP13: HILL FARM			
POLICY 20: SITE ALLOCATION STNP14: CROFT FIELD			
p60	We welcome the realignment of this site. Noted		No action required
P20.1	Criteria g) is also found in Policy 2F. Agreed (noted that comment also applies to criteria (e) (f) and (k))	Duplication.	Delete Criteria g). Criteria (e), (f), (g) and (k) deleted
POLICY 2P: SITE ALLOCATION STNP15: 8 RICHMOND ROAD			
P2P.1 f)	A full LVIA would not be reasonable on a development of 8 units; a landscape impact compliance statement would be more appropriate. See P2G.1h) Note: Development is for a total of 17 houses rather than 8	Viability.	Breckland Council can provide this. The requirement for a full LVIA has been replaced by a requirement for a proportionate LVA
POLICY 2Q: SITE ALLOCATION STNP16: RICHMOND HALL			
p64	The Plan may need to say more about the future management and maintenance of the large tract of amenity land (i.e.: who and for how long etc). This could result on viability challenges if combined with Affordable housing and other necessary developer contributions. as well as the mix and type of housing required by other policies in this Plan. See discussion points below.	Clarity.	As advised. Following discussion and further review by Breckland Council's legal team, no planning measures to enforce the provision of the amenity land by a developer of site STNP16 who was not the owner of the amenity land could be established Instead the allocation policy includes a requirement not to prejudice provision of the

	<p>In discussion it was clarified that the amenity land will not be linked to the sale of the land allocated for housing, nor will it be gifted to the Parish Council. It will remain in the ownership of the landowner who will continue to live adjacent to the development site. As such continuance of public access could only be achieved via the deeds of the landowner's property.</p> <p>At present access to the amenity land is limited to pedestrian access, no provisions are made for parking</p> <p>Designation as a Local Green Space was agreed to be inappropriate due to the amenity land area (approximately 9 hectares) and the fact that it does not currently function as a Local Green Space</p>		amenity land, and the latter is now covered separately in a new policy
<p><u>DISCUSSION POINTS FOR STNP MEETING WITH S HEINRICH 15 OCTOBER 2019:</u> The land will stay in the ownership pf the present owner, whereas STNP16 itself will most likely be sold to a developer.</p> <p>The amenity land is thus linked with the existing property rather than the development site and so presumably conditions would have to apply to the deeds of the property / land, which the Plan cannot dictate. What conditions, if any, could be applied to planning permission?</p> <p>The Parish Council would not take on responsibility for the land, even were it to be offered to it (which it is not)</p> <p>Please advise possible solutions to this and how we might suggest the landowner resolves it</p>			
	<p>Criteria b) — reference has been made to the wrong Map.</p> <p>Agreed</p>	Typo.	<p>Amend Map reference to 2Q, not P.</p> <p>Amended accordingly as have been several other incorrect references</p>

P2Q.3	<p>Subject to viability.</p> <p>Clarified that this refers to the viability requirement in T2Q.2</p>	Not in line with the NPPF.	<p>Add, unless it is otherwise proven through a detailed and substantiated viability appraisal that this is proved unviable.</p> <p>Paragraph has been amended as for comment to P2G.3; P2I.3; P2J.3; P2Q.3, i.e. "Therefore, under no only under exceptional circumstances will be viability be..."</p>
POLICY 3A: DESIGN			
p68	<p>While we support the principal of a design policy, concern remains about the lack of detail applicable to Saham Toney. This policy needs to be more self-contained e.g. include reference in the plan to Saham's actual '<i>distinctive character</i>' and '<i>vernacular styles</i>'. As a minimum, this should be provided in the supporting text rather than reference to supporting documents, which do not have the same planning status e.g. not part of the 'development plan'.</p> <p>Agreed</p> <p>This was discussed further at a meeting Breckland Council's Neighbourhood Planning Coordinator and a Policy officer on 17 January 2020 to discuss comments they made to a provisional update of Policy 3A</p>	Clarity.	<p>In the policy "... <i>in a manner that reflects the varied local context...</i>" and supporting text make reference to either the range or predominant styles in the villages to provide a context for the policy in the development plan itself.</p> <p>N.B. Guidance on material types is provided in the supporting text.</p> <p>Design policy and supporting text revised accordingly. In doing so the National Design Code published 1st October 2019 and accompanying planning practice guidance have been taken into account</p> <p><u>Note:</u> As a result of post-consultation comments received from the Council's officers and subsequent discussion of those, the Village Design Guide was also updated. Those additional comments are included at the end of this set of comments and responses</p>

	<p>Also it has been accepted that there is an overlap with the Local Plan policy, (GEN 2 Promoting High Quality Design Policy and Policy COM 01 Design).</p> <p>This should be removed so that the policy focuses on the unique elements that are relevant to the plan area.</p> <p>Agreed</p>	<p>Para 16 f) "... <i>avoiding unnecessary duplication of policies that apply to a particular area....</i>" (NPPF).</p>	<p>As advised.</p> <p>Design policy and supporting text revised accordingly. In doing so the National Design Code published 1st October 2019 and accompanying planning practice guidance have been taken into account</p>
P3A.1	<p>The policy should make it clear that this will be achieved how by the requirement in para T3A.2, 1st sentence. However, will the requirements of the rest of this policy, except those in P3A.5 & P3A.8, be expected to be achieved?</p> <p>Agreed</p>		<p>Move requirement for a statement in the 1st sentence, from the supporting text to the policy.</p> <p>Requirement for a statement moved to the policy as advised</p>
T3A.1	<p>A summary of the 'guiding principals' of the Saham Toney Village Design Guide (April 2019) should be included in the Plan to have more weight.</p> <p>Agreed</p>	Clarity.	<p>Include in an Appendix to the Plan.</p> <p>Added as Appendix A to the Plan</p>
T3A.4	<p>Format: Amendment to the text is required.</p> <p>Agreed</p>		<p>Reference should be made to 'Policy 3A'.</p> <p>Amended accordingly</p>
POLICY 3B: DENSITY OF RESIDENTIAL DEVELOPMENTS			
p71, P3B.1	<p>1st sentence has a word missing.</p> <p>Should it also clarify the density shall reflect the density of the areas adjacent to the site as identified in table and map 3B.1 of the policy?</p> <p>Agreed</p>	Clarity.	<p>Add 'area' after 'immediately surrounding'; and "... <i>and shall reflect the data on existing densities as set out in Table 3B.1 and Density Areas Map 3B.1.</i> "</p> <p>Missing word added</p>

Table, [AD]	The number of areas here is less than on the subsequent table T3B.5 and Map 3B.1 and it is not clear why? It was confirmed that as published, there are 19 areas in both tables and on the map.	Clarity.	Requires clarification. To assist readers' understanding P3B.1 has been amended to "...existing densities provided for the 19 areas listed below in Table 3B.1"
T3B.1a	See earlier comment on MM159 (p19, 6.3.6 (c)). Agreed		Although the comment was agreed, Breckland Council subsequently published a 'clean' version of the Local Plan, with all 'MM' references removed. Hence such references were also removed throughout from the Neighbourhood Plan
POLICY 3C: SITE ACCESS AND ON-SITE STREETS			
	The title appears incomplete. The title is as intended but we are willing to modify it	Clarity.	Add 'Layout' to the end of the title. Title amended as suggested
T3C.9 10	Reference to use of conditions would be more appropriate if it was located in the implementation section (T3C.1-4). Agreed	Clarity.	As advised. Two points moved to the implementation section as suggested and other points renumbered accordingly
POLICY 3D: PARKING			
p78, P3D.1 d)	This would benefit from further clarification. Agreed	Clarity.	"Each individual bay in a cluster of parking bays should be designed for no more than be sized for a maximum of 4 or 5 vehicles Wording amended as suggested
P3D.1 j)	This incorrectly appears to give equal status to both documents, and does not clarify that the emerging Local Plan holds more weight. Delete reference to County Council document in the policy & move to supporting text. Agreed	Clarity.	"...incorporated in accordance with the guidance given in Appendix 2 of the emerging Local Plan and the most up to date version of Norfolk County Council's document "Parking Standards for Norfolk";

			Amended as suggested
T3D.9	<p>FORMAT - There is an extra line space in the para.</p> <p>Agreed</p>		<p>As advised.</p> <p>Line space deleted</p>
POLICY 3E: DARK SKIES PRESERVATION			
P3E.1 c.	<p>c) This is not appropriate to include in a development plan as this is an operational matter which the county has responsibility for.</p> <p>Agreed</p> <p>N.B. This will have implications for the text in T3E.2 b) & c).</p> <p>Not agreed. Text in T3E.2.b) &c) does not refer to lighting-up times but relates to specific times of day/night regardless of dusk/dawn times</p>	Enforceability.	<p>Delete criteria.</p> <p>Criterion (c) deleted</p>
	<p>Format - to be consistent with the rest of the plan, in the criteria, replace the full stops with a right hand side bracket.</p> <p>Agreed</p>	Format.	<p>As advised.</p> <p>Format amended as suggested</p>
T3E.6	<p>N.B. This text is not consistent with, and less restrictive than, Policy 3E c).</p> <p>Agreed</p>		<p>Policy text P3E.1 c deleted as comment above. T3E.6 moved to the implementation section as it refers to a potential planning condition. Other points renumbered accordingly</p>
POLICY 4: NON-RESIDENTIAL DEVELOPMENT			
p81, P4.1	<p>The use of the word 'severe' is not typical planning phrasing, so it is not clear what this means.</p> <p>Agreed</p>	Clarity.	<p>Replace with 'significant'.</p> <p>Wording changed as suggested</p> <p>Note: Additionally, outside the Council's comments the following has been added to the policy's implementation text as a result of a suggestion to the Council by "Planning for Pubs"</p>

			“Regarding the Old Bell Inn, from 23rd May 2017, under the General Permitted Development (England) (No 2) (Amendment) Order (SI 2017/619) all Permitted Development Rights for public house changes to non-pub uses and demolition were removed, and now require specific permission.”
P4.4	<p>This is a statement, not policy and should be moved to the supporting text.</p> <p>Agreed</p>	Phrasing.	<p>As advised.</p> <p>P4.4 moved to supporting text as suggested</p>
POLICY 5: SAHAM TONEY RURAL GAP			
p83, P5.1	<p>While we support the principal of the Strategic Gap, there remains concern about the extent of the gap on the west side in relation to the evidence provided.</p> <p>Agreed. Note the terminology used is “Rural Gap” rather than “Strategic Gap”</p>	There is limited no development pressure in this area.	<p>Reduce Strategic Gap on the west side to the commercial site on Brandon Road.</p> <p>Rural Gap reduced as suggested</p>
Evidence Map 5.4	<p>The Commercial site (in blue) on Brandon Road extends further north (³/₄ up the site) rather than half way up as indicated on the map — see site on Google Maps.</p> <p>In discussion of the comments it was agreed that the Plan map is correct as shown below</p>	Accuracy.	<p>Amend as advised.</p> <p>No change required</p>



From Google Earth (Parish boundary: _____)

POLICY 6: HERITAGE ASSETS			
p92, P6.5	Clarification is required regarding who makes the decision. Agreed	Clarity.	<i>"Where a need for field evaluation is identified by Breckland Council, a planning condition shall be agreed..."</i> Text amended as suggested

p93,16.1-4	The text needs to be clear about what type of heritage asset is being referred to as occurs in T6.6 e.g. designated or non-designated or both. Agreed	Clarity.	As advised. Wording of P6.1-4 clarified as suggested
p95, T6.11	The archaeological interest of an asset is already known; but not that of a site or area, as it may not have been previously assessed. Agreed	Clarity.	<i>"Where an asset a site or area, is thought to have archaeological interest, the potential knowledge..."</i> Text amended as suggested
p95, T6.16 Glossary of terms	'Heritage Asset' should read 'non-designated heritage asset'. Agreed Also it would be useful to have a Glossary for the whole plan and not just the Heritage assets. Will consider this	Clarity.	Amend as advised. Term amended as advised A glossary for the whole plan has been added as section 9 (and the Heritage glossary deleted as a result, since its terms are now included in the main glossary)
p99, Policy Map 6A-C	Why is numbering 52 -59 and 22 - 258 etc? Does this reflect the County Council register? This matches the Saham Toney Heritage Asset Register, which has blocks of unused numbers set aside for possible additions in future		Requires clarification. A clarification note as to the source of the numbering system has been added to each of the 4 policy maps
POLICY 7A: LANDSCAPE CHARACTER PRESERVATION AND ENHANCEMENT			
p101, P7A.5	A full LVIA would not be reasonable for small developments in this location. On small sites a landscape impact compliance statement would be more appropriate. See P2G.1h)	Viability.	Breckland Council can provide this. The requirement for a full LVIA has been replaced by a requirement for a proportionate LVA in policy text, with additional supporting text
POLICY 7B: KEY VIEWS			

p108, P7B.1	1" sentence is a statement and add nothing to the policy. <i>Agreed</i>	Phrasing.	"Key views shall be respected." First sentence deleted as advised, but to provide a framework for proposals which adversely impact key views, the following text has been adopted: "Development proposals shall seek opportunities to preserve, incorporate and where possible enhance the Key Views listed below and shown on Policy Map 7B, and their landscape setting. Development proposals which adversely impact on these key views will not be supported."
T7B.2	Why has no strategy been provided for views 2, 3, 6 & 9; are they less significant? <i>Will make additions</i>	Clarity.	Consider providing advice. <i>Advice added for Key Views 2, 3, 6 and 9 as suggested</i>
POLICY 7C: LOCAL GREEN SPACES			
p121	Include the evidence for the Local Green Spaces against the requirements in para 100 (NPPF) in a table in the supporting text. <i>Agreed</i>	Previous independent examiners requirement.	As advised. <i>Table of summary evidence added with reference to the Evidence Base for further detail</i>
POLICY 7D: BIODIVERSITY AND HABITATS			
p124	N.B. There is concern that there should there be a greater clarity between the different types of natural environment designation and the protection awarded. <i>Agreed to add clarification to supporting text (Ref NPPF para 171)</i>	Clarity.	As advised. <i>Implementation text has been added as follows: "Regarding the hierarchy of designated sites: a) There are no internationally designated sites in the Neighbourhood Area;</i>

			<p>b) There are no nationally designated sites in the Neighbourhood Area;</p> <p>c) A small area in the south-west of the Neighbourhood Area forms part of a locally designated 1500m buffer zone for a Breckland stone curlew Special Protection Area. In accordance with the emerging Local Plan, Policy ENV03 development within this zone will not normally be permitted.</p> <p>T7D.5 The remainder of the Neighbourhood Area is undesignated and therefore the requirements of P7D.3 apply equally to all other locations. It is not the intention of P7D.3 to prevent development per se, but rather to ensure that suitable mitigations and compensatory measures are included in proposals where biodiversity and habitats may be adversely affected. Where necessary this shall be ensured by planning conditions.”</p>
p126-32, Maps	<p>Most of the Keys on these maps are too small to read and need increasing in size.</p> <p>Agreed</p>	Clarity.	<p>As advised.</p> <p>All maps replaced by new ones at a larger scale and with larger, clearer legends</p>
POLICY 7E: GREEN INFRASTRUCTURE			
p133, P7E.4	<p>Criterion P7E.4 & 5 would be better placed in Policy 3A Design.</p> <p>Agreed</p>	Clarity.	<p>As advised.</p> <p>Criteria P7E.4 & 5 moved to Policy 3A Design as advised</p>
POLICY 7F: TREES AND HEDGES			

p135, P7C.6	<p>All parts of the retained trees should be protected, not just the roots.</p> <p>Agreed</p>	As Per recommendations BS5837:2012.	<p><i>"All retained trees and hedges that could be implicated by the development shall be protected as defined in item 5.5 of BS5837:2012 Trees in relation to design, demolition and construction".</i></p> <p>Text amended as suggested, but with specific reference to the whole of sections 5-7 and Appendix A, rather than just item 5.5 of the British Standard, since the whole of those sections of the standard deal with protection, while 5.5 relates specifically to preparation of a tree protection plan.</p>
MONITORING AND UPDATE OF THIS NEIGHBOURHOOD PLAN			
	<p>Title would benefit from amending.</p> <p>Agreed</p>		<p>MONITORING AND UPDATE OF THEIS NEIGHBOURHOOD PLAN</p> <p>Amended as advised</p>
	<p>N.B. As monitoring is the responsibility of Breckland Council, it would be useful if the Indicators and Targets were checked to be consistent with those in the Annual Monitoring Report.</p> <p>See discussion points below</p> <p>The objective of monitoring is to establish the effectiveness of the Neighbourhood Plan policies. Indicators and targets must therefore be specific to the Neighbourhood Plan policies, not those of the Local Plan.</p> <p>Breckland Council already monitors on a district-wide basis to the AMR indicators and targets, so it is unclear how doing the same specifically for Saham Toney would add value.</p>	Consistency.	<p>As advised.</p> <p>Text has been added to clarify the difference between the monitoring proposed and that already carried out by the Council:</p> <p>"The effectiveness of this Plan's policies and the manner in which they are applied by the Local Planning Authority will be monitored by Saham Toney Parish Council against the indicators listed in 8.4. Such monitoring will be carried out on an ad hoc basis, and is not intended to duplicate the annual monitoring undertaken by Breckland Council, which has a somewhat different purpose and focuses on district-wide topics."</p>

	<p>Even if Saham Toney Parish Council wished to use the AMR indicators and targets it would not have the resources to gather and collate much of the information included in the AMR.</p> <p>In a meeting to discuss the comments on 15 October 2019, it was agreed that STNP may monitor the Plan to criteria it deems appropriate and that the Council will continue its own work with respect to its Annual Monitoring Report</p>		
--	--	--	--

APPLICABILITY OF NPPF REFERENCES (2nd comment to whole plan)

6.2 (concerned with consultation with the Parish Council), para's 39-46: correct to 2019 (pre-application engagement)

6.3.4 General reference to NPPF principles, no specific paragraphs note, so correct to 2019

T2C.1 (concerned with residential housing exceptions), para. 79: correct to 2019 (deals with rural home exceptions)

T2E.3 General reference to the NPPF for definition of affordable housing: worded to refer to the most up to date version, therefore correct

T2E.10 (concerned with housing mix), section 5 of NPPF: correct to 2019, (deals with delivering a sufficient supply of homes which includes requirements relating to size, type and tenure of housing)

T2G.1, T2H.4, T2I.1, T2J.1, T2K.1, T2L.1, T2M.3, T2N.3, T2O.3, T2P.3, T2Q.3, T3A.4, reference to NPPF glossary: worded to refer to the most up to date version, therefore correct

T3A.6 (concerned with design), para 124 and the whole of section 12: correct to 2019 (deals with good design and in general achieving well designed places)

T3A.9 (concerned with "Building for Life"), para 126: correct to 2019 (deals with design guides and codes)

T3C.12 (concerned with site access and on-site streets), para 102(e): correct to 2019 (deals with patterns of movement, streets)

T3D.2 (concerned with parking), para 105: correct to 2019 (deals with local parking standards)

T3B.1 (concerned with site densities), para's 122c & d, 123: correct to 2019 with reference to achieving appropriate densities

P6.2 General reference to "NPPF (2018) or any of its successors": although "successors" covers the 2019 version; this will be corrected to state "the most up to date version of the NPPF"

P6.3 General reference to the NPPF, no specific paragraph or section noted: correct as by definition it refers to the most up to date version

T6.12 (concerned with heritage assets, specifically archaeological records), para 199: correct to 2019 (deals with recording the significance of heritage assets)

T7C.1 (concerned with managing development in Local Green Spaces): correct to 2019 (deals with managing development in Local Green Spaces)

T7C.3 (concerned with Local Green Spaces), para 100: correct to 2019 (deals with Local Green Space designation)

T7D.5 (concerned with impact on biodiversity and habitats), para 175: correct to 2019 (deals with harm to habitats and biodiversity)

T7D.6 (concerned with wildlife corridors), general reference to NPPF aims with respect to maintaining a coherent ecological network: correct to 2019 (see para 170d, which will be added to the reference)

T7E.6 (concerned with provision of green infrastructure), para 20: correct to 2019 (deals with conservation and enhancement of green infrastructure)

T7E.7 (concerned with the provision of safe and accessible green infrastructure), para 91: correct to 2019 (deals with supporting healthy lifestyles, citing access to green infrastructure as one example)

T7E.8 (concerned with the contribution of green infrastructure to tackling climate change), para 150: correct to 2019 (notes green infrastructure planning as one means to manage climate change risks)

T7E.9 (concerned with a strategic approach to green infrastructure), para 171: correct to 2019 (deals with taking a strategic approach to green infrastructure)

T7E.10 (concerned with green infrastructure's contribution to improving air quality), para 181: correct to 2019 (notes the contribution of green infrastructure to improving air quality)

T7F.8 (concerned with the loss of ancient woodland or ancient or veteran trees), para 175: correct to 2019 (deals with the loss of ancient woodland or ancient or veteran trees)

T8.11 (concerned with flood risk assessments), para 163 and 164: correct to 2019 (deals with flood risk assessments)

T8.22 (concerned with directing development away from high flood risk areas), para 155: correct to 2019 (deals with directing development away from high flood risk areas)

T8.23 (concerned with development not increasing flood risk elsewhere), para 163: correct to 2019 (deals with development not increasing flood risk elsewhere)

8.1 general reference to the NPPF with respect to future reviews of the Neighbourhood Plan: correct as by definition it refers to the most up to date version

ADDITIONAL COUNCIL COMMENTS ON POLICY 3A: DESIGN (AND THE VILLGE DESIGN GUIDE) RECEIVED 24 DECEMBER 2019:

Approach

Your approach was to create a Landscape and Character Appraisal leading to:

- Village Design Guide written based on the Landscape and Character Appraisal
- Design Policy drawn from the Village Design Guide.

The Landscape and Character Appraisal is very thorough and the Village Design Guide is very detailed and a great deal of work and consideration has gone in to it, but it reads as a prescriptive list of dos and don'ts. It is also not an easy document for a potential developer to follow and to gauge what sort of development you actually want to see in Saham Toney as there is more about what you don't want to see.

A review of the design guides in light of the National Design Guides would help to bring out the most salient points and discard those over-prescriptive or negative aspects.

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/843468/National_Design_Guide.pdf

(N.B. There are a number of illustrations to demonstrate a “good” or “bad” example within the Design Guide - it might be better if the “bad” examples are not from the village, but to use anonymous examples or drawings to illustrate those design examples which you feel have failed)

Overall

As you will be aware, the policies in the Neighbourhood plan have to be in line with the Strategic policies in the Breckland Local Plan and take account of the NPPF. They should also be relevant and specific Saham Toney policies, but some of them are a bit generic. As previously advised, if the policies already exist in the local plan or NPPF, there is no need to repeat them in the Neighbourhood plan.

Have a look at the Neighbourhood plan for Histon and Impington in Cambridgeshire to see how they made their village central to the design policy and what they wanted to achieve from it.

<https://www.scambs.gov.uk/media/13438/histon-impington-neighbourhood-plan-submission-version-31-may-19.pdf>

Language: It needs to be clear and precise and backed up by evidence from your public engagement and evidence. Avoid over generalised statements e.g. “All proposals shall be guided by the Village Design Guide...” Not all proposals would be covered by the design guide e.g. Change of Use. Also, a reference to ‘where appropriate’ offers some flexibility (para11 a) NPPF).

P3A.1 General. Set the context of the policy regarding what you want to achieve in design of new development in Saham Toney.

- Set out requirements for new development in Saham Toney
 - Inform and guide those decisions for Saham Toney
 - Ensure multitude of individual decisions add up to something coherent for the whole of Saham Toney
- The Village Design Guide is not policy or carry the weight of policy; it’s evidence which has the status of a ‘material consideration’.

P3A.2 Local Context: Set the actual scene of Saham Toney in terms of its core design principles. What are these? Which design principles are most important? Your landscape appraisal talks about how the character of the village has been diluted somewhat by 20th century and the “better quality maybe more distinctive character” designs are being lost amongst more recent designs.

P3A.3 Local Vernacular: *“Design proposals shall be locally distinctive and incorporate the Neighbourhood Area’s vernacular styles and materials”*. There are 6 village character areas with very different architectural styles within them so you need to be more precise on what you are asking for here e.g. VCA 2 Bell Lane is very different from VCA3- Do you want more of the same in VCA2?

P3A.4a Local Integration: This needs to be expanded here. Explain why this is important and the reasoning for this in the supporting text.

P3A.4b Local Integration: *“Provide good connectivity with the existing neighbourhood for pedestrians and cyclists”*. Do you have any information/maps on the current connectivity within the village that can be added to the supporting text?

P3A.5: Built Form: Better to put in a policy about height and massing and to relate to surrounding character rather than talk about the number of storeys.

P3A. 6 Layout and Landscaping: State what particular issue of layout and landscaping you wish to address which is relevant to Saham Toney.

P3A.6b Incorporate attractive and coherent boundary treatments which reflect the local vernacular: The design guide doesn't state exactly what local vernacular boundary treatments are. Need to give examples to follow so it is clear what you are asking for in the supporting text.

P3A.6c In case of residential proposals include appropriate rear garden spaces: Need to state what is an appropriate rear garden space and why is this important to Saham Toney in the supporting text.

P3A.7 Quality and Security of Design: There are two separate points here which would be better as separate policies.

Building for Life 12 covers a wide range of areas. This should be in a general policy unless you are referring to a particular aspect here - perhaps under P3A.9 Sustainability and design and why is this important to Saham Toney refer back to your evidence gained from public engagement or expert report

Crime and Community Safety- Is there a problem with crime and safety in Saham Toney? If so what type? Need to provide the context in the supporting text.

P3A.8 Respect for the historic environment:

a) *"Make use of opportunities there may be to enhance or better reveal the significance and setting of the historic environment"*. Need to be clearer and more precise about what you want to achieve in this policy.

b) *"Not materially impact the significance of any building defined"*. I am unclear about the aim of this policy. If it is a listed building it will require separate Listed Building planning permission.

P3A.9 Sustainable construction and design: Look at Resources chapter of the National Design Guide to help with this section.

P3A.10 A safe, healthy and inclusive environment: These points seem to have been lifted from elsewhere and are not connected to each other. Have a look at 'Homes and Buildings' chapter in National Design Guide to help you. Think what the significance of this is for Saham Toney.

Supporting Text - Implementation:

T3A.2 - What do you want to see included in a design and access /planning statement? The Village Design Guide needs to guide the design process for a development in the village, consequently this process and the resulting design needs to have a rationale which is shown in the design and access statement.

T3A.4 - You seem to state here that you want more developments to mimic pre 20th century design, which could lead to pastiche development. Reword this to *"enhance"* the immediate surrounding area.

T3A.5 - Is there a need for a specific policy on 3 storey housing? Has Saham Toney suffered from a number of inappropriately tall building applications? Would be better to add a policy about height and massing.

T3A6 - If there are particular heritage assets within the village, you may wish to write a policy for them, with regards to any potential development near to it.

T3A.7 - Any S106 developer contributions is decided at council level and contributions should normally relate to the provision of facilities and not services.

Supporting Text - Key facts:

T3A.8 - This contradicts policy P3A.3 where it asks for development to be locally distinctive and respond to the local vernacular style. However, here it states there is no distinctive style but a variety of styles – this needs clarifying.

T3A.9 - Pattern of Development. This is better explained pictorially for each of the Village Character areas and write a policy which corresponds to it. Also a separate policy for infill development would be useful.

T3A.10 and 11 and 12 - are descriptive and provides context to your policies, but this needs to be better reflected in the policies.

The design policy/guide comments were discussed the Breckland Council's Neighbourhood Planning coordinator and a planning policy officer at a meeting on 17 January 2020, and the comments and discussion points were addressed in the updates of Policy 3A, appendix of the Plan and the Village Design Guide

That updated version of Policy 3A was informally reviewed by Breckland Council planning officers. Comments to the updated policy were received on 29 May 2020. Those comments, STNP's responses to them and the actions taken to address them are given in the table below, which for reference, is followed by the version of the policy reviewed.

Page and Policy/ Paragraph No	Comment and suggested amendments	Suggested Amendments
General comments	The use of the word ‘shall’ – as previously advised, this is very prescriptive and does not provide the flexibility required by planning e.g."11 a) plans should ... be sufficiently flexible to adapt to rapid change;..." (NPPF)	Amend to ‘should’, except in para P3A.9 and z) where ‘will’ is more appropriate, but delete ‘as a minimum’.
STNP RESPONSE: It is disputed that in the context of a design policy, use of the word “shall” prevents the Plan from being ‘sufficiently flexible to adapt to rapid change’ in accordance with NPPF para. 11a It is disputed that use of the word “shall” in the context of a design policy is ‘very prescriptive’ Each use of the word “shall” in the policy (as reviewed), is analysed below: <u>P3A.1 “All proposals shall be guided by the most up to date version of the Saham Toney Village Design Guide”:</u> Read in its full context ‘shall be guided...’ is non-prescriptive because ‘guided’ provides ample flexibility		STNP ACTION TAKEN: The following policy wording changes will be implemented: P3A.6 b) Design and layout shall: <u>Wherever possible</u> , increase the area of habitats that sequester and store

<p><u>P3A.2a</u> <i>“New development shall respond positively to, and where possible...”</i>: Both ‘respond positively’ and ‘where possible...’ are non-prescriptive and provide ample flexibility</p> <p><u>P3A.2b</u> <i>“New development shall retain rural spaces between existing village settlement clusters to avoid their coalescence.”</i>: Since no specific areas or distances to be retained are specified, flexibility exists. The requirement is based on the findings of the Saham Toney Parish Landscape Character Assessment, 2019, which highlights the spaces between existing settlement clusters as crucial to the retention of village character. Hence to specify that they only ‘should’ be retained would be inappropriate, and would not provide the level of character preservation required by the NPPF. ‘Shall’ ensures they are retained, but the remainder of the criterion leaves flexibility in doing that</p> <p><u>P3A.3</u> <i>“Design proposals shall be locally distinctive and incorporate Saham Toney’s character vernacular”</i>: Reflects the findings of the Saham Toney Parish Landscape Character Assessment, 2019. If amended from ‘shall’ to ‘should’ design that were neither locally distinctive nor reflective of the character vernacular might be permitted but that would not provide the level of character preservation required by the NPPF.</p> <p><u>P3A.4a</u> <i>“Proposals shall, in the case of settlement edge proposals, give careful consideration to their integration and interface with the surrounding countryside”</i>: ‘...give careful consideration...’ is non-prescriptive and provides ample flexibility</p> <p><u>P3A.4b</u> <i>“Proposals shall where opportunities exist, provide...”</i>: ‘...where opportunities exist...’ is non-prescriptive and provides ample flexibility</p> <p><u>P3A.4c</u> <i>“Proposals shall respect the special rural character of the village lanes...”</i>: “...respect...” is non-prescriptive and provides ample flexibility</p> <p><u>P3A.5</u> <i>“...Any proposal exceeding two storeys shall be accompanied by a proportionate Landscape and Visual Appraisal that demonstrates that no significant visual harm will result.”</i>: It has been agreed in response to consultation comments (see above) that a Landscape and Visual Appraisal is appropriate and acceptable where there is reason to consider there may be harmful landscape impact. Since no buildings in the Neighbourhood Area currently exceed two storeys, any proposal exceeding that would potentially have such impact, and only an appraisal as specified could demonstrate that not to be the case. The criterion states this need only be ‘proportionate’; hence although the requirement is mandatory, it is not prescriptive</p> <p><u>P3A.6a</u> <i>“Design and layout shall: Make use of opportunities to mitigate surface water flood risk by the incorporation of appropriate natural features”</i>: “...opportunities... and appropriate...” are non-prescriptive and provides ample flexibility</p> <p><u>P3A.6b</u> <i>“Design and layout shall: Increase the area of habitats that sequester and store carbon, including through an increase of tree cover”</i>: Agreed, this may be too prescriptive. Revised wording given in the action taken column</p>	<p>carbon, including through an <u>appropriate</u> increase of tree cover</p> <p>P3A.6 d) Where applicable <u>and where opportunities exist</u>, contribute to the enhancement of Key Views</p> <p>P3A.9 Sustainable construction and design: Developments meeting the following criteria <u>will</u> be encouraged and supported:</p> <p>P3A.9 I) Development that gives rise to zero emissions to air <u>will</u> be strongly encouraged, and as a minimum:</p> <p>P3A.9 I) Further evidence will be added to policy supporting text to justify use of “...as a minimum”</p> <p>P3A.10 e) <u>Wherever opportunities exist</u>, incorporate design features that provide flexibility and adaptability for all potential residents at all stages of their lives, in line with the ‘Lifetime Homes’ standard</p>
---	---

P3A.6c *“Design and layout shall: Incorporate attractive and coherent boundary treatments which reflect the local vernacular”*: There is no prescription in the details of boundary treatments to be incorporated, nor in the manner in which they reflect local vernacular. Adequate flexibility exists as worded.

P3A.6d *“Design and layout shall: Where applicable, contribute to the enhancement of Key Views”*: ‘Where applicable indicates where covered by Policy 7B, which is not prescriptive in the way such views are to be preserved. ‘...contribute to..’ is also flexible. Amending “Where applicable...” to “Where applicable, and where opportunities exist...” will add further flexibility

P3A.6e *“Design and layout shall: In the case of residential proposals include appropriate rear garden spaces”*: “...appropriate...” is non-prescriptive and provides ample flexibility

P3A.7a See response to specific comment below

P3A.7b Proposals shall *be in accordance with the principles...*: ‘in accordance with the principles...’ is non-prescriptive and provides ample flexibility

P3A.8a *“Design and layout shall: Make use of opportunities there may be to enhance or better reveal the significance and setting of the historic environment”*: ‘Make us of opportunities...’ is non-prescriptive and provides ample flexibility

P3A.8b *“Design and layout shall not materially impact the significance of any building defined in Policy 6 as a heritage asset or its setting; or if such impact would occur, be justified by a proportionate impact assessment and mitigation proposal.”*: It would not be appropriate to potentially permit material impact of a heritage asset’s significance or setting by amending ‘shall’ to ‘should’; nor would that be in accordance with the aims of the NPPF to preserve the historic environment

P3A.9 Use of “will” instead of “shall be agreed (note that “...encouraged and supported...” is non-prescriptive and provides ample flexibility)

P3A.9I Use of “will” instead of “shall agreed

P3A.9I Deletion of “...as a minimum” not agreed. Instead further evidence will be provided to justify this wording

P3A.10a *“New developments shall: Create places where people feel safe and that are easily accessible to all”*: There is complete flexibility in how this criterion is applied, but it is not appropriate to ‘soften’ a requirement for safety and accessibility

P3A.10b *“New developments shall: Incorporate safe and attractive pedestrian routes. Wherever possible, opportunities should be taken to provide pedestrian routes through a development to reduce the need for people to walk along existing roads”*: “Wherever possible, opportunities should be taken...” is non-prescriptive and provides ample flexibility

P3A.10c *“New developments shall: Where practical, along the rural lanes where there is no existing footway in place, provide solutions sensitive to the rural setting and to pedestrian safety (e.g. trod paths)”*: “Where practical” is non-prescriptive and provides ample flexibility

<p>P3A.10d <i>"New developments shall: Be designed, where viable, to be suitable for independent living and built to the accessible and adaptable dwellings M4(2) standard, and take into account the mobility needs of likely building occupants and visitors": "...where viable..."</i> is non-prescriptive and provides ample flexibility</p> <p>P3A.10e <i>"New developments shall: Incorporate design features that provide flexibility and adaptability for all potential residents at all stages of their lives, in line with the 'Lifetime Homes' standard":</i> Agree to prefix this criterion with "Wherever opportunities exist,"</p> <p>P3A.10f <i>"New developments shall: To promote social inclusion, social housing shall not be distinguishable from private housing by its design, nor should it be located in separate blocks or the least attractive part of a site":</i> To allow social housing to be distinguishable by its design by the use of the word "should" would harmfully detract from social inclusion and therefore be unacceptable. As worded, there is complete flexibility as to how this criterion is satisfied</p> <p>P3A.10g <i>"New developments shall: Incorporate an adequate number of suitably located sprinklers":</i> This is a fundamental safety requirement that will not be relaxed. "...adequate number.." provides suitable flexibility</p> <p>P3A.10h <i>"New developments shall: Where applicable and relevant, incorporate adaptations that address specific needs for increased public and individual safety in the face of Covid-19":</i> "Where applicable and relevant..." is non-prescriptive and provides ample flexibility</p> <p>Those criteria that it is agreed to modify are noted in the actions column</p>		
<p>P3A.3 <i>"Local Vernacular: Design Proposals shall be locally distinctive and incorporate Saham Toney's Character Vernacular".</i></p>	<p>From the notes of the meeting last year the aim was to bring to the fore the best architecture in the village and dampen the not so good, equally to avoid pastiche architecture.</p>	<p><i>'Design proposals should be locally distinctive and respond to Saham Toney's Character Vernacular whilst demonstrating chronological progression.'</i></p>
<p>STNP RESPONSE:</p> <p>Substitution of "shall" by "should" is not accepted, for the reason given in response to the previous comment. The additional wording at the end of the paragraph is agreed and will be added, but with the further addition of "where appropriate" since that may not be appropriate or desirable in every case and so, as suggested, could be seen as prescriptive</p>		<p>STNP ACTION TAKEN:</p> <p>Criterion revised as follows:</p> <p>Local vernacular: Design proposals shall be locally distinctive and incorporate Saham Toney's character vernacular, <u>whilst demonstrating chronological progression where appropriate</u></p>
<p>P3A.5 <i>"Built Form..... Any proposal exceeding two storeys shall be accompanied by a proportionate Landscape and Visual Appraisal that</i></p>	<p>Specifying exceeding two storeys above ground as within the design guide at paragraph 7.7 on page 22 - there is reference to sloping sites and creating levels without cut a fill (Fig 22 page 23), this would enable a three storey house with one level underground.</p>	

<i>demonstrates that no significant visual harm will result”.</i>		
<p>STNP RESPONSE: Both the policy criteria and the design guidance have been misinterpreted. Figure 22 of the guide clearly shows a two-storey dwelling with the lower floor ‘cut into’ the slope. If such a solution were adopted with three storeys, one of which was cut into the slope, in accordance with the policy a Landscape and Visual Appraisal would be required as on three elevations the dwelling would be three-storey. To clarify this, the policy will be reworded as shown in the actions column, and additional explanation of policy will be added the design guide will It is noted that the design policy takes precedence over the design guide should such questions of interpretation arise</p>		<p>STNP ACTION TAKEN: Amended policy criterion: P3A.5 Built form: The height, scale and layout of proposals should respond sensitively and complement positive features in the surrounding built form. Any proposal exceeding two storeys <u>above ground level at any of its elevations</u>, shall be accompanied by a proportionate Landscape and Visual Appraisal that demonstrates that no significant visual harm will result.</p>
<i>P3A.6 h) “Incorporate attractive and coherent boundary treatments which reflect the local vernacular”.</i>	Suggest a minor amendment.	<i>‘Incorporate attractive and coherent boundary treatments which reflect or enhance the local vernacular’.</i>
<p>STNP RESPONSE: Amendment agreed. Note the criterion in question is actually P3A.6 c)</p>		<p>STNP ACTION TAKEN: P3A.6 c) Incorporate attractive and coherent boundary treatments which reflect <u>or enhance</u> the local vernacular</p>
<i>P3A.7“Quality and security of design: Proposals shall: k) be assessed and show to perform positively against Building for Life 12;”</i>	Building for Life 12 contains 12 design principles and a development is attributed how well it performs against each by a traffic light system of red, amber and green with the aim of achieving 9 out 12 greens (although this criteria varies) It is mainly used at pre-app stage for developments of 10 or more houses to aid discussion about improving the design rather than a judging tool for the final design i.e. it’s a process tool.	Need to be more specific in its use.
<p>STNP RESPONSE: Criterion in question is actually P3A.7 a) We note that in response to the first Regulation pre-submission of the of the Plan (March 2018) Breckland Council required deletion of reference to ‘Building for Life 12’ when a policy criterion referred to achieving the maximum number of ‘greens’ against it</p>		<p>STNP ACTION TAKEN: Policy criterion P3A.7 a) will be deleted and replaced by:</p>

<p>That notwithstanding, we disagree that Building for Life is intended for use mainly at a pre-application stage. Included in the text on its first page, are the following statements:</p> <p>“Building for Life 12 is a government-endorsed industry standard for well-designed homes and neighbourhoods.”</p> <p>“BfL12 is also designed to help local planning authorities assess the quality of proposed and completed developments”</p> <p>‘Built for Life™’ accreditation is a quality mark available immediately after planning approval”</p> <p>“the ambition of the Built for Life partnership is to encourage hundreds of developments built across the country to use this standard for their design.”</p> <p>All of the above indicate that Building for Life 12 is intended for use, not only at pre-application stage, but to guide proposals that come forward</p> <p>Additionally, paragraph 129 of the NPPF guides local planning authorities towards making use of Building for Life 12 when assessing planning applications</p> <p>All of the above notwithstanding, after careful review, we consider that the other criteria of Policy 3A, amended only as show in the actions arising from these comments, other relevant policies of the Neighbourhood Plan, and the Parish Design Guide, adequately deal with the topics covered by Building for Life 12, and hence withdraw this criterion</p>		P3A.7 a) Demonstrate high quality design that results in attractive developments that have a positive impact on the local environment and community
P3A.9 p) <i>“Ideally use locally sourced materials of low ecological/environmental impact and which are thermally efficient”.</i>	There are very few locally sourced materials and am not aware that bricks are manufactured in Norfolk. Equally, most wood is exported to Norfolk.	<i>‘Ideally use locally sourced materials of low ecological/ environmental impact and which are thermally efficient’.</i>
<p>STNP RESPONSE:</p> <p>Agreed</p>		<p>STNP ACTION TAKEN:</p> <p>Revised thus:</p> <p>P3A.9 b) Ideally use locally sourced materials of low ecological / environmental impact, and which are thermally efficient</p>
t) <i>“Demonstrate a low carbon footprint by including a statement setting out the measures taken to achieve that and describing how design and layout minimises anticipated carbon emissions”.</i>	How would this be demonstrated? Energy and Sustainability assessments are quite complex and expensive, which would have viability implications.	As a result of the viability implications this should only be applicable to major development e.g. 10 units or more.
<p>STNP RESPONSE:</p> <p>Criterion is actually (f).</p>		<p>STNP ACTION TAKEN:</p> <p>P3A.9 f) amended thus:</p>

<p>Were we to restrict this requirement to major development, it would only apply to 29 of 70 new dwellings allocated by the Plan – i.e. about 60% of new homes in the parish would not be required to demonstrate a low carbon footprint. This would not be a good contribution to the Government’s stated intention of achieving carbon neutrality, and would be inconsistent with the fact that Breckland Council declared a climate emergency in 2019. The criterion as written does not stipulate use of an energy and sustainability assessment. That notwithstanding, viability is a short-term economic consideration, whereas climate change is a long-term global emergency. Having declared a climate emergency, Breckland Council should be expected to implement policies that tackle that. Criterion will be amended as given in the actions column. Policy implementation text will be added to describe how it might be applied</p>		<p>Demonstrate a low carbon footprint by including a statement <u>of proportionate detail</u> setting out the measures taken to achieve that and describing how design and layout minimises anticipated carbon emissions</p> <p>New implementation text: A flexible approach may be taken to demonstrating a low carbon footprint. For major development an energy and sustainability may be appropriate, but suitable alternate approaches will be acceptable. For minor development a simpler statement describing measures that will be implemented to reduce carbon footprint will suffice.</p>
<p><i>“z ii Non-residential development that exceeds 500m2 in floor area shall meet the relevant design category of Building Research Establishment BREEAM building standard “Excellent” and additionally...”</i></p>	<p>Would this require the developer to use BREEAM Assessment? This can be expensive, which would have viability implications.</p>	<p>It is unlikely that an examiner will accept standards lower or higher than the Building Regulations due to their legal status.</p>
<p>STNP RESPONSE:</p> <p>P3A.9 I) ii: We do not agree that viability should be used to block attenuation and mitigation of climate change, but will update the criterion as noted in the action column to address the concern over use of the BREEAM standard</p> <p>P3A.9 I) i: All residential development shall achieve emission rates lower than the target set by Building Regulations Part L 2013, and</p> <p>P3A.9 I) iii: All developments of 10 dwellings or more, or over 1,000 square metres of floorspace, (including conversion) where feasible, shall provide a 20% reduction in CO₂ emissions over Part L Building Regulations requirements (2013)</p>		<p>STNP ACTION TAKEN:</p> <p>P3A.9 I) ii revised as follows: Non-residential development that exceeds 500m² in floor area shall meet the relevant design category of Buildings Research Establishment BREEAM building standard “<u>excellent</u>”, <u>unless an open-book assessment shows that to have severe impact on viability,</u></p>

<p>Under the Climate Change Act, the Government has set ambitious targets for the reduction of carbon emissions. There have been many developments and much research relating to this topic since the Building Regulations were updated in 2013. It is widely accepted that measures that go beyond those regulatory requirements are required to achieve the necessary reduction in emissions. STNP seeks to be forward-looking in this respect, and we would respectfully refer Breckland Council to the NPPF requirement for a Plan to be “sufficiently flexible to adapt to rapid change”, since we would contend that climate change is a major area of rapid change, to a degree that cannot wait for regulations to “catch up” with measures widely accepted as necessary. Local planning authorities are bound by the legal duty set out in Section 19 of the 2004 Planning and Compulsory Purchase Act, as amended by the 2008 Planning Act, to ensure that, taken as whole, plan policy contributes to the mitigation of, and adaptation to, climate change. NPPF paragraph 149 requires that “Plans should take a proactive approach to mitigating and adapting to climate change...”. The requirements of (i) and (iii) are compatible with the targets of the Climate Change Act.</p> <p>Paragraph 148 of the NPPF states “The planning system should help to shape places in ways that contribute to radical reductions in greenhouse gas emissions”</p> <p>During the passage of the Neighbourhood Planning Bill through the House of Lords on 6 February 2017, Baroness Parminter asked in relation to carbon dioxide emissions reductions: ‘... <i>can the Minister confirm that the Government will not prevent local councils requiring higher building standards? There is some lack of clarity about whether local authorities can carry on insisting in their local plans on higher standards. ... Will the Government confirm that they will not prevent local authorities including a requirement for higher building standards?</i>’ To which Lord Bourne replied: ‘<i>The noble Baroness asked specifically whether local authorities are able to set higher standards than the national ones, and I can confirm that they are able to do just that.</i>’ Subsequently, the draft revised NPPF consultation document gave the following signal: ‘The Clean Growth Strategy sets out the Government’s plans for consulting on energy performance standards in Building Regulations later this year. Local authorities can play an important role in improving the energy performance of buildings, in line with the ambitions of the Clean Growth Strategy, and this will be considered further as the Government develops its consultation proposals.’ ii It then specifically asked for feedback on whether paragraph 149b (relating to building standards) needed further amendment to reflect the ambitions in the Clean Growth Strategy to reduce greenhouse gas emissions from buildings. Furthermore, a 19% energy improvement standard (equivalent to Code for Sustainable Homes level 4) was adopted in Ipswich last year and by Brighton in 2016</p> <p>In consequence of the above, we consider that the Neighbourhood Plan is justified in setting standards above the building regulatory minimum, and that the targets set are modest in the context of the climate emergency and not onerous on developers.</p>	<p><u>in which case an alternate reduction in emission levels shall be proposed</u></p> <p>Policy supporting text will be added to justify P3a.9 (i) and (iii), in line with the response given</p>
---	---

<i>P3A.10 A safe, healthy and inclusive environment:</i>	Suggest a minor amendment as current wording would suggest that such an approach is not required for existing residents.	gg) Incorporate design features for us potential residents at all stages of their lives
STNP RESPONSE: Agree to delete the word 'potential'		STNP ACTION TAKEN: Revised P3A.10 e) Incorporate design features that provide flexibility and adaptability for all potential residents at all stages of their lives, in line with the 'Lifetime Homes' standard

POLICY 3A: DESIGN (Draft update May 2020)

P3A.1 General: All proposals shall be guided by the most up to date version of the Saham Toney Village Design Guide, and demonstrate they are well-designed in a manner that reflects the varied local context and contributes positively to Saham Toney's distinctive rural character (as described in the Saham Toney Landscape Character Assessment). Planning applications will be expected to be accompanied by a statement which explains how the design principles underpinning a scheme complies with this Policy and the Saham Toney Village Design Guide.

P3A.2 Local context: New development shall:

- a) Respond positively to, and where possible, reinforce and enhance the best features of the local built environment; and
- b) Retain rural spaces between existing village settlement clusters to avoid their coalescence.

P3A.3 Local vernacular: Design proposals shall be locally distinctive and incorporate Saham Toney's character vernacular.

P3A.4 Local integration: Proposals shall:

- a) In the case of settlement edge proposals, give careful consideration to their integration and interface with the surrounding countryside;
- b) Where opportunities exist, provide good connectivity with the existing neighbourhood for pedestrians and cyclists and improve and extend the existing pedestrian footway and cycle network; and
- c) Respect the special rural character of the village lanes, which are generally bordered by grass verges with hedges which form important landscape features in the Parish, are valuable as wildlife habitats and are historically noteworthy.

P3A.5 Built form: The height, scale and layout of proposals should respond sensitively and complement positive features in the surrounding built form. Any proposal exceeding two storeys shall be accompanied by a proportionate Landscape and Visual Appraisal that demonstrates that no significant visual harm will result.

P3A.6 Layout and landscaping: Design and layout shall:

- a) Make use of opportunities to mitigate surface water flood risk by the incorporation of appropriate natural features;
- b) Increase the area of habitats that sequester and store carbon, including through an increase of tree cover;
- c) Incorporate attractive and coherent boundary treatments which reflect the local vernacular;
- d) Where applicable, contribute to the enhancement of Key Views; and
- e) In the case of residential proposals include appropriate rear garden spaces.

P3A.7 Quality and security of design: Proposals shall:

- a) Be assessed and shown to perform positively against Building for Life 12; and

- b) Be in accordance with the principles set out in the Police initiative "Secured by Design", and development proposals aimed at improving community safety will be supported.

P3A.8 Respect for the historic environment: Design and layout shall:

- a) Make use of opportunities there may be to enhance or better reveal the significance and setting of the historic environment; and
- b) Not materially impact the significance of any building defined in Policy 6 as a heritage asset or its setting; or if such impact would occur, be justified by a proportionate impact assessment and mitigation proposal.

P3A.9 Sustainable construction and design: Developments meeting the following criteria shall be encouraged and supported:

- a) Based on established principles of sustainable construction;
- b) Ideally use locally sourced materials of low ecological / environmental impact, and which are thermally efficient;
- c) Utilise paved surface materials that are appropriate to the setting and which are preferably permeable;
- d) Be sensitive to the use and conservation of water;
- e) Demonstrate how climate change adaptation and mitigation measures have been incorporated in the design;
- f) Demonstrate a low carbon footprint by including a statement setting out the measures taken to achieve that and describing how design and layout minimises anticipated carbon emissions;
- g) As far as practical, be oriented to optimise passive solar gain;
- h) Promote rainwater capture for re-use;
- i) Deliver the highest viable energy efficiency;
- j) Be in accord with the energy hierarchy;
- k) Where possible, secure at least 10% of their total unregulated energy from renewable or low carbon sources;
- l) Development that gives rise to zero emissions to air shall be strongly encouraged, and as a minimum:
 - i. All residential development shall achieve emission rates lower than the target set by Building Regulations Part L 2013;
 - ii. Non-residential development that exceeds 500m² in floor area shall meet the relevant design category of Buildings Research Establishment BREEAM building standard "excellent"; and additionally
 - iii. All developments of 10 dwellings or more, or over 1,000 square metres of floorspace, (including conversion) where feasible, shall provide a 20% reduction in CO₂ emissions over Part L Building Regulations requirements (2013);
- m) Maximise the use of renewable energy and energy conservation measures; and
- n) Adhere to the requirements of Policy 8H, Design of Sustainable Drainage Systems.

P3A.10 A safe, healthy and inclusive environment: New developments shall:

- a) Create places where people feel safe and that are easily accessible to all;

- b) Incorporate safe and attractive pedestrian routes. Wherever possible, opportunities should be taken to provide pedestrian routes through a development to reduce the need for people to walk along existing roads;
- c) Where practical, along the rural lanes where there is no existing footway in place, provide solutions sensitive to the rural setting and to pedestrian safety (e.g. trod paths);
- d) Be designed, where viable, to be suitable for independent living and built to the accessible and adaptable dwellings M4(2) standard, and take into account the mobility needs of likely building occupants and visitors;
- e) Incorporate design features that provide flexibility and adaptability for all potential residents at all stages of their lives, in line with the 'Lifetime Homes' standard;
- f) To promote social inclusion, social housing shall not be distinguishable from private housing by its design, nor should it be located in separate blocks or the least attractive part of a site; and
- g) Incorporate an adequate number of suitably located sprinklers; and
- h) Where applicable and relevant, incorporate adaptations that address specific needs for increased public and individual safety in the face of Covid-19.

APPENDIX B4. Pre-Submission Consultation August-October 2019: Statutory and Non-Statutory Consultee Comments and STNP Responses

B4.1. Representation by Sport England

RESPONDING ORGANISATION: Sport England	DATE: 19 August 2019
REPRESENTATION(S): Thank you for consulting Sport England on the above neighbourhood plan. 1) Government planning policy, within the National Planning Policy Framework (NPPF) , identifies how the planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities. Encouraging communities to become more physically active through walking, cycling, informal recreation and formal sport plays an important part in this process. Providing enough sports facilities of the right quality and type in the right places is vital to achieving this aim. This means that positive planning for sport, protection from the unnecessary loss of sports facilities, along with an integrated approach to providing new housing and employment land with community facilities is important. 2) It is essential therefore that the neighbourhood plan reflects and complies with national planning policy for sport as set out in the NPPF with particular reference to Pars 96 and 97. It is also important to be aware of Sport England's statutory consultee role in protecting playing fields and the presumption against the loss of playing field land. Sport England's playing fields policy is set out in our Playing Fields Policy and Guidance document. http://www.sportengland.org/playingfieldspolicy 3) Sport England provides guidance on developing planning policy for sport and further information can be found via the link below. Vital to the development and implementation of planning policy is the evidence base on which it is founded. http://www.sportengland.org/facilities-planning/planning-for-sport/forward-planning/ 4) Sport England works with local authorities to ensure their Local Plan is underpinned by robust and up to date evidence. In line with Par 97 of the NPPF, this takes the form of assessments of need and strategies for indoor and outdoor sports facilities . A neighbourhood planning body should look to see if the relevant local authority has prepared a playing pitch strategy or other indoor/outdoor sports facility strategy. If it has then this could provide useful evidence for the neighbourhood plan and save the neighbourhood planning body time and resources gathering their own evidence. It is important that a neighbourhood plan reflects the recommendations and actions set out in any such strategies, including those which may specifically relate to the neighbourhood area, and that any local investment opportunities, such as the Community Infrastructure Levy, are utilised to support their delivery. 5) Where such evidence does not already exist then relevant planning policies in a neighbourhood plan should be based on a proportionate assessment of the need for sporting provision in its area. Developed in consultation with the local sporting and wider community any assessment should be used to provide key recommendations and deliverable actions. These should set out what provision is required to ensure the current and future needs of the community for sport can be met and, in turn, be able to support the development and implementation of planning policies. Sport England's guidance on assessing needs may help with such work. http://www.sportengland.org/planningtoolsandguidance	

6) If **new or improved sports facilities** are proposed Sport England recommend you ensure they are fit for purpose and designed in accordance with our design guidance notes.

<http://www.sportengland.org/facilities-planning/tools-guidance/design-and-cost-guidance/>

7) Any **new housing** developments will generate additional demand for sport. If existing sports facilities do not have the capacity to absorb the additional demand, then planning policies should look to ensure that new sports facilities, or improvements to existing sports facilities, are secured and delivered. Proposed actions to meet the demand should accord with any approved local plan or neighbourhood plan policy for social infrastructure, along with priorities resulting from any assessment of need, or set out in any playing pitch or other indoor and/or outdoor sports facility strategy that the local authority has in place.

8) In line with the Government's NPPF (including Section 8) and its Planning Practice Guidance (Health and wellbeing section), links below, consideration should also be given to how **any new development**, especially for new housing, will provide opportunities for people to lead healthy lifestyles and create healthy communities. Sport England's Active Design guidance can be used to help with this when developing planning policies and developing or assessing individual proposals.

9) Active Design, which includes a model planning policy, provides ten principles to help ensure the design and layout of development encourages and promotes participation in sport and physical activity. The guidance, and its accompanying checklist, could also be used at the evidence gathering stage of developing a neighbourhood plan to help undertake an assessment of how the design and layout of the area currently enables people to lead active lifestyles and what could be improved.

Link a) NPPF Section 8: <https://www.gov.uk/guidance/national-planning-policy-framework/8-promoting-healthy-communities>

Link b) PPG Health and wellbeing section: <https://www.gov.uk/guidance/health-and-wellbeing>

Link c) Sport England's Active Design Guidance: <https://www.sportengland.org/activedesign>

(Please note: this response relates to Sport England's planning function only. It is not associated with our funding role or any grant application/award that may relate to the site.)

If you need any further advice, please do not hesitate to contact Sport England using the contact details below.

Yours sincerely,

Planning Administration Team
Planning.central@sportengland.org



RELEVANT SECTION(S) OF PLAN:

Policies 3A, 4 and 7C

REACTION TO REPRESENTATION(S)

This is a very general and perhaps standard comment. Other than the protection of existing sports facilities there are no specific measures in the Plan for sports facilities. For anything else that arises in

respect of sport and recreation, the Neighbourhood Plan defers to, and does not duplicate, the relevant policies of the Breckland Local Plan

Para 1: Noted

Para 2: Saham Toney has a recreational area, including children's play area and adult fitness equipment, at the Wells Cole Community Centre, and a separate sports field. Both are protected in the Plan against development by their designation as community facilities in Policy 4 and as Local Green Spaces in Policy 7C. An assessment of the need for open space, sport and recreation facilities in line with Para. 96 of the NPPF was undertaken as part of the evidence for the Breckland Local Plan and did not specify additional needs for Saham Toney. Para. 97 of the NPPF is satisfied with by Policies 4 and 7C.

Para 3: Noted

Para 4: As Para 2

Para 5: As Para 2

Para 6: The Neighbourhood Plan does not propose new or improved sports facilities

Para 7: The Neighbourhood Plan defers to the Breckland Local Plan in this respect

Para's 8, 9 and links a, b, c: Addressed by the National Planning Policy Framework, Planning Practice Guidance and the Local Plan. There is no need to replicate this information in the Neighbourhood Plan

ACTION TAKEN:

None required

Para 1: None required

Para 2: None required

Para 3: None required

Para 4: None required

Para 5: None required

Para 6: None required

Para 7: None required

Para's 8, 9 and links a, b, c: Noted. We agree with the principles stated and consider that the Neighbourhood Plan as a whole, through its policies will assist in facilitating more active and healthy lifestyles for parishioners. Reference to Sport England's Active Design guidance has been added to policy supporting text.

B4.2. Representation by Highways England

RESPONDING ORGANISATION: Highways England	DATE: 20 August 2019
REPRESENTATION(S): Thank you for consulting Highways England on the draft Saham Toney Neighbourhood Plan. Highway England is responsible for the Strategic Road Network (SRN) which in this area of Norfolk is the A11 and the A47. The SRN is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity. Saham Toney is somewhat remote from the SRN and consequently the policies set out in the neighbourhood plan are unlikely to have a significant impact on our network. We therefore have no comments to offer on this consultation. Yours sincerely Connor Adkins Connor Adkins Highways England Woodlands Manton Lane Bedford MK41 7LW	

Tel: +44 (0) 300 4704744

Web: <http://www.highways.gov.uk>

GTN: 0300 470 4744

This email may contain information which is confidential and is intended only for use of the recipient/s named above. If you are not an intended recipient, you are hereby notified that any copying, distribution, disclosure, reliance upon or other use of the contents of this email is strictly prohibited. If you have received this email in error, please notify the sender and destroy it.

Highways England Company Limited | General enquiries: 0300 123 5000 | National Traffic Operations Centre, 3 Ridgeway, Quinton Business Park, Birmingham B32

1AF | <https://www.gov.uk/government/organisations/highways-england> | info@highwaysengland.co.uk

Registered in England and Wales no 9346363 | Registered Office: Bridge House, 1 Walnut Tree Close, Guildford, Surrey GU1 4LZ

RELEVANT SECTION(S) OF PLAN:

Not applicable

REACTION TO REPRESENTATION(S)

Noted

ACTION TAKEN:

None required

B4.3. Representation by Norfolk Police

RESPONDING ORGANISATION:

Norfolk Police

DATE:

21 August 2019

REPRESENTATION(S):

Saham Toney– Neighbourhood Plan – Response to Consultation

I refer to the above matter and the consultation.

Norfolk Constabulary has the responsibility for policing making Norfolk a safe place where people want to live, work, travel and invest in.

Central Government place great emphasis on the role of the Police. Furthermore, National Planning Policy Framework (NPPF) gives significant weight to promoting safe communities (in section 8 of the NPPF). This is highlighted by the provision of paragraph 91 which states

Planning policies and decisions should aim to achieve healthy, inclusive and safe places which.....

b) are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion – for example through the use of clear and legible pedestrian routes, and high-quality public space, which encourage the active and continual use of public areas;

Nationally the Police have sought to provide advice and guidelines to support and create safer communities, most notably reflected in their Secured By Design initiative which seek to improve the security of buildings and their immediate surroundings to provide safe places to live.

In terms of creating and maintaining safer communities, there are a number of measures that should be included in the Neighbourhood Plan to ensure that it satisfactorily addresses NPPF provisions and the needs of the Neighbourhood Plan area.

1. The Neighbourhood Plan should include the specific objective to 'create and maintain a safer community and reduce crime and disorder'.
2. The Neighbourhood Plan should clearly support the principles of crime prevention through good design as the design and layout of the built environment plays an important role in designing out crime and reducing the opportunities for anti-social behaviour. The Neighbourhood Plan should include a policy that 'All new developments should conform to the 'Secured by Design' principles and the Neighbourhood Plan will support development proposals aimed at improving community safety'. This would be supported by the objective to 'create and maintain a safer community and reduce crime and disorder'.
3. The Neighbourhood Plan should include clear reference to the use of developer contributions and / or CIL monies to deliver local initiatives that create safer communities (and reduce crime). This should include measures identified by Norfolk Constabulary, along with County and District Council's infrastructure studies and infrastructure delivery plans, to contribute to the finance of police / bluelight infrastructure (including premises, vehicles, operational equipment and communication equipment).

I trust that these elements will be incorporated into Neighbourhood Plan objectives and policies to reduce the opportunities for crime and disorder (and also help reduce the fear of crime in the Neighbourhood Plan area) to ensure that the Plan is consistent with the emphasis that Government places on creating safer communities.

Kind regards,

Penny

Penny Turner

Architectural Liaison & Crime Reduction Officer

Broadland and North Norfolk

Community Safety Neighbourhood Policing Team

Email: [email withheld](#)

RELEVANT SECTION(S) OF PLAN:

Comment 1 applies to section 5.2

Comment 2 applies to Policy 3A: Design

Comment 3 applies to Policies 1 and 3A.

REACTION TO REPRESENTATION(S)

Comment 1: Noted. We agree with the proposed objective, but do not consider it appropriate to include it as a principal objective in the Neighbourhood Plan, which is primarily addressing land-use matters at Parish level. The current objective C1: "To maintain and enhance the village's community facilities and improve access to them", is relevant and would cover matters relating to community safety.

Comment 2: Policy 3A as published at Regulation 14 states: "Proposals shall be in accordance with the principles set out in the Police initiative "Secured by Design", which covers the first suggestion in the comment. The addition of a further criterion under P3A.7 to reflect the suggested "All new developments should conform to the 'Secured by Design' principles and the Neighbourhood Plan will

support development proposals aimed at improving community safety”, will be considered in conjunction with comment 1, but may be unnecessary since that is an inherent requirement of “Secured by Design” which the policy already references. There is no need to create a new policy to deal with this.

Comment 3: Noted. It is considered that this aspect is covered by Breckland Local Plan Policy INF 02 ‘Developer Contributions’ and paragraph 8.11 of that Plan, and hence does not require duplication in the Neighbourhood Plan. It is further noted that under the Town and Country Planning Act and Planning Practice Guidance, planning obligations may only constitute a reason for granting planning permission if they meet the tests that they are necessary to make the development acceptable in planning terms.

They must be:

- a) necessary to make the development acceptable in planning terms;
- b) directly related to the development; and
- c) fairly and reasonably related in scale and kind to the development.

General contributions to deliver local initiatives, including those identified by Norfolk Police (who in this representation have not actually identified any Parish-specific measures) would not meet these tests and so cannot be included in the Neighbourhood Plan.

ACTION TAKEN:

Comment1: None required.

Comment 2: Policy 3A criterion P3A.7g (previously sub-item b) amended from “Be in accordance with the principles set out in the Police initiative “Secured by Design.” to “Be in accordance with the principles set out in the Police initiative “Secured by Design”, and include appropriate measures aimed at improving community safety”.

Comment 3: None required.

B4.4. Representation by Natural England

RESPONDING ORGANISATION: Natural England	DATE: 29 August 2019
REPRESENTATION(S): Our ref: 292319 Thank you for your consultation. Natural England has previously commented on this proposal, our ref. 241150, and made comments to the authority in our letter dated 26 April 2018. I enclose a copy of the response for your reference. The advice provided in our previous response applies equally to this proposal although we made no objection to the original proposal. Yours sincerely Clare Foster Natural England Consultation Service Operations Delivery Hornbeam House Crewe Business Park Electra Way, Crewe Cheshire, CW1 6GJ Tel: 0300 060 3900 Email: consultations@naturalengland.org.uk www.gov.uk/natural-england	

The above response references an earlier response to the previous Regulation 14 consultation (March-April 2018) which Neighbourhood Plan Work Group has no record of. However, its text was attached to the above response as follows:

Dear Mr Blow

Thank you for consulting Natural England on the Saham Toney Draft Neighbourhood Plan.

As you will be aware, Saham Toney is near Breckland Special Protection Area (SPA), Breckland Farmland Site of Special Scientific Interest (SSSI) and Wayland Wood SSSI.

However, we are not concerned about these sites in this case due to the fact the plan does not propose housing that is not allocated within the local plan (which will be subject to ecological assessment and HRA where appropriate). However, note that even 5-10 houses within the 1.5km Breckland SPA buffer put in place to protect stone curlew, a qualifying species of Breckland SPA and Breckland Farmland SSSI, can result in significant effects on the species population (particularly when considered in-combination) so we would advise you not to encourage residential development within this zone.

We welcome the policies concerning, the environment, green infrastructure and landscape.

Best wishes

Francesca Shapland

RELEVANT SECTION(S) OF PLAN:

None specifically

REACTION TO REPRESENTATION(S)

Noted

ACTION TAKEN:

None required, no housing allocated in the Breckland SPA buffer zone

B4.5. Representation by The National Grid

RESPONDING ORGANISATION: Wood plc on behalf of The National Grid	DATE: 20 September 2019
<p>REPRESENTATION(S): <u>Saham Toney Neighbourhood Plan Consultation</u></p> <p>National Grid has appointed Wood to review and respond to development plan consultations on its behalf. We are instructed by our client to submit the following representation with regards to the above Neighbourhood Plan consultation.</p> <p>About National Grid</p> <p>National Grid Electricity Transmission plc (NGET) owns and maintains the electricity transmission system in England and Wales and National Grid Electricity System Operator (NGESO) operates the electricity transmission network across the UK. The energy is then distributed to the eight electricity distribution network operators across England, Wales and Scotland.</p> <p>National Grid Gas plc (NGG) owns and operates the high-pressure gas transmission system across the UK. In the UK, gas leaves the transmission system and enters the UK's four gas distribution networks where pressure is reduced for public use.</p> <p>National Grid previously owned part of the gas distribution system known as 'National Grid Gas Distribution limited (NGGDL). Since May 2018, NGGDL is now a separate entity called 'Cadent Gas'.</p> <p>To help ensure the continued safe operation of existing sites and equipment and to facilitate future infrastructure investment, National Grid wishes to be involved in the preparation, alteration and review of plans and strategies which may affect National Grid's assets.</p> <p>Specific Comments</p>	

An assessment has been carried out with respect to National Grid's electricity and gas transmission apparatus which includes high voltage electricity assets and high-pressure gas pipelines.

National Grid has identified that it has **no record** of such apparatus within the Neighbourhood Plan area.

Electricity Distribution

The electricity distribution operator in Breckland Council is UK Power Networks. Information regarding the transmission and distribution network can be found at: www.energynetworks.org.uk

Appendices - National Grid Assets

Please find attached in:

- Appendix 1 provides a map of the National Grid network across the UK.

Please remember to consult National Grid on any Neighbourhood Plan Documents or site-specific proposals that could affect our infrastructure. We would be grateful if you could add our details shown below to your consultation database.

Lucy Bartley

Consultant Town Planner

Spencer Jefferies

Development Liaison Officer, National Grid

n.grid@woodplc.com box.landandacquisitions@nationalgrid.com

Wood E&I Solutions UK Ltd

Nicholls House

Homer Close

Leamington Spa

Warwickshire

CV34 6TT

National Grid House

Warwick Technology Park

Gallows Hill

Warwick

Warwickshire

CV34 6DA

I hope the above information is useful. If you require any further information, please do not hesitate to contact me.

Yours faithfully

[via email]

Lucy Bartley

Consultant Town Planner

cc. Spencer Jefferies, National Grid

Appendix 1: National Grid's UK Network

Where we operate
Our UK network



RELEVANT SECTION(S) OF PLAN:

General

REACTION TO REPRESENTATION(S)

There are no comments specific to the Neighbourhood Plan

ACTION TAKEN:

None required

B4.6 Representation by Gladman Developments Ltd

RESPONDING ORGANISATION:

Gladman Developments Ltd

DATE:

25 September 2019

REPRESENTATION(S):

1) Re: Saham Toney Neighbourhood Plan – Regulation 14 consultation

This letter provides Gladman Developments Ltd (Gladman) representations in response to the draft version of the Saham Toney Neighbourhood Plan (STNP) under Regulation 14 of the Neighbourhood Planning (General) Regulations 2012. This letter seeks to highlight the issues with the plan as currently presented and its relationship with national and local planning policy. Gladman has considerable experience in neighbourhood planning, having been involved in the process during the preparation of numerous plans across the country, it is from this experience that these representations are prepared.

2) Legal Requirements

Before a neighbourhood plan can proceed to referendum it must be tested against a set of basic conditions set out in paragraph 8(2) of Schedule 4b of the Town and Country Planning Act 1990 (as amended). The basic conditions that the STNP must meet are as follows:

(a) Having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the order.

- (d) The making of the order contributes to the achievement of sustainable development.
- (e) The making of the order is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area).
- (f) The making of the order does not breach, and is otherwise compatible with, EU obligations.
- (g) The making of the neighbourhood plan does not breach the requirements of Chapter 8 of part 6 of the Conservation of Habitats and Species Regulations 2017.

3) National Planning Policy Framework

On 24th July 2018, the Ministry of Housing, Communities and Local Government (MHCLG) published the Revised National Planning Policy Framework (NPPF2018). This publication forms the first revision of the Framework since 2012 and implements changes that have been informed through the Housing White Paper, The Planning for the Right Homes in the Right Places consultation and the draft NPPF2018 consultation. This version was itself superseded on the 19th February 2019, when MHCLG published a further revision to the NPPF (2019) which implements further changes to national policy, relating to the Government's approach for Appropriate Assessment as set out in Paragraph 177, clarification to footnote 37 and amendments to the definition of 'deliverable' in Annex 2.

4) National Planning Policy Framework and Planning Practice Guidance

The National Planning Policy Framework (the Framework) sets out the Government's planning policies for England and how these are expected to be applied. In doing so it sets out the requirements for the preparation of neighbourhood plans to be in conformity with the strategic priorities for the wider area and the role they play in delivering sustainable development to meet development needs.

At the heart of the Framework is a presumption in favour of sustainable development, which should be seen as a golden thread through plan-making and decision-taking. This means that plan makers should positively seek opportunities to meet the development needs of their area and Local Plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change. This requirement is applicable to neighbourhood plans.

The recent Planning Practice Guidance (PPG) updates make clear that neighbourhood plans should conform to national policy requirements and take account of and most up-to-date evidence of housing needs in order to assist the Council in delivering sustainable development, a neighbourhood plan basic condition.

The application of the presumption in favour of sustainable development will have implications for how communities engage with neighbourhood planning. Paragraph 13 of the Framework makes clear that Qualifying Bodies preparing neighbourhood plans should develop plans that support strategic development needs set out in Local Plans, including policies for housing development and plan positively to support local development.

Paragraph 15 further makes clear that neighbourhood plans should set out a succinct and positive vision for the future of the area. A neighbourhood plan should provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency. Neighbourhood plans should seek to proactively drive and support sustainable economic development to deliver the homes, jobs and thriving local places that the country needs, whilst responding positively to the wider opportunities for growth.

Paragraph 29 of the Framework makes clear that a neighbourhood plan must be aligned with the strategic needs and priorities of the wider area and plan positively to support the delivery of sustainable growth opportunities.

5) Planning Practice Guidance

Following the publication of the NPPF (2018), the Government published updates to its Planning Practice Guidance (PPG) on 13th September 2018 with further updates being made in the intervening period. The updated PPG provides further clarity on how specific elements of the Framework should be interpreted when preparing neighbourhood plans.

Although a draft neighbourhood plan must be in general conformity with the strategic policies of the adopted development plan, it is important for the neighbourhood plan to provide flexibility and consider the reasoning and evidence informing the emerging Local Plan which will be relevant to the consideration of the basic conditions against which a neighbourhood plan is tested against. For example, the neighbourhood planning body should take into consideration up-to-date housing needs evidence as this will be relevant to the question of whether a housing supply policy in a neighbourhood plan contributes to the achievement of sustainable development. Where a neighbourhood plan is being brought forward before an up-to-date Local Plan is in place, the qualifying body and local planning authority should discuss and aim to agree the relationship between the policies in the emerging Neighbourhood Plan, the emerging Local Plan and the adopted Development Plan¹. This should be undertaken through a positive and proactive approach working collaboratively and based on shared evidence in order to minimise any potential conflicts which can arise and ensure that policies contained in the neighbourhood plan are not ultimately overridden by a new Local Plan.

It is important the neighbourhood plan sets out a positive approach to development in their area by working in partnership with local planning authorities, landowners and developers to identify their housing need figure and identifying sufficient land to meet this requirement as a minimum.

Furthermore, it is important that policies contained in the neighbourhood plan do not seek to prevent or stifle the ability of sustainable growth opportunities from coming forward.

¹ PPG Reference ID: 41-009-20160211

6) Relationship to Local Plans

To meet the requirements of the Framework and the Neighbourhood Plan Basic Conditions, neighbourhood plans should be prepared to conform to the strategic policy requirements set out in the adopted Development Plan.

Saham Toney Neighbourhood Plan Area falls within the administration of Breckland District Council and therefore will be tested against the 'Core Strategy and Development Control Policies Document', adopted in 2009, and the 'Site Specifics Policies and Proposals', adopted in 2012. The Core Strategy outlines the vision and overall objectives for development in the district up to 2026 and details where new housing and other development should be focused. Saham Toney is identified as a Service Centre Village, it is noted that the settlement '...will not see a positive housing allocation for the remainder of the plan period, but will see between them at least 100 homes developed from existing commitments'. Whilst, the Site Specific Policies and Proposals document allocates areas of land for different uses to deliver the requirement of the Breckland Core Strategy and thus meet the development needs of the District up to 2026 but does not refer to the settlement of Saham Toney.

Breckland Council are currently working towards producing a new Local Plan which will replace the Core Strategy and documents making up the adopted Local Plan. The emerging Local Plan (2011-2036) was submitted for examination on 30th November 2017 with Jonathan Manning appointed by the Secretary of State to carry out an independent examination of our Local Plan. Following hearing sessions into the new Local Plan, a final round of consultations on the main modifications took place between 30th May and 12th July 2019.

The emerging plan sets out a housing target of 5,069 dwellings over the plan period to 2036 with 50% of the housing growth located in 'Key Settlements', including, Attleborough and Thetford. Saham Toney is

identified as a tier 4 'Village with boundaries' settlement with no specific housing growth target set for individual settlements, rather, 150 dwellings are set for the tier to 2036.

It is likely that the Local Plan will be adopted prior to the examination of the STNP therefore the neighbourhood plan should be sufficiently aligned with the strategic policies of the emerging Local Plan, to avoid risk of the STNP failing at examination. Should this not be the case, policies within the STNP should be drafted with sufficient flexibility to ensure conflicts are minimised and ensure the STNP is capable of being effective over the duration of its plan period and not ultimately superseded by s38(5) of the Planning and Compulsory Purchase Act 2004, which states that:

"if to any extent, a policy contained in a development plan for an area conflicts with another policy in the development plan the conflict must be resolved in favour of the policy which is contained in the last document to be adopted, approached, or published (as the case may be)."

7) Saham Toney Neighbourhood Plan

This section highlights the key issues that Gladman would like to raise with regards to the content of the STNP as currently proposed. It is considered that some policies do not reflect the requirements of national policy and guidance, Gladman have therefore sought to recommend a series of alternative options that should be explored prior to the Plan being submitted for Independent Examination.

8) Policy 2E: Housing Mix

Gladman support the general thrust of Policy 2E which seeks to ensure an appropriate mix of new housing types and tenures to meet the housing needs of the local community. However, housing mix will inevitably change over a period of time and this policy should seek to secure a greater degree of flexibility going forward.

As local housing needs can change over time, there is a risk that Policy 2E will become outdated as new evidence of local need comes to light and the neighbourhood plan should contain suitable measures, so it can positively respond to changes in circumstance which may arise over the plan period. Gladman suggest that a modification to this element of the policy is included which takes account of 'the most up-to-date housing needs evidence available'.

9) Policy 3A: Design

Policy 3A sets out a range of design principles which development proposals should seek to meet. While the government has shown support for development incorporating good design principles, Gladman would note that the Framework also states:

'To provide maximum clarity about design expectations at an early stage, plans or supplementary planning documents should use visual tools such as design guides and codes. These provide a framework for creating distinctive places, with a consistent and high-quality standard of design. However, their level of detail and degree of prescription should be tailored to the circumstances in each place and should allow a suitable degree of variety where this would be justified.'⁴ (NPPF – Paragraph 126)

Whilst Gladman recognise the importance of high-quality design, in accordance with the above Framework requirements, design policies should not aim to be overly prescriptive and require some flexibility in order for schemes to respond to site specific issues and the character of the local area. In essence, there should not be a 'one size fits all' solution in relation to design, and sites should be considered on a site-by-site basis with consideration given to various design principles.

It is acknowledged that the policy seeks to encourage applications to be in accordance with Building for Life 12. These elements are considered more of an aspiration of the policy and should there not be referred to in the policy wording itself and it would be more suitable if these principles were referred to solely in the supporting text.

10) Conclusions

Gladman recognises the role of neighbourhood plans as a tool for local people to shape the development of their local community. However, it is clear from national guidance that these must be consistent with national planning policy and the strategic requirements for the wider authority area. Through this consultation response, Gladman has sought to clarify the relation of the Saham Toney Neighbourhood Plan as currently proposed with the requirements of national planning policy and the strategic policies for the wider area.

Gladman hopes you have found these representations helpful and constructive. If you have any questions do not hesitate to contact me or one of the Gladman team.

Yours faithfully,

Josh Plant

Gladman Developments Ltd.

RELEVANT SECTION(S) OF PLAN:

- 1: General
- 2: General
- 3: General
- 4: General
- 5: General
- 6: General; site allocation policies
- 7: General
- 8: Policy 2E
- 9: Policy 3A
- 10: General

REACTION TO REPRESENTATION(S)

- 1: Noted
- 2: Noted. National and local planning rules and guidance have been taken fully into account when preparing the Neighbourhood Plan and the Basic Conditions Statement that will be prepared for the Regulation 15 submission of the Plan will demonstrate that without a need to make any changes to the present plan.
- 3: Noted. The Neighbourhood Plan takes account of the most up to date version of the NPPF at the time of its publication for Regulation 14 pre-submission consultation (19 August 2019), including all amendments noted in the comment.
- 4: Noted. The Neighbourhood Plan conforms to national policy requirements and by its use of the Saham Toney Housing Needs Assessment, May 2019, makes use of the most up to date and relevant evidence of housing needs. The Neighbourhood Plan supports strategic development needs set out in the Breckland Local Plan and plans positively to support local development by allocating sites for a total of 83 new houses; set against the Local Plan target of 33 for Saham Toney. Section 5.1 of the Plan sets out a succinct and positive vision for the future of the area.
- 5: Noted. The Neighbourhood Plan conforms with the strategic policies of both the adopted development plan and the emerging Local Plan, and by its use of the Saham Toney Housing Needs Assessment, May 2019, makes use of the most up to date and relevant evidence of housing needs. The Plan has been developed in very close consultation and cooperation with the Local Planning Authority. The housing needs target in the Local Plan is 33; the Neighbourhood Plan allocates sites for 83 new houses, which shows a very positive approach.
- 6: The Plan fully complies with both 'Core Strategy and Development Control Policies Document', adopted in 2009, and the 'Site Specifics Policies and Proposals', adopted in 2012. It also fully complies with the emerging Local Plan, including all relevant Main Modifications raised during examination and confirmed in the Local Plan examination report as published October 2019. An error in the representation is noted with respect to the housing allocation made in the emerging Local Plan for Saham Toney. That allocation is not in fact a share of 150 dwellings with other Villages with Boundaries

as stated; but rather a specific allocation of 33 new dwellings, as set out in the confirmed examination main modifications. By its site allocations the Saham Toney Neighbourhood Plan promotes 83 new dwellings, which is clearly in excess of the Local Plan target, demonstrating that the Plan very positively meets Saham Toney’s housing needs.

7: Noted

8: With respect to Policy 2E the representation proposes a policy modification to include reference to ‘the most up-to-date housing needs evidence available’. In fact, this is already covered in “Supporting Text – Implementation” under T2E.2 (subsequently merged with T2E.1), which allows for the use of more up to date information should it be available, but emphasizes that must be data relevant to the Neighbourhood Area specifically.

9: With respect to Policy 3A the representation suggests that the Policy adopts a “one size fits all” approach and is over prescriptive. That is not the case as the policy fully allows design to be tailored to suit the area in which any site is located and consists of general principles rather than overly strict requirements. Additionally, the Saham Toney Village Design Guide covers a range of design options and sets them out in a way that is clearly not prescriptive, but allows ample flexibility. This aspect of the representation is not accepted as valid. The representation further seeks to portray reference to “Building for Life 12” as an aspiration that should thus be moved to supporting text. In fact, that is not an aspiration but a formal policy requirement that is fully supported by the latest version of the National Planning Policy Framework (particularly paragraph 129). As such it will remain a policy criterion rather than a supporting text aspiration.

10: Noted

Additionally, to the representations made, it is pleasing to note that no comments are made on the Plan’s site allocation policies, which if they are acceptable to a major developer, must add to the evidence that those policies are sound, fair and reasonable.

ACTION TAKEN:

1: None required

2: None required

3: None required

4: None required

5: None required

6: None required

7: None required

8: None required or justified

9: None required or justified

10: None required

B4.7. Representation by EJW Planning

<p>RESPONDING ORGANISATION: EJW Planning, on behalf of Mr & Mrs Sinclair, owners of allocated sites STNP4, 5, 6 and 7</p>	<p>DATE: 01 October 2019</p>
<p>REPRESENTATION(S): I am instructed by Mr and Mrs Sinclair owners of site STNP 4,5,6 and 7 to make representations in respect of the draft allocations and supporting policies. Having reviewed the policies I am concerned that as currently drafted these are generally too restrictive and place onerous burdens on any potential developer, to provide a level of supporting information that cannot be justified for the scale of development proposed. That said, the suggested level of development for each site is very low. I note that the AECOM study indicates that 22 dwph would provide an appropriate form of development. However, in most cases the policies are showing a density of closer to 10 dwph. This means that developments would not be making best use of available land, particularly those sites that are previously</p>	

developed (see NPPF). The proposed sites would provide for small-scale developments. I note that in each case you have requested that applications are supported by Transport Statements. The scale of development proposed would not, either individually, or cumulatively generate an increase in vehicle movements sufficient to warrant a transport assessment. It is unreasonable therefore to request the applicant to provide such information. Whilst it is important that any new development makes a positive contribution to the local character and distinctiveness of Saham Toney, it is not necessary for a Landscape and Visual Impact Assessment to be prepared in respect of the individual sites. The level of supporting documentation should be proportionate to the scale of development proposed and no more than is sufficient to understand the potential impact of the proposal on the site and its surroundings. I also note with regard to timing that the developments are phased across the Plan Period to 2036. It is likely that some, or all of these sites will be developed by a single developer. If this is the case then it would not be desirable or viable for a developer to build out a few units, complete the site removing their equipment, site compound and mobilising resources to come back and start again at a later date. A better planned development can be achieved if these sites are taken together and masterplanned to provide a cohesive form of development that is phased to be delivered over a single time period. Policy Map 21.1 STNP5 shows approximately 20% of the site as remaining undeveloped and the remainder of the site limited to single storey development. In my view the topography of the land limits any long-distance views of The Mere as what is seen is just the top of the trees that screen The Mere. I have further reviewed the Saham Toney Parish Landscape Assessment and note that does not suggest any restriction on development of the southern part of this site. There is therefore no 'reasoned justification' to exclude the southern portion of the site and no need to limit development to single storey dwellings. If all of the dwellings were to be single storey the resulting development could appear rather a homogeneous in the context of existing development to the south east. It would be better to have some variety of house types ranging from single storey, to one and half storey and two-story houses, carefully laid out making best use of the topography and landscape in this part of Pound Hill.

RELEVANT SECTION(S) OF PLAN:

Site allocation policies 2F, 2I, 2J, 2K and 2L

REACTION TO REPRESENTATION(S)

1. Regarding overly restrictive policies and burdensome level of supporting information required from site developers:

This comment lacks clarity as to which criteria are considered restrictive or onerous and is thus impossible to respond to specifically. However, in its comments on the Plan, Breckland Council (the Local Planning Authority) has made specific representations on certain policy aspects that it considers to be restrictive or onerous. Those comments have been discussed and resolved with the Council, and it is considered that if the Local Planning Authority is satisfied with revisions agreed to be made to the Plan, that will adequately address these very general comments.

2. Regarding the scale of development:

Firstly, it is pointed out that the site capacities are entirely in line with the proposals put forward by the owners of the four sites in question in response to a Call for Sites in August 2018.

The AECOM study referred to (i.e. The Saham Toney Neighbourhood Plan Site Assessment Report, July 2019) has been misunderstood / misinterpreted / taken out of context. It does not state that "22 *dwph* would provide an appropriate form of development" as noted in the comment: instead it refers to Policy DC2 of the Breckland Core Strategy by noting "*Policy DC2 of the Core Strategy provides that for rural areas a density range of 22-30 dwellings should be considered whereas the Local Plan refers to applying densities in line with the surrounding context. On this basis 22 dwellings per hectare has been applied within our calculations/ The indicative housing capacities have been calculated so that the sites can be compared and because it is useful to have an idea of capacity when planning to meet an identified requirement.*" It goes on to say "*Different densities than suggested in this report may be appropriate to apply to the sites in the NDP (resulting in different capacities) due to the rural nature of the Neighbourhood Area and given site specific circumstances. It is recommended that the number of houses allocated per site responds approximately to the existing density of the village's built up area*

and appropriate for the context and setting of the site, considering the site-specific characteristic and constraints.” Finally, the report states “***The site capacities stated are for illustrative purposes only.***”

The latter clearly shows that AECOM in no way intended to indicate that 22 dph was an appropriate density for any or all sites.

Furthermore, reference to the Core Strategy requirement is irrelevant: The Neighbourhood Plan will be submitted for examination only after adoption of the Local Plan, which does not include such numeric criteria for site capacity. {Note: The Local Plan was adopted on 28 November 2019, thus verifying this response}

Additionally, with regard to site density, Breckland Council has made no comments objecting to the provisions of Policy 3D: Density of Residential Developments, which is justified in the policy’s supporting text, including by reference to relevant paragraphs of the NPPF, which support the approach taken. The policy is also supported by the fact that infrastructure, landscape and flood risk constraints limit the level of housing that may be delivered.

Both the Saham Toney Site Assessment Report and Site Selection Report rigorously (and in the case of the former, independently) examine a wide range of criteria in reaching conclusions about whether a site is suitable for development and if it is, to what capacity. Of particular note in this respect for the 4 sites in question are impact on area of high visual landscape sensitivity, surface water flood risk and heritage impact.

Furthermore, the Local Highways Authority assessment of sites put forward for allocation in the Neighbourhood Plan stated that the Authority would only support development of only one of the 4 sites coming forward for a maximum of 25 dwellings. The landowners were made aware of this constraint several months before pre-submission of the Plan, and declined to offer mitigating measures to this Highways constraint. The Plan does offer such measures and in doing so at the pre-submission stage, via the Site Selection Report, justified a maximum of 38 dwellings on the 4 sites. The pre-submission version of the Site Selection Report demonstrated that that level of development was only borderline acceptable in terms of landscape impact. Subsequently, Locality-funded technical support was secured by the Neighbourhood Plan Group in order to undertake masterplanning studies to accompany the larger proposed site allocations. Those masterplanning studies and a professional review of landscape impact showed sites STNP5 and 6 to be unacceptable in terms of landscape impact (see the submission version of the Site Selection Report for details). As a result, those two draft site allocations have been removed from the Plan, and a total of 25 houses are now being proposed to be allocated on sites STNP4 and 7.

The Local Highways Authority repeated its previous comment (regarding the cumulative impacts of the four sites) in its pre-submission consultation response (see section B.4.8)

In follow-up correspondence clarifying its pre-submission consultation response (see B4.8) the Local Highways Authority “softened” its restriction on overall capacity for sites STNP4-7, (revised comments on “numbers and cumulative impacts, see B4.8); as explained in the reaction to those revised comments, it was not appropriate to apply that relaxation in the context of other more suitable site allocations and unresolved concerns about junction safety, which the Local Highways Authority clarifications did not explicitly remove.

Taking into account all of the above, there is no justification to increase the capacity of any of the 4 sites. Indeed, because of the identified harmful landscape impact of sites STBP5 and 6, those have been removed from allocation. In conjunction with that the capacity of site STNP4 has been increased to 17 dwellings.

3. Regarding the policy requirement for Traffic Impact Reports (referred to as Transport Statements in the representation)

This requirement was added to the site policies in an attempt to mitigate the capacity constraint identified by the Local Highways Authority (see item 2). That constraint related to junction capacity; hence a Transport Statement offered an applicant the opportunity to demonstrate to both the Local Highways Authority and Local Planning Authority that a proposal could be satisfactorily accommodated by the highway network and that cumulatively a higher capacity for the 4 sites than the Highways limit of 25 would be acceptable. In its pre-submission consultation response and subsequent clarification

thereof, the Highways Authority rescinded that limit and advised that they would not require junction capacity assessments of any of the allocated sites. In addition, a transport study was commissioned and showed the individual and cumulative impact of all allocated sites to be acceptable. For both reasons the requirement for Traffic Impact Reports has been deleted.

4. Regarding the policy requirement for the provision of Landscape and Visual Impact Assessments

All 4 sites are in an area of high visual sensitivity and medium-high combined landscape sensitivity, as defined by the Saham Toney Parish Landscape Character Assessment of January 2019. That assessment highlights how sensitive the area in question is to development (relevant extracts of the Assessment can also be found in section 13.7 of the Site Selection Report).

The combined landscape impact assessment of the 4 sites included in the pre-submission Site Selection report showed that impact to be only borderline acceptable for the number of dwellings allocated for the 4 sites. Any increase would change that result to unacceptable. Subsequent masterplanning studies and a professional review of landscape impact showed sites STNP5 and 6 to be unacceptable in terms of landscape impact (see the submission version of the Site Selection Report for details) and hence they were removed from allocation. Given those deletions, an increase to the capacity of site STNP4 was deemed acceptable in landscape terms and has been incorporated in the Plan.

Single plots of development land in Saham Toney currently sell for £175 – 200,000. As allocated at pre-submission, there were 38 such plots on the 4 sites, illustrating that the potential land value is significant. The Parish Council's landscape consultant has advised that for the preparation of a Landscape and Visual Impact Assessment for one site she would expect to charge in the order £1500-2000. On request by the Saham Toney Neighbourhood Plan work group, in December 2019 the planning consultants AECOM quoted a cost of £5400 +VAT to undertake Landscape and Visual Impact Assessments of these 4 sites plus site STNP1, and to undertake combined impact assessments for two options (all five sites, and limited to STNP1, 4 and 7). In the context of the potential land value, which has significantly increased by virtue of being allocated in the Plan, such charges are insignificant.

The representation seeks to avoid the policy requirement by focusing on the size of individual sites, and the landowners have to date declined requests to treat all 4 sites as one combined site in a single policy. This precludes the Plan making a requirement for a combined Landscape and Visual Impact Assessment, the need for which would be more difficult to argue against.

However elsewhere the representation seeks to have all 4 sites considered together (see response 5), making it difficult to understand the logic of objecting to a Landscape and Visual Impact Assessment for the 4 sites combined.

It is noted that as a result of comments to the Plan by Breckland Council the requirement for a full Landscape and Visual Impact Assessment has been amended to a proportionate Landscape and Visual Appraisal, to be in accordance with the approach given in Guidelines for landscape and Visual Impact Assessment 3rd Edition. It is considered this measure adequately addresses the comment in this respect as the new requirement is fully in accordance with best practice as defined by the Landscape Institute.

5. Regarding treating all 4 sites together in a cohesive manner

The Plan would be willing to do this: indeed, it is a suggestion that was made to landowners in early 2019 and put forward in an earlier informal version of the Plan, which gave a single policy for all 4 sites. That was rejected by the landowners, who themselves insisted on having 4 separate policies, which they are now objecting to.

The phasing proposed in the Plan is a result of two factors:

- a) A general need to avoid too much development happening over a particular period of the Plan's life, since it has been evidenced that due to limitations of infrastructure and services that would not be sustainable;
- b) The fact that the landowners did not agree draft site policies before pre-submission of the Plan, meant at that time their sites could not be considered deliverable, but were developable and hence under NPPF requirements could not be allocated in the first 5 years of the Plan's period.

The representation suggests masterplanning of the sites. In August 2019, via Locality the Neighbourhood Plan Group commissioned AECOM to carry out masterplanning of the 4 sites concerned together with

another adjacent site (STNP1) in different ownership. That study examined 3 different options for the combined sites. The results of that study have been used to inform and provide further evidence for the further update of the Plan. The base case for that study was 48 houses; one option reduced that total to 35 and a further option increased it to 72 houses (to match this representation). As a result of masterplanning studies and a professional landscape impact assessment the option for 35 houses on 3 sites was selected, and sites STNP5 and 6 removed from allocation in the Plan. Phasing of site development remains appropriate, given village infrastructure and services constraints.

6. Regarding the view towards Saham Mere from Pound Hill

Policy 7B defines a series of Key Views to be respected, preserved, incorporated and enhanced. Key View 4 is from Pound Hill towards Saham Mere and further. That view was identified as the result of assessment by a professional and qualified Landscape Consultant. Contrary to the assertion in the representation, that view is not defined as being “*of Saham Mere*”, but rather “*towards Saham Mere*”. Understanding this fact is crucial to assessing the representation, since it is irrelevant whether the Mere itself can be seen. This invalidates the comment in this respect. The fact that a Key View exists across Site STNP5 both justifies the requirement for an area of undeveloped land and reinforces the need for a Landscape and Visual Impact Assessment of that site.

That notwithstanding this will be addressed in greater detail by the aforementioned AECOM masterplanning study, which itself will be reviewed by our Landscape Consultant.

It is pointed out that the Saham Toney Parish Landscape Character Assessment does not specifically refer to site STNP5 because that assessment was completed 8 months prior to sites being allocated and addressed impact on a parish-wide rather than site specific basis. However, the assessment clearly identifies the high sensitivity of the area in which Site STNP5 is located and the need to take great care when putting forward development proposals. The presence of a Key View amplifies this concern. It is also noted that site specific assessment would come from a Landscape and Visual Impact Assessment, but the representation argues against the need for that.

The professional landscape impact review of sites STNP4-7 (plus STNP1) undertaken in response to the masterplanning study performed by AECOM, considered in greater depth the potential impact on sites on the Key View in question. The review concluded that the harmful impact of site STNP5 on that view was a contributory factor in its overall harmful landscape impact, which resulted in the site being removed from allocation.

7. Regarding building heights

Policy 2J does not limit development to single storey dwellings on Site STNP5; it states them as “expected” but allows the possibility of two storey dwellings subject to that being shown to be acceptable by a Landscape and Visual Impact Assessment. However again it is noted that the representation objects to the requirement for such an assessment. Note: Site STNP5 was deleted for other reasons hence this comment is redundant.

Conclusion


Most of the issues raised by the representation have been shown above to lack substance or validity with the exception of policy requirements for landscape and visual impact assessment and transport studies. The representation attempts to have the sites treated as just another development on just another tract of land and fails to recognise key issues in the area concerned relating to a lack of infrastructure and services, surface water flood risk, and landscape and heritage impact. The Plan’s policies address all those issues and those were fully accounted for in a holistic manner in the Site Assessment and Site Selection Reports. The Plan and its extensive supporting evidence provide ample justification for the policies and the representation does not make a valid case for changing the Plan, with the exception of policy requirements for landscape and visual impact assessment and transport studies.

ACTION TAKEN:

Requirement for full Landscape and Visual Impact Assessments amended to proportionate Landscape and Visual Appraisals

Requirement for transport studies deleted from site allocation policies

B4.8. Representation by Norfolk County Council

RESPONDING ORGANISATION: Norfolk County Council	DATE: 02 / 04 / 07 October 2019
REPRESENTATION(S):  Norfolk County Council Norfolk County Council Comments on the: Saham Toney Neighbourhood Plan (Reg 14) 2 October 2019 1. Preface 1.1 The officer-level comments below are made without prejudice, the County Council reserves the right to make to any further comments the County Council may have on future iterations of the emerging Neighbourhood Plan. 1.2 The County Council welcomes the opportunity to comment on the emerging Neighbourhood Plan and recognises the considerable amount of work and effort which has been put into developing the Plan to date. 2. General Comments 2.1 There is a spelling error in paragraph T8.10 'Sham Toney'. 3. Infrastructure Delivery 3.1 The Plan could contain supporting text referencing the following; <ul style="list-style-type: none">• Housing and other development will be expected to contribute towards improving local services and infrastructure (such as transport, education; library provision, fire hydrant provision, open space etc.) through either the payment of a Community Infrastructure Levy (CIL); planning obligations (via an s106 agreement / s278 agreement); or use of a planning condition/s.• Norfolk Fire and Rescue Service advocates the installation of sprinklers in all new developments. Sprinklers have a proven track record to protect property and lives. It would therefore be helpful if the emerging Neighbourhood Plan could refer to the installation of Sprinklers in new developments. 3.2 Should you have any queries with the above comments please contact Naomi Chamberlain (Trainee Planner) at email withheld or call 01603 638422. 4. Lead Local Flood Authority (LLFA) 4.1 It is noted that there is widespread mention of surface water flood risk within the neighbourhood plan, particularly within the site allocation criteria, which is welcomed. 4.2 The LLFA would suggest the following specific policy with regards to surface water flooding to augment the neighbourhood plan POLICY: FLOODING The Plan requires that any future development (or redevelopment) proposals show there is no increased risk of flooding from an existing flood source and mitigation measures are implemented to address surface water arising within the development site. Any new development or significant alteration to an existing building within the Saham Toney area should be accompanied by an appropriate assessment which gives adequate and appropriate consideration to all sources of flooding and proposed surface water	

drainage. Any application made to a local planning authority will be required to demonstrate that it would:

- Not increase the flood risk to the site or wider area from fluvial, surface water, groundwater, sewers or artificial sources.
- Have a neutral or positive impact on surface water drainage.
- Proposals must demonstrate engagement with relevant agencies and seek to incorporate appropriate mitigation measures manage flood risk and to reduce surface water run-off to the development and wider area such as:
 - Inclusion of appropriate measures to address any identified risk of flooding (in the following order or priority: assess, avoid, manage and mitigate flood risk).
 - Where appropriate undertake sequential and /or exception tests.
 - Locate only compatible development in areas at risk of flooding, considering the proposed vulnerability of land use.
 - Inclusion of appropriate allowances for climate change.
 - Inclusion of Sustainable Drainage proposals (SuDS) with an appropriate discharge location.
 - Priority use of source control SuDS such as permeable surfaces, rainwater harvesting and storage or green roofs and walls. Other SuDS components which convey or store surface water can also be considered.
 - To mitigate against the creation of additional impermeable surfaces, attenuation of greenfield (or for redevelopment sites as close to greenfield as possible) surface water runoff rates and runoff volumes within the development site boundary.
 - Provide clear maintenance and management proposals of structures within the development, including SuDS elements, riparian ownership of ordinary watercourses or culverts, and their associated funding mechanisms.

4.3 **ALLOCATION OF SITES**

The LLFA expect that the Neighbourhood Planning process provides a robust assessment of the risk of flooding, from all sources, when allocating sites. If a risk of flooding is identified then a sequential test, and exception test are required to be undertaken. This would be in line with Planning Practice Guidance to ensure that new development is steered to the lowest areas of flood risk. However, any allocated sites will also be required to provide a flood risk assessment and / or drainage strategy through the development management planning process.

4.4 Should you have any queries with the above comments please contact the Lead Local Flood Authority at llfa@norfolk.gov.uk.

5. Transport

5.1 Appendix 1 contains the schedule of comments on each of the proposed site allocations.

Sites coloured red in the schedule are considered unsuitable and it is highly unlikely that a satisfactory highway solution can be found.

The sites coloured orange raise significant highway concerns and based on the evidence available and the judgement of the highway authority they will not be able to meet highway safety requirements, however, if the site is to remain in the plan then further evidence will be required to demonstrate that a satisfactory highway solution can be delivered.

The green sites are acceptable, as it is considered likely that the required access and off site requirement can be met. Further evidence to demonstrate a suitable highway solution will be required at the application stage.

The requirements for a safe access can be found in the County Councils Safe and Sustainable Development guidance. The link can be found on this page:

<https://www.norfolk.gov.uk/rubbish-recycling-and-planning/planning->

[applications/highway-guidance-for-development/publications](#), visibility requirements can be found on page 27.

5.2 NCC is able to advise the Neighbourhood Plan Team what evidence would need to be gathered to tackle the issues raised.

5.3 Should you have any queries with the above comments please contact Richard Doleman (Principal Infrastructure Development Planner) at [email withheld](#) or call 01603 223263.

6. Historic Environment

6.1 It is noted that policies 6.3 – 6.7 have been altered in line with the previous advice and there are no further comments to make on these policies.

6.2 In relation to the site allocations it is noted that the supporting documents contain an assessment of impacts on heritage assets in terms of the settings of listed buildings, but no reference is made to potential impacts on below-ground archaeology.

The Historic Environment assessment of impact on below-ground archaeology and undesignated historic buildings is tabulated in appendix 2.

6.3 Should you have any queries with the above comments please call John Percival (Historic Environment Officer) on 01362 869275 or email withheld.

Appendix 1 (Note: the following comments of the Local Highways Authority were followed up in correspondence leading to the Authority providing amended responses – hence the reaction to the initial responses is given first, followed by the amended responses, reaction to them and a description of actions taken as a result)

Saham Toney Neighbourhood Plan Reg 14 Proposed Site Allocations

Site	Highway Authority Comments
STNP1	Object Unless evidence can be provided that a safe access can be formed to the satisfaction of the Highway Authority.
STNP2	Object There are no footpaths to school on Hills Road and no opportunity to provide There is no evidence that a safe access can be formed to the satisfaction of the Highway Authority.
STNP4*	Accept.
STNP5*	Accept.
STNP6*	Accept Subject to evidence to demonstrate that sufficient visibility can be achieved at the junction with a sufficient distance from Pound Hill Lane or accessed through STNP5.
STNP7*	Accept Subject to off-site works required to widen Pages Lane to 6m and provide a frontage footpath.
STNP9	Object Unless evidence can be provided that a safe access can be formed to the satisfaction of the Highway Authority.

STNP13	Object There are no footpaths to school on Hills Road and no opportunity to provide.
STNP14	Object There are no footpaths to school on Hills Road and no opportunity to provide.
STNP15	Object Unless evidence can be provided that a safe access can be formed to the satisfaction of the Highway Authority.
STNP16	Object Unless evidence can be provided that a safe access can be formed to the satisfaction of the Highway Authority.

*Highways would only support one of these coming forward with a max of 25 dwellings to avoid more traffic using the Pound Hill/ Richmond Road junction.

Appendix 2

Historic Environment Comments on the Saham Toney Neighbourhood Plan

Reg 14 Proposed Site Allocations

	Traffic light rating	
STNP1	Amber	We have commented on previous applications for this site
STNP2	Green	Due to nature of existing buildings and hardstanding
STNP4	Amber	
STNP5	Amber	
STNP6	Amber	
STNP7	Amber	Nature and significance of historic buildings on the site unclear
STNP9	Amber	
STNP13	Amber	
STNP14	Amber	
STNP15	Amber	
STNP16	Amber	We have commented on previous applications for this site

Appendix 3

Councillor Comments

I fully support the Saham Toney neighbourhood plan.

CLlr Edward Connolly

RELEVANT SECTION(S) OF PLAN:

1. General
 2. Supporting text to Policy 8
 3. Policy1, Policy 3A
 4. Site allocation policies 2F-2Q, Policy 8
 5. Site allocation policies 2F-2Q
 6. Site allocation policies 2F-2Q, Policy 6
- App. 3: General

REACTION TO REPRESENTATION(S)

1.1 and 1.2: Noted

2.1 Agreed

3.1, first bullet: Noted. We consider this is covered in Breckland Local Plan Policy INF 02: Developer Contributions and paragraph 8.11 of the Local Plan. No change to the Neighbourhood Plan is required in this respect.

3.1, second bullet: A new criterion will be added to Policy 3A: Design.

3.2: Noted. Clarification to comments by the LLFA and Local Highways Authority were sought and are given below in the sections dealing with representation section 4 and 5 respectively.

4. General: It shall be noted that as part of the Plan submission version update, Policy 8 was split into component parts (Policies 8A-8H and 9) and each expanded to better deal with the topic of surface water management. References below are to the pre-submission policy on the topic, Policy 8.

4.1: Noted

4.2 The principle of new policy requirements is accepted and welcomed, but since some elements of the proposed new policy duplicate existing requirements of Policy 8, the latter will be updated to include non-duplicated items, rather than introducing a new policy. This approach has been agreed in post-consultation correspondence with the Lead Local Flood Authority, as given below:

STNP query regarding LLFA comments, 03 October 2019:

Dear Naomi,

Reference the comments you sent yesterday, could you please clarify the following with your colleague who commented on behalf of the LLFA:

A new policy dealing with flooding has been proposed. While we very much welcome the guidance it provides, in many ways it does seem to overlap / duplicate our existing Policy 8: Surface Water Management & Sewerage Provision (in which we had incorporated previous LLFA comments). Is the intention to suggest:

- a) Complete replacement of Policy 8 with the LLFA's wording; or*
- b) A new policy in addition to Policy 8?*

Alternatively does the LLFA have any objection if we appropriately merge the non-duplicating aspects of its proposed policy wording with the existing Policy 8?

LLFA response, 08 October 2019:

Many thanks for your email query via Naomi Chamberlain.

Please feel free to appropriately merge any non-duplicated points into your document. It is recognised and welcomed that the current version contains many references to surface water flood risk throughout and these non-duplicated elements would augment your document.

Kind regards

Dean

Dean Shelton, Senior Flood Risk Officer

Lead Local Flood Authority

4.3 The LLFA carried out assessment of all sites put forward for allocation in the Neighbourhood Plan. Sites not supported by the LLFA's assessment have not been allocated in the Plan. The selection process used to decide which sites to allocate included full consideration of flood risk and the potential to

implement flood risk mitigation measures and may be considered as a sequential test (as indicated by Planning Practice Guidance regarding the sequential test and site allocations). Requirements for a Flood Risk Assessment and / or Drainage Strategy are already given in Policy 8

4.4: Noted.

5.1 and App. 1: The highways constraints noted in Appendix 1 were previously identified in site assessments provided by the Local Highways Authority in support of the Neighbourhood Plan's site allocation process. Mitigations were described in the Site Selection Report which formed part of the Regulation 14 consultation. It was not clear that the Authority had taken into account those mitigations when making its representations. Hence the mitigation evidence was re-sent to the Authority on 9th October 2019 with a request for it to advise as to its acceptability, or otherwise advise what further evidence might justify allocation of particular sites. The text of that enquiry was as follows:

Site	Highway Authority Representation
STNP1	Object Unless evidence can be provided that a safe access can be formed to the satisfaction of the Highway Authority.
EVIDENCE FOR SITE STNP1: Highways response to an earlier planning application for the site, ref. 3PL/2015/1430/F (<i>see Figures A1 and B2 of Site Selection Report</i>), which indicated that development of the site was acceptable to the LHA, subject to conditions. The required visibility splays have been made a condition of Site Allocation Policy 2G. The other conditions could be incorporated in the policy or its supporting text, with the agreement of the LPA, but it is considered it would be more rational for them to be applied as conditions when a new application for the site comes forward.	

STNP2	Object There are no footpaths to school on Hills Road and no opportunity to provide There is no evidence that a safe access can be formed to the satisfaction of the Highway Authority.
EVIDENCE FOR SITE STNP2: Highways response to an earlier planning application for the site, ref. 3PL/2015/0009/F (<i>see Figures B3 and B4 of Site Selection Report</i>), which indicated that development of the site was acceptable to the LHA, subject to conditions. The required visibility splays have been made a condition of Site Allocation Policy 2H. The other conditions could be incorporated in the policy or its supporting text, with the agreement of the LPA, but it is considered it would be more rational for them to be applied as conditions when a new application for the site comes forward. With regard to the lack of footpaths to the village school, the approximate distance of the site from the school is 1330m, of which approximately 770m lacks a footway. The cost of providing a footpath linking the two would be disproportionate to the size of the proposed development. Moreover, paragraph 109 of the NPPF states " <i>Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.</i> " Aim 1 of Norfolk County Council's aims in development management relates to transport sustainability, and is: " <i>Minimising travel to ensure people can access facilities they need by appropriate transport modes, encouraging walking, cycling and public transport use and reducing the use of private cars especially for shorter journeys.</i> " (Ref: Norfolk County Council Safe Sustainable Development, Aims & Guidance Notes for Local Highway Requirements in Development Management, December 2018).	

The County Council document goes on to explain that whilst Paragraph 109 of the National Planning Policy Framework provides useful clarification of national policy in relation to highway safety, supporting the position that highway safety is an important material consideration which should properly be taken into account and given due weight, it does not offer a formal definition of 'severe', but rather leaves it to Local Authorities to produce their own interpretation. In Norfolk, a 'severe' impact is deemed occur when: -

- a) Queue lengths (and blocking back to previous junctions), delay and locational context, the Degree of Saturation, Practical Reserve Capacity, or Ratio of Flow to Capacity are unacceptable;
- b) Junctions do not conform to modern day standards and improvements cannot be made to bring them up to standard, or;
- c) A **major residential development** does not maximise the opportunity to travel by sustainable modes, in particular if it cannot provide a safe walking route to school or is outside of the nationally recognised acceptable walking distances to catchment schools (Department for Education - Home to School Travel and Transport Guidance).

Point (c) is relevant: it specifically refers to “major development” (i.e. development of 10 or more dwellings). Site STNP2 is for 4 dwellings and so cannot be classed as major. Hence by the Council’s definition, impact on the road network due to lack of a footpath cannot be considered severe, and therefore in accordance with the NPPF that is not a reason for preventing or refusing development on highways grounds.

STNP4*	Accept.
STNP5*	Accept.
STNP6*	Accept Subject to evidence to demonstrate that sufficient visibility can be achieved at the junction with a sufficient distance from Pound Hill Lane or accessed through STNP5.
EVIDENCE FOR SITE STNP6: Visibility splays no less than 2.4 x 59m to each side of the highway access point are a condition of Site Allocation Policy 2K. The western site boundary is approximately 22m from the junction of Page’s Lane with Pound Hill. The eastern site boundary is approximately 55m from the junction of Page’s Lane / Chequers Lane with Hills Road. The site frontage is approximately 77m long. Hence it is clear that an access point may be provided that is at least 59m from each noted junction.	
STNP7*	Accept Subject to off-site works required to widen Pages Lane to 6m and provide a frontage footpath.
EVIDENCE FOR SITE STNP7: It is a condition of Site Allocation Policy 2L that provision shall be made to widen Page’s Lane to an extent agreed with the LHA. Given the above comment, we will update the policy to state a required width of 6m. It is also a condition of Site Allocation Policy 2L that a pedestrian footpath shall be provided along the full length of the widened section of the highway (from the western most point at which the site adjoins the highway east to the junction of Page’s Lane and Pound Hill.	

CLARIFICATIONS FOR SITES STNP4-7:

It is noted that Highways would only support one of these coming forward with a maximum of 25 dwellings.

- a) The Neighbourhood Plan seeks to justify a higher number (38 in total) by phasing delivery of the sites over a 16-year period, and requiring future planning applications for the sites to include a professional transport impact report, including a traffic survey of the use of the Pound Hill / Richmond Road junction, to demonstrate that use of the junction would remain at an acceptable level following development.

What additional evidence / measures would be required to overcome the constraint on the amount of traffic using the Pound Hill / Richmond Road junction; such that a maximum of 38 dwellings could be allocated?

- b) It is the intention to allocate more than one of these sites. Please explain why the LHA requires development to be limited to one site only? It is not clear why 2, 3 or 4 sites developed to the same limit stated (or a higher number given additional measures) would impact the Pound Hill / Richmond Road junction to a greater degree than if just one site is developed.
- c) If 2, 3 or 4 of the sites came forward as planning applications at different times (either as allocated sites or outside the Neighbourhood Plan) how would the LHA react to their cumulative impact on the junction of Pound Hill / Richmond Road?

STNP9	Object Unless evidence can be provided that a safe access can be formed to the satisfaction of the Highway Authority.
-------	--

EVIDENCE FOR STNP9:

Pre-application correspondence between the site developer and the LHA in 2014 shows that the preliminary scheme put forward, as given in Appendix A (*i.e. Figures B5 and B6 of the Site Selection Report*), was acceptable to the LHA. That scheme remains the basis of the site allocation of this site

STNP13	Object There are no footpaths to school on Hills Road and no opportunity to provide.
STNP14	Object There are no footpaths to school on Hills Road and no opportunity to provide.

EVIDENCE FOR SITES STNP13 & STNP14:

The approximate distance of the two sites from the school are 2015m (STNP13) and 1950m (STNP14). The cost of providing a footpath linking the two would be disproportionate to the size of the proposed developments (each is for 5 dwellings). Moreover, paragraph 109 of the NPPF states "*Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.*" Aim 1 of Norfolk County Council's aims in development management relates to transport sustainability, and is: "*Minimising travel to ensure people can access facilities they need by appropriate transport modes, encouraging walking, cycling and public transport use and reducing the use of private cars especially for shorter journeys.*" (Ref: Norfolk County Council Safe Sustainable Development, Aims & Guidance Notes for Local Highway Requirements in Development Management, December 2018).

The County Council document goes on to explain that whilst Paragraph 109 of the National Planning Policy Framework provides useful clarification of national policy in relation to highway safety, supporting the position that highway safety is an important material consideration which should properly be taken into account and given due weight, it does not offer a formal definition of 'severe', but rather leaves it to Local Authorities to produce their own interpretation. In Norfolk, a 'severe' impact is deemed occur when: -

- d) Queue lengths (and blocking back to previous junctions), delay and locational context, the Degree of Saturation, Practical Reserve Capacity, or Ratio of Flow to Capacity are unacceptable;
- e) Junctions do not conform to modern day standards and improvements cannot be made to bring them up to standard, or;
- f) A **major residential development** does not maximise the opportunity to travel by sustainable modes, in particular if it cannot provide a safe walking route to school or is outside of the nationally recognised acceptable walking distances to catchment schools (Department for Education - Home to School Travel and Transport Guidance).

Point (c) is relevant: it specifically refers to "major development" (i.e. development of 10 or more dwellings). Sites STNP13 & 14 are each for 5 dwellings and so cannot be classed as major. Hence by the Council's definition, impact on the road network due to lack of a footpath cannot be considered severe, and therefore in accordance with the NPPF that is not a reason for preventing or refusing development on highways grounds.

STNP15

Object

Unless evidence can be provided that a safe access can be formed to the satisfaction of the Highway Authority.

EVIDENCE FOR SITE STNP15:

Site Allocation Policy 2P specifies that visibility splays no less than 2.4 x 59m shall be provided to each side of the highway access point. This may be achieved by creating a new access point close to the western boundary of the site, which has been measured to confirm it would be more than 59m from the start of the bend in Richmond Road to the east of the site. This differs from the proposal the LHA undertook a site assessment of, because at that time the proposal was to use the driveway to the existing property at 8 Richmond Road, but that did not satisfy the 59m splay requirement.

STNP16

Object

Unless evidence can be provided that a safe access can be formed to the satisfaction of the Highway Authority.

EVIDENCE FOR SITE STNP16:

The development of site STNP16 will be combined with that of an adjacent plot of land in the same ownership which benefits from outline planning permission, granted under planning application 3PL/2018/0563/O. That application included details of the proposed highway access. LHA comments on the application were limited to the provision of a footpath northwards from the site access point, and subsequent applicant submissions satisfied the Authority on this topic. The application was granted outline planning permission and the only Highways conditions related to the required footpath, indicating that other aspects of highways access were acceptable.

Site Allocation Policy 2Q includes requirements that access to the combined site utilises the same access as that proposed under the permitted planning application, with the same conditions that applied to that permission. This includes the new footpath northwards along Richmond Road (as shown on the policy map).

The response of the Local Highways Authority to the above post-consultation clarification request, dated 22 November 2019, was as follows:

COMMENT A:

Thank you for your email regarding the Highway Authority comments on proposed site allocations in the Saham Toney Neighbourhood Plan.

I'm sorry that it has taken some time to collate our further response. We do not usually provide a follow up to our formal consultation response, but given the number of allocations and the highway issues they raise the following response has been collated.

The responses have taken into consideration the evidence proved to support the allocations, previous planning history (formal and informal), plan making guidance, the policies of the Highway Authority, and the development plan.

REACTION: Noted

COMMENT B:

Firstly, taking the proposed allocations in turn.

STNP1

The requirements for the site will be

- a) A visibility splay of 59x2.4
- b) Footway across the frontage of the site and linking to the existing provision on the south side of Pages Lane
- c) The site will require an adopted Road
- d) The site should made provision for access to STNP6

These requirements need to be in the STNP1 allocation policy and evidence will be required to support a planning application.

Subject to all the above points being identified in the allocation policy the site would be acceptable for inclusion in the plan.

REACTION:

- a) A 59 x 2.4m visibility splay is already specified by Policy 2F for this and other allocated sites. The Saham Toney Neighbourhood Plan Transport Study (AECOM, March 2020) shows that in principle, appropriate access widths and adequate visibility splays can be achieved at the site, in accordance with Local Highway Authority standards and guidelines, and includes an indicative drawing showing the visibility splays;

- b) A footway across the site frontage is not practical owing to narrow verge width and the presence of an important drainage ditch. Instead Policy 2H for this site already requires a footway from the site entrance to the existing provision on Page's Lane without dictating it must be across the site frontage (i.e. it may be through the site). Such a footway was shown to be achievable by the Saham Toney Neighbourhood Plan Masterplanning Study (AECOM, February 2020), and is illustrated on Policy Map 2G.1;
- c) Agreed, and requirement will be added to Policy 2H;
- d) There is no justification for this, because:
- e) Site STNP1 does not adjoin site STNP6;
- f) Sites STNP1 and STNP6 are in different ownership;
- g) Site STNP6 has been deleted from the Plan for other reasons.

COMMENT C:

STNP2

The County Council as Highway Authority cannot support this site. It is remote from the school and has no footway connection and the proposal is detrimental to highway safety. The issues of cost and deliverability of required infrastructure should not be taken as a reason to remove the requirement for a footway but must result in the site not being allocated. The proposed reasoning for allocation is flawed and not based on positive plan-making as the allocation would be contrary to The Local Transport Plan, NPPF and Local plan that all promote highway safety and walking as a sustainable means of travel. For these reasons it does not meet Basic Conditions a, d and e

- a) having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the order (or neighbourhood plan).
- d) the making of the order (or neighbourhood plan) contributes to the achievement of sustainable development.
- e) the making of the order (or neighbourhood plan) is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area).

The objection is maintained and the site should be removed from the proposed plan.

REACTION:

- h) The comment that this development would be "detrimental to highway safety" cannot be accepted, given the fact that in its representation to a previous planning application for this site (with exactly the same boundary and number of houses), an officer of the Local Highway Authority commented "The details indicated on the revised drawing 9813/2A overcome my concerns and I would therefore raise no objections..." This was subject to a condition requiring vehicular access to the site to be widened to 4.5m for the first 10 metres measured back from the near channel edge of the adjacent carriageway. Such an arrangement was indicated on the noted drawing, which is reproduced in Figure B3 of the Site Selection Report.
- i) In the light of (a), considering paragraph 109 of the NPPF: "*Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.*", it cannot be considered there is "an unacceptable impact on highway safety". There remains the question of whether any residual cumulative impacts on the road network would be severe. As explained in the additional evidence of 9th October 2019, using Norfolk County Council's own definition, the impact of developing this site would not be considered "severe". Hence neither of the NPPF conditions for refusing development on highway grounds apply to site STNP2, and as a result the objection in this respect is not accepted.
- j) Requiring a development of 4 dwellings to fund a footpath approximately 770m in length is disproportionate. We do not have evidence that this proposed site allocation would be

detrimental to highway safety and do not consider it to contravene the basic conditions required of neighbourhood plans.

- k) While it is accepted that the Local Transport Plan, NPPF and Local Plan all promote highway safety and walking as a sustainable means of travel, it is not the case that any of those documents dictate that infrastructure to facilitate walking must be provided for all new developments, nor that use of vehicles is not expected, especially in rural areas. The Local Plan notes "...travel by car will still be an essential option for many people living in remote rural areas." In section 4.8 of the Local Transport Plan, it is stated "In rural areas, where there are fewer local services and employment opportunities, it is recognised that the car will be a key mode of transport." It is unreasonable to suggest that the provision of 4 single-storey dwellings on this site will add to vehicle use in anything other than an insignificant manner.
- l) It is not accepted that a development of 4 houses would add to highway issues in anything other than the most negligible way as the number of new journeys generated, particular at school journey times, would be insignificant. This fact is clearly proven by the Saham Toney Neighbourhood Plan Transport Study (AECOM, April 2020), which analyses the individual and cumulative impact of future traffic flows due to the allocated sites, and concludes that will be negligible.
- m) The following is extracted from an assessment of site STNP2 in the Saham Toney Neighbourhood Plan Transport Study, AECOM, April 2020: With regards to the absence of footways on Hills Road, it is considered that:
 - 1. Hills Road is currently lined with existing dwellings, the residents of which do not currently have access to a footway providing access towards the village centre/ primary school. No collisions have been recorded within the study period along Hills Road and therefore there is no evidence to suggest that there are any existing safety concerns relating to pedestrians travelling along Hills Road.
 - 2. Hills Road is characterised by sections of maintained verge and driveway accesses providing ample opportunity for pedestrians to step away from the carriageway in the event of an approaching vehicle.
 - 3. Based on the Census 2011 data provided in table 3-4 of the report, approximately 4% of residents are likely to be of primary school age, equating to a likelihood of less than one child of primary school age living on site STNP 2 in association with the four allocated dwellings.
- n) The introduction of footways along Hills Road would negatively impact the landscape character of the area and thereby contravene Policy 7A of the Neighbourhood Plan. The Saham Toney Landscape Character Assessment, January 2019, notes "Saham Toney has a distinctive and extensive pattern of roads and lanes that are key to its character". That character is in part defined by the grass verges and hedges that line many roads, including Hills Road, which add to the rural feel of the area.
- o) "Planning for Walking" by the Chartered Institution of Highways and Transport, 2015, states "Most people will only walk if their destination is less than a mile away." This does not imply that those living further away do not use the services and facilities: they will still do so but would clearly be more likely to use other forms of transport to do so; and it is this that should be taken into account. This is further recognised in the Local Plan which notes "travel by car will still be an essential option for many people living in remote rural areas."
- p) A lack of a footway linking a residential housing site to a local school is not against the Basic Conditions.
- q) The decision on planning appeal Ref: APP/F2605/W/17/3176900, 13 September 2017, related to a development of 10 houses in another part of the parish not served by footways to the school. Although the Local Highways Authority had requested a footway be provided from the site, the Inspector for that appeal concluded that the extra walking journeys likely to be generated by the development alone would be sufficient to warrant the provision of a footway, and concluded that the conflict between traffic and pedestrians would be minimal and hence the development would provide safe and secure access as set out in the NPPF. It is also noted that the Local

Highways Authority has repeatedly used that decision to support a conclusion that footways do not need to be provided to a number of sites subsequently proposed in the parish.

- r) In addition to the appeal decision described in (e), since 2011 there have been planning permissions for a total of 42 houses outside and not adjacent to the settlement boundary, remote from the school and for which there is no footway provision, to which the Local Highways Authority have raised no objection on grounds of remoteness from the school or lack of footways. Although in correspondence the Authority has noted that there are different considerations for plan-making and responding to a planning application (the former being about the promotion of appropriate sites that meet wider plan making objectives, and the latter about meeting minimum requirements), it has supported a significant amount of additional housing development over an extended period with seemingly no attention to the cumulative effects on plan-making that cause it concern in the case of this allocated site. This is inconsistent since it implies that were the site to be withdrawn from allocation in the neighbourhood plan, but then put forward via an individual planning application, the Authority would not object to it.
- s) **Therefore, based on the information reviewed it is not considered that there is sufficient evidence to justify the requirement of a footway from the proposed development site along Hills Road to the south.**
- t) For all of the above reasons it is considered that the allocation of site STNP2 would not contravene Basic Conditions a, d and e.

COMMENT D:

STNP4

The policy as drafted is acceptable to the Highway Authority for inclusion in the Plan.

STNP5

The site is acceptable for inclusion in the plan. If the site is required to provide access to STNP6 this will need to be in the allocation policy – See Highway advice on STNP6

STNP6

There is sufficient doubt that a suitable access can be achieved therefore evidence is required prior to highway support for the allocation. If evidence that a safe and suitable access can be formed is not available, then the site allocation needs to either require access through STNP1 or STNP5 OR restrict development to frontage only.

STNP7

The policy as drafted is acceptable to the Highway Authority for inclusion in the Plan.

REACTION:

STNP4: Noted

STNP5: It is not required to provide access to STNP6 via this site

STNP6: The plan below demonstrates that it would be possible to form a safe access. Furthermore, the Saham Toney Neighbourhood Plan Transport Study (AECOM, March 2020) provides a scale drawing that verifies a safe and suitable access could be achieved. That notwithstanding Site STNP6 has been removed from allocation in the Neighbourhood Plan for other reasons.



STNP7: Noted

COMMENT E:

STNP9

The pre-application advice referred to indicates that an access could be formed. However, it states that the main concern is the lack of footway. The Highway Authority cannot support the allocation of this site. It is remote from the school and has no footway connection and the proposal is detrimental to highway safety. The proposed reasoning for allocation is flawed and not based on positive plan-making as the allocation would be contrary to the Local Transport Plan, NPPF and Local plan that all promote highway safety and walking as a sustainable means of travel. For these reasons it does not meet Basic Conditions a, d and e

- a) having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the order (or neighbourhood plan).
- d) the making of the order (or neighbourhood plan) contributes to the achievement of sustainable development.
- e) the making of the order (or neighbourhood plan) is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area).

The highway objection is maintained and the site should be removed from the proposed plan.

REACTION:

- a) The pre-application advice given in the Site Selection Report and referred to both in additional evidence and the Highway Authority's updated comments states (with regard to internal discussion within the Authority) "The outcome was that we are happy for the development of the area of land that is within the settlement boundary (2-3 properties) subject to a footway being provided along the site frontage." The advice only requires an additional footway linking with Millview if further development (i.e. more than 3 dwellings) is required. Policy 2M allocates a maximum of 3 dwellings on site STNP9, and requires the provision of a site frontage footway. In respect of the Local Highway Authority's pre-application advice the Policy is fully compliant.

- b) The decision on planning appeal Ref: APP/F2605/W/17/3176900, 13 September 2017, related to a development of 10 houses in another part of the parish not served by footways to the school. Although the Local Highways Authority had requested a footway be provided from the site, the Inspector for that appeal concluded that the extra walking journeys likely to be generated by the development alone would be sufficient to warrant the provision of a footway, and concluded that the conflict between traffic and pedestrians would be minimal and hence the development would provide safe and secure access as set out in the NPPF. It is also noted that the Local Highways Authority has repeatedly used that decision to support a conclusion that footways do not need to be provided to a number of sites subsequently proposed in the parish
- c) In the light of (b), considering paragraph 109 of the NPPF: *“Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.”*, it cannot be considered there is “an unacceptable impact on highway safety”. There remains the question of whether any residual cumulative impacts on the road network would be severe. As explained in the additional evidence of 9th October 2019, using Norfolk County Council’s own definition, the impact of developing this site would not be considered “severe”. Hence neither of the NPPF conditions for refusing development on highway grounds apply to site STNP9, and as a result the objection in this respect is not accepted.
- d) While it is accepted that the Local Transport Plan, NPPF and Local Plan all promote highway safety and walking as a sustainable means of travel, it is not the case that any of those documents dictate that infrastructure to facilitate walking must be provided for all new developments, not that use of vehicles is not expected, especially in rural areas. The Local Plan notes “...travel by car will still be an essential option for many people living in remote rural areas.” In section 4.8 of the Local Transport Plan, it is stated “In rural areas, where there are fewer local services and employment opportunities, it is recognised that the car will be a key mode of transport.” It is unreasonable to suggest that the provision of 3 dwellings on this site will add to vehicle use in anything other than an insignificant manner.
- e) It is not accepted that a development of 3 houses would add to highway issues in anything other than the most negligible way as the number of new journeys generated, particular at school journey times, would be insignificant. This fact is clearly proven by the Saham Toney Neighbourhood Plan Transport Study (AECOM, March 2020), which analyses the individual and cumulative impact of future traffic flows due to the allocated sites, and concludes that will be negligible.
- f) We do not have evidence that this proposed site allocation would be detrimental to highway safety and do not consider it to contravene the basic conditions required of neighbourhood plans.
- g) The following is extracted from an assessment of site STNP9 in the Saham Toney Neighbourhood Plan Transport Study, AECOM, April 2020: With regards to the absence of a footway on Ovington Road and along part of Bell Lane, it is considered that:
 1. Ovington Road and Bell Lane are currently lined with existing dwellings, the residents of which do not currently have access to a footway providing access towards the primary school. No collisions have been recorded within the study period along Ovington Road or the relevant section of Bell Lane and therefore there is no evidence to suggest that there are any existing safety concerns relating to pedestrians travelling along either road.
 2. Ovington Road and Bell Lane are characterised by sections of maintained verge and driveway accesses providing ample opportunity for pedestrians to step away from the carriageway in the event of an approaching vehicle.
 3. Based on the Census 2011 data provided in in table 3-4 of the report, approximately 4% of residents are likely to be of primary school age, equating to a likelihood of less than one child of primary school age living within site allocation STNP9 in association with the three allocated dwellings.

- h) The introduction of footways along Ovington Road would negatively impact the landscape character of the area and thereby contravene Policy 7A of the Neighbourhood Plan. The Saham Toney Landscape Character Assessment, January 2019, notes "Saham Toney has a distinctive and extensive pattern of roads and lanes that are key to its character". That character is in part defined by the grass verges and hedges that line many roads, including Ovington Road, which add to the rural feel of the area.
- i) "Planning for Walking" by the Chartered Institution of Highways and Transport, 2015, states "Most people will only walk if their destination is less than a mile away." This does not imply that those living further away do not use the services and facilities: they will still do so but would clearly be more likely to use other forms of transport to do so; and it is this that should be taken into account. This is further recognised in the Local Plan which notes "travel by car will still be an essential option for many people living in remote rural areas."
- j) A lack of a footway linking a residential housing site to a local school is not against the Basic Conditions.
- k) In addition to the appeal decision described in (b), since 2011 there have been applications for a total of 42 houses outside and not adjacent to the settlement boundary, remote from the school and for which there is no footway provision, to which the Local Highways Authority have raised no objection on grounds of remoteness from the school or lack of footways. Although in correspondence the Authority has noted that there are different considerations for plan-making and responding to a planning application (the former being about the promotion of appropriate sites that meet wider plan making objectives, and the latter about meeting minimum requirements), it has supported a significant amount of additional housing development over an extended period with seemingly no attention to the cumulative effects on plan-making that cause it concern in the case of this allocated site. This is inconsistent since it implies that were the site to be withdrawn from allocation in the neighbourhood plan, but then put forward via an individual planning application, the Authority would not object to it.
- l) **Therefore, based on the information reviewed it is not considered that there is sufficient evidence to justify the requirement of a footway from the proposed development site along Ovington Road to link with the existing footway on Bell Lane.**
- m) For all of the above reasons it is considered that the allocation of site STNP9 would not contravene Basic Conditions a, d and e.

COMMENT F:

STNP13

The County Council as Highway Authority cannot support this site. It is remote from the school and has no footway connection and the proposal is detrimental to highway safety. The issues of cost and deliverability of required infrastructure should not be taken as a reason to remove the requirement for a footway but must result in the site not being allocated. The proposed reasoning for allocation is flawed and not based on positive plan-making as the allocation would be contrary to The Local Transport Plan, NPPF and Local plan that all promote highway safety and walking as a sustainable means of travel. For these reasons it does not meet Basic Conditions a, d and e

- a) having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the order (or neighbourhood plan).
- d) the making of the order (or neighbourhood plan) contributes to the achievement of sustainable development.
- e) the making of the order (or neighbourhood plan) is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area).

The highway objection is maintained and the site should be removed from the proposed plan.

STNP14

The County Council as Highway Authority cannot support this site. It is remote from the school and has no footway connection and the proposal is detrimental to highway safety. The issues of cost and deliverability of required infrastructure should not be taken as a reason to remove the requirement for a footway but must result in the site not being allocated. The proposed reasoning for allocation is flawed and not based on positive plan-making as the allocation would be contrary to The Local Transport Plan, NPPF and Local plan that all promote highway safety and walking as a sustainable means of travel. For these reasons it does not meet Basic Conditions a, d and e

- a) having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the order (or neighbourhood plan).
- d) the making of the order (or neighbourhood plan) contributes to the achievement of sustainable development.
- e) the making of the order (or neighbourhood plan) is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area).

The objection is maintained and the site should be removed from the proposed plan.

REACTION:

- a) The decision on planning appeal Ref: APP/F2605/W/17/3176900, 13 September 2017, related to a development of 10 houses in another part of the parish not served by footways to the school. Although the Local Highways Authority had requested a footway be provided from the site, the Inspector for that appeal concluded that the extra walking journeys likely to be generated by the development alone would be sufficient to warrant the provision of a footway, and concluded that the conflict between traffic and pedestrians would be minimal and hence the development would provide safe and secure access as set out in the NPPF. It is also noted that the Local Highways Authority has repeatedly used that decision to support a conclusion that footways did not need to be provided to a number of sites subsequently proposed in the parish.
- b) In addition to the appeal decision described in (e), since 2011 there have been applications for a total of 42 houses outside and not adjacent to the settlement boundary, remote from the school and for which there is no footway provision, to which the Local Highways Authority have raised no objection on grounds of remoteness from the school or lack of footways. Although in correspondence the Authority has noted that there are different considerations for plan-making and responding to a planning application (the former being about the promotion of appropriate sites that meet wider plan making objectives, and the latter about meeting minimum requirements), it has supported a significant amount of additional housing development over an extended period with seemingly no attention to the cumulative effects on plan-making that cause it concern in the case of this allocated site. This is inconsistent since it implies that were the site to be withdrawn from allocation in the neighbourhood plan, but then put forward via an individual planning application, the Authority would not object to it.
- c) In the light of (a) and (b), considering paragraph 109 of the NPPF: *“Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.”*, it cannot be considered there is “an unacceptable impact on highway safety”, there remains the question of whether any residual cumulative impacts on the road network would be severe. As explained in the additional evidence of 9th October 2019, using Norfolk County Council’s own definition, the impact of developing this site would not be considered “severe”. Hence neither of the NPPF

conditions for refusing development on highway grounds apply to sites STNP13 or 14, and as a result the objection in this respect is not accepted.

- d) Although the comment considers that cost and deliverability of required infrastructure should not be taken as a reason to remove the requirement for a footway, the NPPF does not support policies in a neighbourhood plan that restrict development by undermining viability or which are disproportionate to the size of a proposed development. Requiring a development of 4 dwellings to fund a footpath exceeding 1400m in length is disproportionate.
- e) It is not accepted that a development of 5 houses on each site would add to highway issues in anything other than a negligible way as the number of new journeys generated, particular at school journey times, would be insignificant. This fact is clearly proven by the Saham Toney Neighbourhood Plan Transport Study (AECOM, March 2020), which analyses the individual and cumulative impact of future traffic flows due to the allocated sites, and concludes that will be negligible.
- f) We do not have evidence that this proposed site allocation would be detrimental to highway safety and do not consider it to contravene the basic conditions required of neighbourhood plans.
- g) The following is extracted from assessments of sites STNP and STNP14 in the Saham Toney Neighbourhood Plan Transport Study, AECOM, April 2020: With regards to the absence of footways on Hills Road, it is considered that:
 - 1. Hills Road is currently lined with existing dwellings, the residents of which do not currently have access to a footway providing access towards the village centre/ primary school. No collisions have been recorded within the study period along Hills Road and therefore there is no evidence to suggest that there are any existing safety concerns relating to pedestrians travelling along Hills Road.
 - 2. Hills Road is characterised by sections of maintained verge and driveway accesses providing ample opportunity for pedestrians to step away from the carriageway in the event of an approaching vehicle.
 - 3. Based on the Census 2011 data provided in Table 3-4 of the report, approximately 4% of residents are likely to be of primary school age, equating to a likelihood of less than one child of primary school age living within site allocation STNP 13 or STNP14 in association with the five allocated dwellings.
- h) The introduction of footways along Hills Road would negatively impact the landscape character of the area and thereby contravene Policy 7A of the Neighbourhood Plan. The Saham Toney Landscape Character Assessment, January 2019, notes "Saham Toney has a distinctive and extensive pattern of roads and lanes that are key to its character". That character is in part defined by the grass verges and hedges that line many roads, including Hills Road, which add to the rural feel of the area.
- i) A lack of a footway linking a residential housing site to a local school is not against the Basic Conditions.
- j) While it is accepted that the Local Transport Plan, NPPF and Local Plan all promote highway safety and walking as a sustainable means of travel, it is not the case that any of those documents dictate that infrastructure to facilitate walking must be provided for all new developments, not that use of vehicles is not expected, especially in rural areas. The Local Plan notes "...travel by car will still be an essential option for many people living in remote rural areas." In section 4.8 of the Local Transport Plan, it is stated "In rural areas, where there are fewer local services and employment opportunities, it is recognised that the car will be a key mode of transport." It is unreasonable to suggest that the provision of 10 additional dwellings on this site will add to vehicle use in anything other than an insignificant manner. The sites are approximately 2150 yards (1 ¼ miles) from the primary school. "Planning for Walking" by the Chartered institution of Highways and Transport, 2015, states "Most people will

only walk if their destination is less than a mile away." This is likely to be especially so for children of primary school age, and so indicates that even were footways to be provided, they would be unlikely to be used for school journeys. This does not imply that those living further away do not use the services and facilities: they will still do so but would clearly be more likely to use other forms of transport to do so; and it is this that should be taken into account. This is further recognised in the Local Plan which notes "travel by car will still be an essential option for many people living in remote rural areas."

- k) **Therefore, based on the information reviewed it is not considered that there is sufficient evidence to justify the requirement of a footway from the proposed development site along Hill Road to the south.**
- l) For all of the above reasons it is considered that the allocation of sites STNP13 and 14 would not contravene Basic Conditions a, d and e

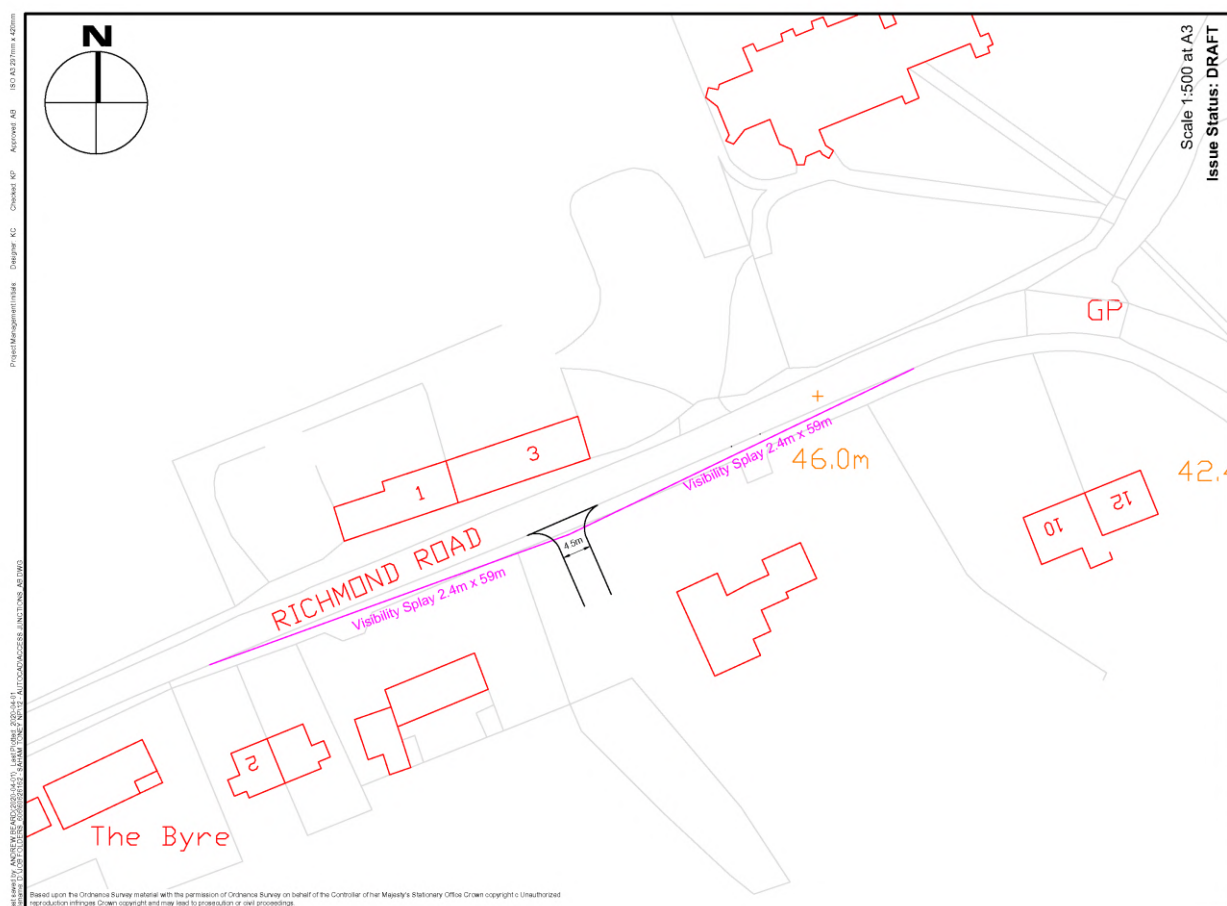
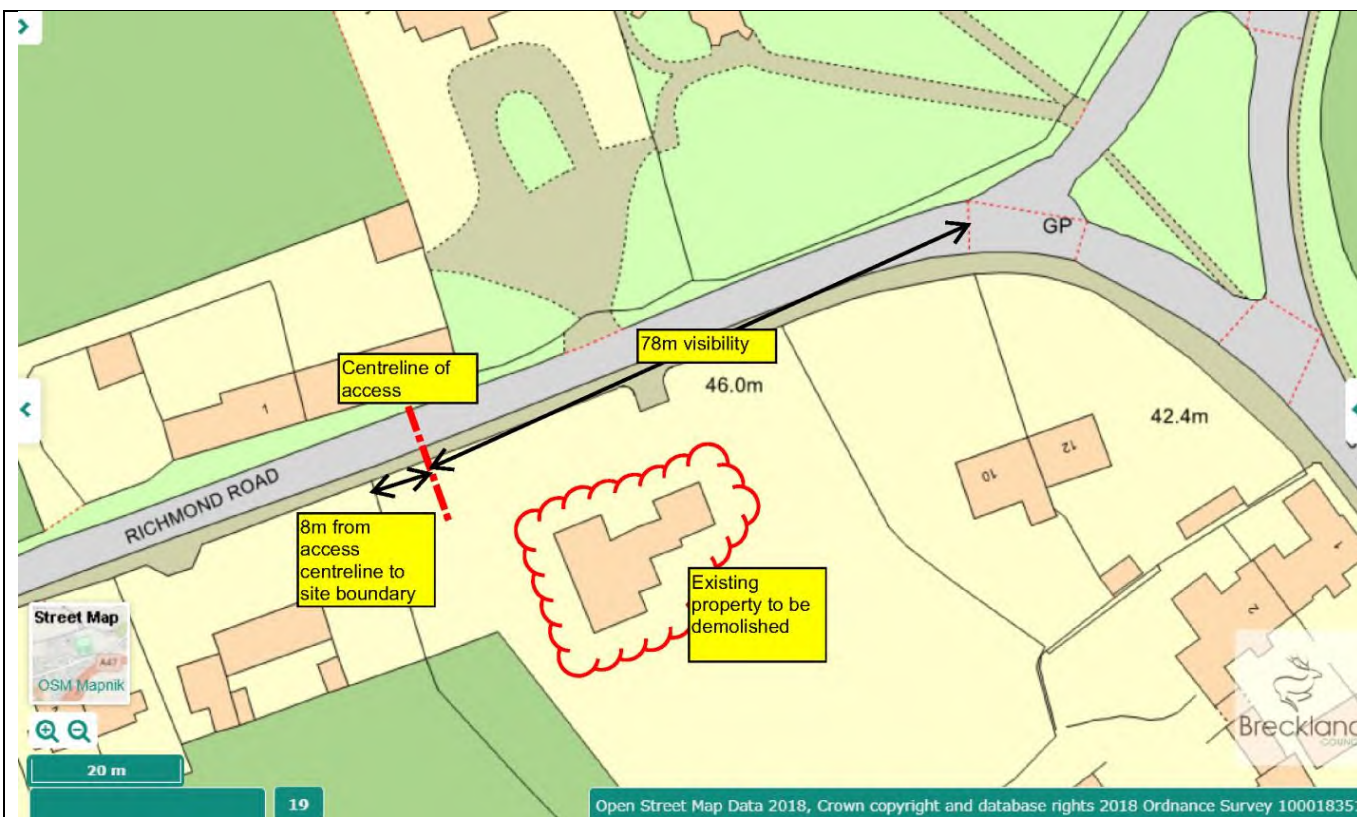
COMMENT G:

STNP15

There is sufficient doubt that a suitable safe access can be achieved therefore evidence is required prior to highway support for the allocation. If allocated without that evidence it will be unclear whether the site could ever be delivered. The site has an existing dwelling and it is not clear whether that would remain as it will have a significant bearing on the ability to deliver a safe access. A scale plan is required and until such time there is a highway objection to the site.

REACTION:

- a) There is no lack of clarity regarding removal of the existing dwelling. Criterion P2O.2 of the site allocation Policy 2P already states "As part of the development, the existing residential property will be demolished."
- b) A scale plan demonstrating safe access is given below and has been added to the supporting text of the site allocation Policy for STNP15. A new policy requirement has also been added as follows to more specifically reinforce the requirements of Policy 2F with regard to site access: "A scale plan of the proposed site access and visibility splays in accordance with Policy 2F and to the satisfaction of the Local Highways Authority shall be submitted with a planning application for this site." That scale plan would be professionally prepared and more detailed. It is noted that the quoted cost (January 2020) of preparing such a plan is £1400 plus VAT, and it is considered that would be an unreasonable cost for either the Neighbourhood Plan or site owner to bear to support the allocation at this stage. That notwithstanding an indicative scale drawing of a suitable and achievable site access is included in the Saham Toney Neighbourhood Plan Transport Study (AECOM, April 2020), and shown below, which was professionally prepared by specialists, adds weight to the fact that suitable access may be achieved for this site.



Scale 1:500 at A3
Issue Status: DRAFT

ALCOM

STNP 15: 8 Richmond Road

Saham Toney Neighbourhood Plan Transport Study
Indicative Vehicular Access & Visibility Splays
Saham Toney Parish Council
Project No.: 60626162 Date: March 2020

COMMENT H:

STNP16

Subject to the highway requirements set out in 3PL/2018/0563/O being included in the allocation policy the site is acceptable to the Highway Authority for allocation.

REACTION:

The existence of highways conditions to planning permission 3PL/2018/0563/O is already noted in criterion P2Q.1 (e). The policy supporting text can be extended to specify those conditions if the Local Planning Authority agrees that is necessary, as opposed to a simple reference to the existence of conditions.

COMMENT I:**Numbers and cumulative impacts**

The Emerging Local Plan to be adopted 28 Nov sets out the approach to numbers in Saham Toney as a rural settlement with a boundary. *Criteria 2 of Policy HOU 04 sets out for rural settlements with boundaries development should not lead to the number of dwellings in the settlement increasing by significantly more than 5% from the date of adoption of the plan. This includes proposals inside and outside of the settlement boundary. This methodology sets out how the baseline level of dwellings have been calculated for each settlement with boundaries. This methodology provides the most accurate, up to date information for each of the settlements regarding residential dwellings and planning permissions. This data, as set out in the table below, provides the basis for the 5% calculation, which sets a target for the number of dwellings to be built in each of the settlements.*

For Saham Toney this works out to be 33 dwellings. The proposed allocations total 83 dwellings, which is significantly above the requirement set out in the development plan. There is no compelling evidence that the village can and should accommodate this level of growth. There are very few facilities within the settlement and significant growth will lead to an unsustainable approach to growth increasing the need to travel and reliance on the private car.

The highway authority would support a combination of sites that total about 33 dwellings. Any significant uplift would not be supported.

In terms of the comments made in relation to sites STNP4, STNP5, STNP6 and STNP7, it is agreed that a combination of these sites could be brought forward, provided that:

- The total allocation in the village does not significantly exceed 33;
- The combination of sites allows the interrelated access requirements set out in the individual site comments to be met.

REACTION:

- a) The Saham Toney Neighbourhood Plan Transport Study (AECOM, March 2020) includes an analytical assessment of the individual and cumulative impact of additional traffic likely to be generated by the site allocations in the Neighbourhood Plan. It reviews traffic flows due to each site and also assesses queue lengths at two key road junctions. The study report concludes that the individual and cumulative impact of the site allocations can be accommodated without detriment to the local highway network.
- b) It is not accepted that the methodology set out in Local Plan Policy HOU 04 for defining a housing target is the most accurate, nor the most up to date, nor the most appropriate; for the following reasons:
 - 1) It applies a 5% limit uniformly to each of 17 “Villages with Boundaries”, rather than examining the unique development opportunities and constraints of each.
 - 2) Part of the reasoning for the 5% growth limit, given in paragraph 3.10 of the Local Plan, is that it is evidenced “through representations by landowners and developers that demonstrates that sites are available and developable.” In 2014 Breckland Council prepared a Strategic Housing Land Availability Assessment which concluded in its Table 8.2 that based on sites put forward, Saham Toney had a constrained capacity of 90 dwellings on 6 suitable sites. To date only 29 of those dwellings have been delivered. A 2015 update to the Strategic Housing Land Availability Assessment subsequently identified a capacity of 185 houses. The results of both

assessments show that Saham Toney has significantly more development capacity than that calculated in Appendix 5 of the Local Plan.

- 3) That fact was evidenced by the more up to date (July 2019) assessment of 16 sites put forward in response to a call for sites for allocation in the Neighbourhood Plan. That assessment and the subsequent site selection report included a detailed review of each proposed site's sustainability, including criteria relating to highways constraints. As a result, prior to pre-submission, it was concluded that 11 sites were sustainable with the potential for development of 83 houses. This represented the most thorough and up to date assessment of development capacity in the Neighbourhood Area and fully justified an increase to the limit proposed by Local Plan Policy HOU 04.
- 4) The Saham Toney site assessment and site selection processes are the only examination of ability to deliver the housing levels set out in Local Plan Policy HOU 04 for any of the 17 villages covered by that policy. There is no evidence that any of the other 16 villages can deliver 5% growth. Additional, justified growth in Saham Toney may offset any delivery failure in other villages.
- 5) Breckland Council's document "Locational Strategy, Level, Location of Growth and Rural Areas", 11 July 2016 proposed the use of a criteria-based approach for development proposals immediately adjacent to the settlement boundary. That is precisely what the Saham Toney Neighbourhood Plan Site Assessment and Site Selection Reports do.
- 6) In contrast to its Strategic Housing Land Availability Assessments of 2014 and 2015, Breckland Council did not undertake any objective assessment of potential development capacity in Saham Toney when setting a 5% growth limit for the village. Local Plan Policy HOU 04 was not subject to a detailed sustainability assessment, and is considered to set an arbitrary limit on growth.
- 7) Policy HOU 04 of the adopted 2019 Local Plan allows for development 'immediately adjacent' to Saham Toney's existing settlement boundary, so long as overall numbers of dwellings in the settlement do not significantly exceed 5% over the number as at adoption of the Local Plan. Appendix 5 to the Local Plan provides guidance as to what a 5% increase would be, and in Saham Toney specifies that as 33 new dwellings. applies to development outside, but immediately adjacent to the settlement boundary.
- 8) Planning officers at Breckland Council reviewed the pre-submission version of the Neighbourhood Plan, including its site allocation policies, and made no representations opposing the total allocation of 83 dwellings. They have informally advised that they would not consider 83 to be "significantly more" than 33 when considering future planning applications.
- 9) In setting a housing target for Saham Toney of 33 dwellings, the Local Plan omits two important factors, the effect of which is described below:
- 10) An increased household projection for the Breckland District via projections published by the Government in September 2018, accounted for as follows:
 - i. The 33 new dwellings allocated to Saham Toney are part of Breckland Council's overall "Objectively Assessed Need" (OAN) of 15298 dwellings. That is derived from a previous Government household projection estimate, published in 2016 and based on 2014 data, which showed there would be 67,797 dwellings in the district in 2036. The latest projection estimate, published in September 2018 and based on 2016 data, showed an increase in that total to 68,588 dwellings. Using the later estimate the projected increase over the period of the Local Plan (2011-2036) has risen from 13,053 to 14,066.
 - ii. Applying adjustments to the new figure in the same way as done in the Central Norfolk Strategic Housing Market Assessment 2017, Breckland's full OAN would now be 16,311. Based on the previous OAN of 15,298, Policy HOU 02 of the Local Plan, which allocates a total of 16,630 new dwellings, shows an 8.7% buffer against the OAN. Measured against a potentially increased OAN, the buffer is reduced to 1.9%. It can reasonably be assumed that were the increased OAN to be applied, the buffer should not be less than

- it is for the present OAN. Applying an 8.7% buffer to a potentially revised OAN of 16,311 results in a total allocation across the district of 17,730. To be conservative it is proposed that a 10% buffer should be applied, as being more in accord with planning guidance. Applying that buffer results in a total allocation across the district of 17,942.
- iii. A simple, but reasonable way to determine how this might affect Saham Toney's allocation is to make a pro-rata increase. Hence a revised minimum allocation is:
 - iv. $(33 \times 17942) / 16630 = 35.6$; set at 36.
 - v. The application of an adjustment factor of approximately 1.33 to reflect the disparity between average salaries and average house prices in the Breckland District (the affordability factor set by Planning Practice Guidance), as calculated below:
 - vi. Government Planning Practice Guidance, as updated in February 2019, sets out an adjustment factor to be applied to household projections to account for market signals. Due to the timing of the Local Plan's submission for examination, that Plan is covered by transition arrangements for the application of revised NPPF requirements and is thus not required to apply the adjustment. However, when the Local Plan is subsequently updated (planned for 2021), it will be required to do so.
 - vii. The Neighbourhood Plan is not covered by the same transition arrangements, and hence it is prudent to apply the adjustment from the outset.
 - viii. The potentially amended Breckland household projection 2011-2036 = 16,311 (as set out in point 1).
 - ix. The adjustment factor = $1 + \{[(\text{Local affordability ratio} - 4) \div 4] \times 0.25\}$
 - x. The median local affordability ratio for Breckland is 9.17 (source: Office for National Statistics online dataset "Ratio of House Price to Workplace Based Earnings", March 2019), resulting in an adjustment factor of 1.323.
 - xi. Applying this increase to the result obtained from consideration of updated household projections gives a revised minimum housing allocation:
 - xii. $36 \times 1.323 = 47.63$; set at 48.
- c) As a result of the above calculations it is suggested that any consideration of a minimum development capacity for Saham Toney, outside but adjacent to the settlement boundary, should be based on the adjusted figure of 48, rather than 33 dwellings. Furthermore, since the representation was made, the number of dwellings allocated has been reduced from 83 to 70, of which 9 are within the settlement boundary. Hence the comparison that should be made between Local Plan policy and pre-submission Neighbourhood Plan allocations is actually 48 versus 61 dwellings, rather than 33 versus 83.
 - d) The Local Plan sets a minimum target of 33 new dwellings in Saham Toney, set against a minimum target of 15,298 new dwellings for the whole Breckland District. Allocating 70 dwellings (amendment to allocations made after this representation) in Saham Toney, being 37 more than the Local Plan target would therefore represent an increase of only 0.2%, clearly an insignificant number in the context of strategic housing policies. In fact, that percentage drops to 0.12% when the corrected figures set out above in point (c) is applied.
 - e) The clarification amends the initial limit of only one of sites STNP4-7 coming forward with a maximum of 25 dwellings, and instead agrees that a combination of these sites could be brought forward, provided that:
 - 1) The total allocation in the village does not significantly exceed 33;
 - 2) The combination of sites allows the interrelated access requirements set out in the individual site comments to be met.
 - f) However, implementation of the first of these requirements by allowing a higher level of development for sites STNP4-7 would be inappropriate, because it would unfairly prejudice other sites that have been shown to be more or equally suitable for development. Furthermore, the original comments placed a limit of 25 dwellings on the four sites due to concerns of impact on junction safety (reference Site Selection Report, Local Highways Authority site assessments). The

clarification does not explicitly remove that concern. Hence it is not intended to allocate the bulk of new dwellings in the Plan to sites STNP4-7.

- g) For other reasons (the harmful landscape impact of sites STNP5 and 6), the total number of houses to be allocated will be reduced to 70, of which 61 are outside but adjacent to the settlement boundary. Given that, an increase of 13 over the corrected minimum total of 48 cannot be considered “significant”.
- h) A Strategic Environmental Assessment of the Neighbourhood Plan has been carried out (AECOM, June 2020) in the context of the Plan’s draft Regulation 15 policies, including the allocation of 9 sites that will deliver a total of 70 dwellings. The assessment report concludes that the Plan will have a positive impact, including on transportation.
- i) For all of the above reasons it is justified to allocate a greater number of new dwellings than the limit suggested by the Local Highways Authority, without harmful effect on the highway network.

COMMENT J:

As the plan allocates it should be subject to Strategic Environmental Assessment (SEA) to identify the relative merits of the sites and evidence site selection. The SEA also needs to consider the scale of growth appropriate for Saham Toney if the Neighbourhood Plan is not going to maintain conformity with the approach to housing numbers set out in the development plan.

REACTION:

Following completion of screening options, the Plan has been subject to both a Strategic Environmental Assessment and a Habitats Regulations Assessment by an independent body, and those assessments consider all aspects of the Plan, including those noted in this comment. The assessments conclude that the Plan’s site allocations are acceptable in the context of its draft Regulation 15 policies.

COMMENT K:

I hope this is helpful in shaping the development of your Neighbourhood Plan.

Regards
Richard

Richard Doleman, Infrastructure Development

Community and Environmental Services

Tel: 01603 223263 | Dept: 0344 800 8020

[email withheld](#) County Hall, Martineau Lane, Norwich, NR1 2SG



Norfolk County Council



REACTION: Noted

The Saham Toney Neighbourhood Plan Transport Study (AECOM April 2020) includes a professional assessment of the Local Highways Authority consultation representations and gives additional explanation as to why those relating to highway access and lack of footways do not justify amendments to the Neighbourhood Plan.

5.2 and 5.3: Noted. See 5.1 for details of advice and clarification sought and the subsequent response received.

6.1: Noted.

6.2 and App. 2: It would be impractical and onerous to require landowners of sites put forward for allocation to provide information on any below-ground archaeology on their sites in advance of any future planning application, and likewise beyond the scope of the site assessments to do that. Reference

has been made to Policy Maps 6C and 6D (which include all finds identified in the County's Historic Environment records for Saham Toney), and confirms there are no known archaeological finds on land allocated for development.

Policy 6 includes measures to be taken should archaeological assets be uncovered during site investigations or development. With specific regards to the notes in App. 2:

STNP1: The County's Historic Environment Service's comments to previous application 3PL/2015/1430/F for the site requested three conditions be applied were planning permission to have been granted, relating to an archaeological written scheme of investigation prior to development. Similar conditions could be requested again at the time of a future application for the site.

STNP4-6: Although no prior archaeological investigations are available for these sites, given their proximity to STNP1, the same considerations would appear appropriate and County should request similar conditions at the time of future planning applications.

STNP7: The buildings on the site are not historic, but rather dilapidated, unused 20th century farm buildings. Given that STNP2 has been rated "green" and has unused farm buildings in a much better state of repair than those on STNP7, it is considered the latter should also be rated "green". Should the County have ongoing concern it should raise them at the time of a future planning application, but the comment made is insufficient to justify policy amendment.

STNP9, 13, 14, 15: No reasons have been given for these sites being rated "amber" rather than "green", but since there are no known archaeological assets on any of them, concern must be limited to the general possibility of finds being made during the course of development. That could be true for any site in Saham Toney and does not warrant revision of the site policies. However, the County could request planning conditions be applied in respect of archaeology at the time of any future planning applications.

6.3: Noted

App. 3: Noted

ACTION TAKEN:

1.1 and 1.2: None required

2.1 Text corrected

3.1, first bullet: None required

3.1, second bullet: Criterion added to Policy 3A: "An adequate number of suitably located sprinklers shall be installed in all new developments."

3.2 None required.

4.1: None required

4.2: Non-duplicated measures proposed incorporated in an update to Policy 8.

4.3: A requirement has been added to Policy 2F regarding sequential and exception tests, with explanation given in implementation text as to how they should be applied to allocated sites.

4.4: None required

5.1: The following actions relate to the post-consultation clarification and update of its comments by the Local Highways Authority, as described above:

Comment A: None required

Comment B: A requirement for site roads to be adopted will be added, not only for site STNP1, but as a general requirement for all applicable allocated sites in the applicable allocation policies.

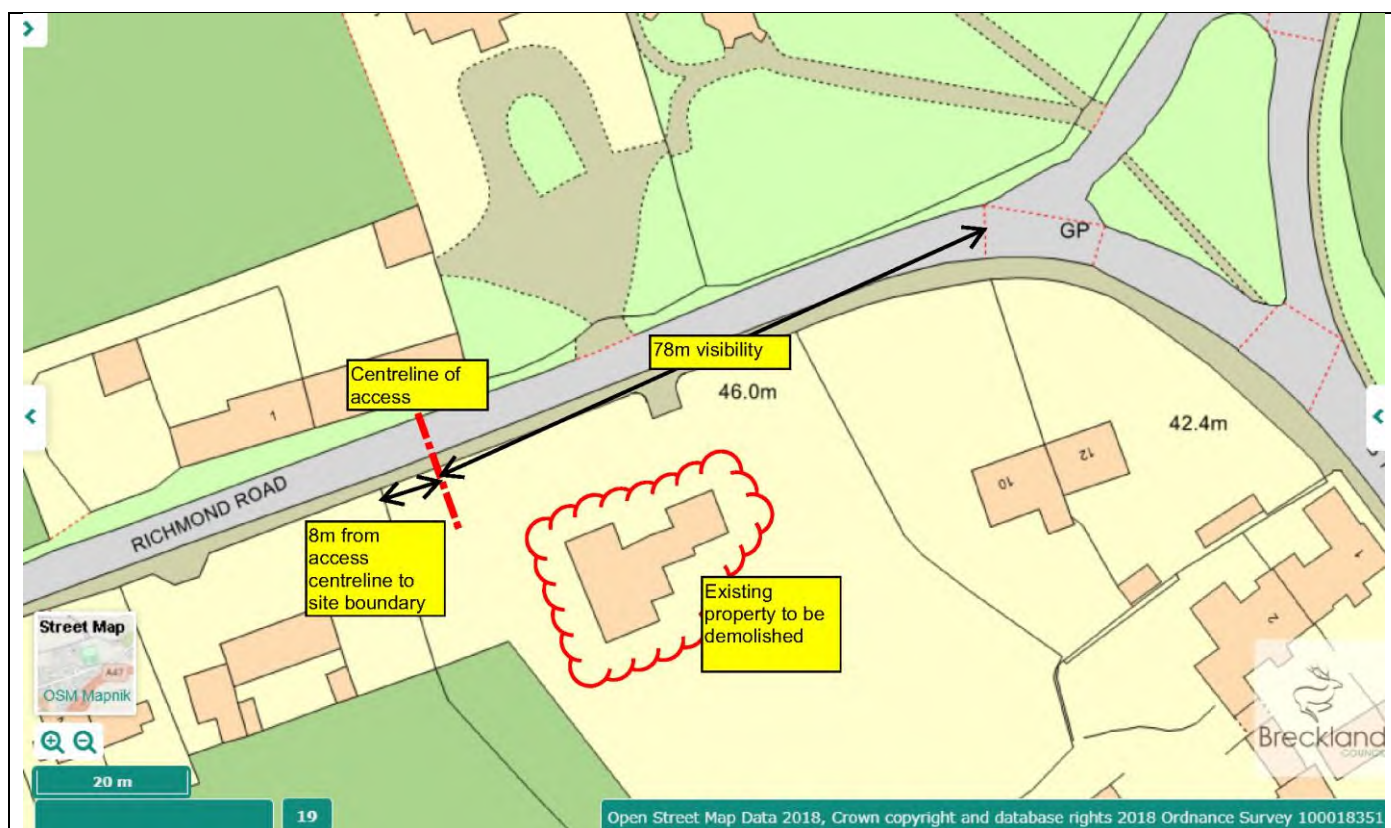
Comment C: It has been demonstrated that allocation of site STNP2 would not be contrary to Basic Conditions. STNP2 will remain an allocated site. No action required.

Comment D: No action is required for sites STNP4-7 with regard to the Local Highway Authority's comments, but it is noted that sites STNP5 and 6 are removed from allocation for other reasons.

Comment E: It has been demonstrated that allocation of site STNP9 would not be contrary to Basic Conditions. STNP9 will remain an allocated site. No action required.

Comment F: It has been demonstrated that allocation of sites STNP13 and 14 would not be contrary to the Basic Conditions. STNP13 and 14 will remain allocated sites. No action required.

Comment G: The scale plan below demonstrates that safe access may be provided for site STNP15, and has been included in the supporting text of the site allocation Policy.



Comment H: Of the 22 conditions that apply to the planning permission granted under 3PL/2018/0563/O, 3 apply to highways matters (conditions 7, 8 and 16) as listed below. They will be noted in the supporting text to the Site Allocation Policy for Site STNP16.

7.	Notwithstanding the details indicated on the submitted drawings, no works above slab level shall commence on site until detailed drawings for the off-site highway improvement works as indicated on Drawing No.1534/03/001 Rev A have been submitted to and approved in writing by the Local Planning Authority.
8.	Prior to the first occupation of the development hereby permitted, the off-site highway improvement works referred to in Part A of this condition shall be completed to the written satisfaction of the Local Planning Authority.
16.	It is an OFFENCE to carry out any works within the Public Highway, which includes a Public Right of Way, without the permission of the Highway Authority. This development involves work to the public highway that can only be undertaken within the scope of a Legal Agreement between the Applicant and the County Council. Please note that it is the Applicant's responsibility to ensure that, in addition to planning permission, any necessary Agreements under the Highways Act 1980 are also obtained and typically this can take between 3 and 4 months. Advice on this matter can be obtained from the County Council's Highways Development Management Group based at County Hall in Norwich. Please contact Kay Gordon 01362 656211. Public Utility apparatus may be affected by this proposal. Contact the appropriate utility service to reach agreement on any necessary alterations, which have to be carried out at the expense of the developer. If required, street furniture will need to be repositioned at the Applicants own expense.

Comment I: It has been demonstrated that a reduction in the total number of houses to be allocated to 33 is unwarranted. No action required.

Comment J: The Plan has been subject to a Strategic Environmental Assessment prior to submission.

Comment K: None required.

5.2 and 5.3: Clarification of the consultation representation was requested and received as described above. Other than that, no specific action required is required to these two comments

6.1, 6.2 and 6.3: None required

App. 3: None required

B4.9. Representation by Historic England

RESPONDING ORGANISATION: Historic England	DATE: 03 October 2019
REPRESENTATION(S): <div style="text-align: right;">By e-mail to: Chris Blow Saham Toney Neighbourhood Plan Ctte Our ref: PL00616464 Your ref: Date: 03/10/2019 Direct Dial: 01223 582746</div> Dear Mr Blow, Ref: Saham Toney Neighbourhood Plan Regulation 14 Consultation Thank you for inviting Historic England to comment on the Regulation 14 Pre-Submission Draft of the Saham Toney Neighbourhood Plan. We welcome the production of this neighbourhood plan, but do not wish to make any comments at this time. We would refer you to our detailed guidance on successfully incorporating historic environment considerations into your neighbourhood plan, which can be found here: https://historicengland.org.uk/advice/planning/plan-making/improve-your-neighbourhood/ . For further advice regarding the historic environment and how to integrate it into your neighbourhood plan, we recommend that you consult your local planning authority conservation officer, and if appropriate the Historic Environment Record at Norfolk County Council. To avoid any doubt, this letter does not reflect our obligation to provide further advice on or, potentially, object to specific proposals which may subsequently arise as a result of the proposed plan, where we consider these would have an adverse effect on the historic environment. Please do contact me, either via email or the number above, if you have any queries. Yours sincerely, Edward James Historic Places Advisor, East of England	
RELEVANT SECTION(S) OF PLAN: General	
REACTION TO REPRESENTATION(S) Historic England's detailed guidance has been used in the preparation of Policy 6: Heritage Assets and is referred to throughout that policy and supporting text, following earlier advice and information provided informally by the resondee	
ACTION TAKEN:	

None required

B4.10. Representation by Anglian Water

RESPONDING ORGANISATION: Anglian Water	DATE: 09 October 2019
REPRESENTATION(S): Thank you for the opportunity to comment on the Saham Toney Pre-submission Neighbourhood Plan. The following response is submitted on behalf of Anglian Water. I would be grateful if you could confirm that you have received this response. Policy 5: Saham Toney Rural Gap We note Policy 5 as drafted would require utility infrastructure (unlike other types of development) which requires planning permission to demonstrate a need for being located within the designated Rural Gap. Anglian Water's existing infrastructure is often located in the countryside at a distance from existing settlements as such the policy would place an unintended restriction on our ability to serve our customers under the provisions of the Water Industry Act 1991. In addition, it is unclear on what basis Anglian Water would demonstrate that alternative sites outside of the designated Rural Gap are not available. It is therefore proposed that Policy 5 is amended as follows: 'Proposals for essential utility infrastructure will be permitted in the rural gap where no other feasible site is available ' Policy 8: Surface water management and sewerage provision P8.2 - We note that changes have been made to the wording of Policy 8 in response to comments made by Anglian Water as part of the earlier consultation which are fully supported. P8.7 - Anglian Water is also supportive of the text relating to the public sewerage network as drafted. Supporting text paragraphs T8.1 and T8.3 We note that changes have been made to the supporting text of Policy 8 in response to comments made by Anglian Water as part of the earlier consultation which are fully supported. Should you have any queries relating to this response please let me know. Regards, Stewart Patience Spatial Planning Manager Anglian Water Services Limited Thorpe Wood House, Thorpe Wood, Peterborough, PE3 6WT www.anglianwater.co.uk	
RELEVANT SECTION(S) OF PLAN: Policies 5 and 8	
REACTION TO REPRESENTATION(S) The comment on the wording of Policy 5 is accepted The support for the revisions made to Policy 8 and its supporting text is noted	
ACTION TAKEN:	

Policy 5: Updated as suggested

Policy 8: None required

APPENDIX B5. Pre-Submission Consultation August-October 2019: Parishioner Comments and STNP Responses

RESPONDENT NUMBER: 1	DATE: 19 August 2019
<p>Comment 1: The plan does not take into account the historic flooding issues at the junction of Pages Lane, Hills Road and Chequers Lane. Despite constant reminders from villagers in this area, many of whom have been flooded, the group have approved five main sites all in one tight area of the village which will contribute to further problems. One of the sites has been the subject of previous planning applications with over 60 letters of objection.</p> <p>Comment 2: The plan has disregarded the wishes of the village, as returned in the village questionnaire. The village overwhelmingly said developments should be restricted to between 4 and 6 houses.</p> <p>Comment 3: It is unusual for a village not to have any footpaths for walkers. Many years ago, the Parish Council prepared leaflets showing three walks, taking into account the rural ambiance of the village as opposed to just walking through housing developments. Two of the three walks go down Pound Hill so the farmland views can be enjoyed - these are still used by many villagers. The proposals by the Group destroy this opportunity, as the Group fails to acknowledge the open aspect and views across the total length and both sides of Pound Hill which should be protected.</p>	
<p>RELEVANT SECTION(S) OF PLAN / EVIDENCE BASE:</p> <p>Comment 1: Site allocation policies; policy 8</p> <p>Comment 2: Policy 2A, Policy 2C, site allocation policies</p> <p>Comment 3: Site allocation policies 2I and 2J (sites STNP4 and 5)</p>	
<p>REACTION TO REPRESENTATION(S):</p> <p>Comment 1: The Plan has taken full account of flood risk at the locations noted in the response and throughout the whole of the Neighbourhood Area. A rigorous and independent site assessment process included assessment of each potential site by both the Lead Local Flood Authority and the Statutory Water Operator (Anglian Water). The recommendations of both those assessments were adopted without modification when sites were selected for allocation.</p> <p>Policy 8 makes detailed and comprehensive provisions to avoid development of allocated sites (or any others that may come forward) increasing existing flood risk, and where relevant for allocated sites, specific measures are included in the site allocation policies to reinforce the requirements of Policy 8. Nevertheless, measures will be taken to further reinforce those provisions.</p> <p>The respondent is mistaken apparently suggesting the Neighbourhood Plan can resolve existing surface water flood issues. I cannot do that; in line with the NPPF and emerging Local Plan, it can only apply measures to prevent an increase in existing flood risk, and it does that in a stringent and robust manner. The site noted that was the subject of a previous planning application (allocated site STNP1) includes measures to avoid increased flood risk that were not included in that application.</p> <p>It is noted that some of the flood problems in the area are caused by the poor maintenance of ordinary watercourses. This is the responsibility of riparian owners. Policy 8 has been split into component parts that significantly reinforce the single pre-submission policy. New policy 8F explicitly deals with requirements for future management and maintenance of such watercourses on new development sites, but other householders who hold riparian rights on watercourses are encouraged to ensure they are regularly maintained. Guidance on riparian owner's rights and responsibilities can be found in a Breckland Council guide on the subject which can be downloaded from https://www.stnp2036.org/the-neighbourhood-plan--flood-risk.html</p> <p>The Saham Toney Strategic Environmental Assessment, AECOM, June 2020, includes among its conclusions <i>"In light of the area's surface water flood risk and recent flooding events, the Neighbourhood Plan provides a close focus on policies which aim to reduce that risk as far as possible. This includes</i></p>	

through an emphasis on the inclusion of climate change allowances within flood risk assessments, drainage scheme proposals and through seeking to ensure that new development effectively considers its impacts on surface water flood risk. This will help ensure that no significant adverse effects on surface water flood risk will take place as a result of the allocations taken forward through the Neighbourhood Plan, and increased resilience to flood risk is secured.” This supports the view that the Plan adequately addresses flood risk.

In its response to the publication of the Saham Toney Flood Risk Study, Create Consulting, May 2020, the Lead Local Flood Authority stated *“It is really welcome and encouraging to see the attention to surface water flooding and flood risk within the document and through the conversations we have had. If only all Neighbourhood Plans we see were like this.”* This supports the view that the Plan adequately addresses flood risk.

Comment 2: The Neighbourhood Plan must conform to the requirements of the Breckland Local Plan. At the time of the questionnaire noted by the respondent (July 2016 and October 2016) the emerging Local Plan set a criterion for rural villages such as Saham Toney, limiting development size to 5 dwellings. That policy criterion was not accepted as sound by the Government Inspector who examined the Local Plan and was deleted from the Local Plan (Policy HOU 04).

Therefore, the Neighbourhood Plan cannot include a criterion that would contravene the Local Plan, regardless of villager’s earlier expressed preferences.

Additionally, over the period August 2018 to July 2019, a comprehensive and robust process of site assessment and site selection has been undertaken to identify sites suitable for allocation in the Plan. That process is documented in great detail in the Site Assessment and Site Selection Reports, and demonstrates that some of the sites allocated are suitable for the provision of more than 5 dwellings and can be sustainably developed to a higher level: the largest allocation on a single site being 13 dwellings. The NPPF has a fundamental requirement for sustainable development to be supported and the Neighbourhood Plan does that. It is also pointed out that 6 of the 11 sites allocated in the pre-submission Plan were for 6 or fewer dwellings, as earlier supported by villagers. The suggestion that the Plan disregarded the wishes of the village is strongly refuted.

Comment 3: Since the Regulation 14 submission of the Neighbourhood Plan, independent site masterplanning studies have been undertaken by the Government appointed consultants, AECOM. Those studies included three options for the settlement cluster formed by sites STNP1, STNP4, STNP5, STNP6 and STNP7. As a result of the studies and a professional review of the landscape impact of the sites, sites STNP5 and 6 have been shown to have unacceptable landscape impact and will be removed from allocation. This is fully explained in the Saham Toney Neighbourhood Plan Masterplanning Report and the second edition of the Saham Toney Neighbourhood Plan Site Selection Report. As a result, the existing open aspect and views across the land to the east of Pound Hill will be retained. The landscape impact review of masterplanning studies for STNP4 showed that site’s impact to be acceptable and hence it is retained as an allocated site. Given that professional conclusion there is no justification for the respondent’s suggestion to retain the open aspect and views across that site to the west of Pound Hill. Masterplanning for site STNP4 has been done in a way that retains some part of the long vista north-west from Pound Hill across the site.

It is noted that should the decision not to allocate sites STNP5 and 6 be overturned in future, masterplanning for those sites specifically includes a footway to the south and east of the sites that would have a completely open aspect.

Two of the three circular village walks noted in the comment, do indeed include Pound Hill, but rather than highlight the open landscape at the northern end of Pound Hill, the walk notes concentrate on the buildings to be seen along that section of the route. It was not the intention of the walks to preserve those routes in an unchanged state, and since the walks were published, a range of development has taken place along their routes without preventing the enjoyment they offer.

It is respectfully pointed out that the comment is incorrect in stating there is an open aspect along the total length and both sides of Pound Hill: most of the west side is already developed as is the east side from the Primary School southwards.

ACTION TAKEN:

Comment 1: Pre-submission Policy 8 split into component parts (new policies 8A-8H and 9) and significantly reinforced

Comment 2: None required

Comment 3: Sites STNP5 and 6 have been removed from allocation in the Plan due to their landscape impact. A new masterplanning policy has been introduced requiring future proposals for site STNP4 to broadly adhere to its indicative master-planned design and layout.

RESPONDENT NUMBER: 2	DATE: 19 August 2019
REPRESENTATION: In the note to the Nilefields site correct “The AECOM assessment <u>as</u> taken that appraisal” to “The AECOM assessment <u>has</u> taken that appraisal”	
RELEVANT SECTION(S) OF PLAN / EVIDENCE BASE: Site Selection Report, Table 6, page 19.	
REACTION TO REPRESENTATION(S): Agreed	
ACTION TAKEN: Report corrected accordingly	

RESPONDENT NUMBER: 3	DATE: 31 August 2019
REPRESENTATION: I have spent some time reading the Neighbourhood Plan, and I have been very impressed with all the effort that has gone into this high-quality document. I am a resident of Cley Lane and just wanted to thank you for the many hours of hard work you have put in on our behalf. It is very much appreciated.	
RELEVANT SECTION(S) OF PLAN / EVIDENCE BASE: General	
REACTION TO REPRESENTATION(S): Support noted	
ACTION TAKEN: None required	

RESPONDENT NUMBER: 4	DATE: 2 September 2019
REPRESENTATION: Hi to all the team. First up, massive congratulations on completing what must have been a mammoth task! 12 volumes of 'stuff' to wade through, surely enough to satisfy even a 'Lord of the Rings' (re-reader like me). No promises, but I will try to wade through as much as I can in the coming weeks (and probably months!!). The Saham community is very lucky to have such a dedicated, knowledgeable team willing to devote so much time and effort in order to try to preserve for later generations the ambience and history of this beautiful village. Hopefully, Breckland Council will adopt at least the majority of the conclusions you have reached in the report when they come to finalise their housing plans for the area. As I have already mentioned, I have only had a cursory glance at the 'headlines' and some of the back-up information and would raise the following comments and queries based on my rapid initial perusal: Comment A: Flooding: if I am reading the map correctly, between 15 and 27 houses seem to be in the Pound Hill area almost exactly opposite the old Manor, our major architectural site of national importance. The bottom of the Hills Road area does seem to suffer flooding every time we have a 'weather event' and, as such, any large-scale building on this green-field site could, possibly, only	

exacerbate the problem thanks to water 'run off' surely? I note that you have mentioned an 'on-site water storage... to store long term surface water run off up to a stated limit'. I have no idea what that may entail but, whatever it may be, it does sound like a very large storage unit, presumably sited underground? If so, will there be installations of these 'storage' tanks in all the areas which flood regularly, including the bridge areas of Richmond Road and Cley Lane? I also note the aims of the plan are to 'ensure new development does not result in higher flood risk than existed before it was approved'. Can we not aim to actually reduce the flooding altogether, irrespective of new development? Our last 'weather event' saw us trying to reach our home from every single entrance to the village unsuccessfully, until two high speed Range Rovers provided a path through the waters!!

Comment B: Richmond Road: There appears to be 6 houses planned for between, say, the Church and the turn off to Threxton. This is sandwiched between two very severe and blind bends and, as such, could make an already dangerous stretch of road even more so. A dozen houses also appear to be planned for the Broom Hall area. Again, a presumed new entrance would be on to a stretch of road which is blind through both an incline and the bends at both ends of the incline.

Comment C: Housing density: 21 of the proposed 83 houses (25%) appear to be 'added on' to The Oval area with, as already mentioned, a further 27 sited almost directly opposite (giving a total of 58%). This will greatly increase road traffic past the school surely? Parking is already a problem on this road and any extra traffic will make this even more dangerous.

Comment D: Heritage: The Old Manor.... just what, if anything, is happening? I have had some low-key discussions with Breckland Council, English Heritage, Natural England and others who all seem to be unable to offer any concrete suggestions as to how or if any improvements could be made to the sad unsightly blot at the entrance to our village. At the time of this e-mail, as usual the 'protective' covering is in tatters and work on the new 'gatehouse' appears to be at a standstill. Will even that become a 'white elephant' thanks to insufficient funds I wonder? I am always dismayed when entering the village from Ashill and seeing this once (quite recent) magnificent building on an inexorable downward slope to oblivion with no-one apparently able to apply any pressure to save it.

Comment E: Work has also started recently on a new build in the woodland adjoining Broom Hall. Trees have already been cut down in order to facilitate this build. I'm sure no-one wants to lose even more of the wonderful variety of woodland in the village unnecessarily. Was a survey done I wonder? What surveys will be done on the other (greenfield) sites. I have knowledge that, before the start of the huge development on Newmarket Road, Swaffham, a full bio-diversity study was completed which entailed a survey of all animal, plant and arboreal life in the affected area.

Comment F: Well, that's my observations. Again, as I mentioned originally, the team have prepared a wonderful plan overall for the village and I only hope my comments are taken in the spirit in which they have been raised. I would hate to see our village spoilt, by either over or incorrect development, as a result of a lack of interest or, hopefully, constructive comments from the local populace.

RELEVANT SECTION(S) OF PLAN / EVIDENCE BASE:

Comment (A): Site allocation policies 2F, 2G, 2I, 2J, 2K and 2L, Policy 8

Comment (B): Site allocation policies 2P and 2Q

Comment (C): Site allocation policies 2G, 2I, 2J, 2K and 2L

Comment (D): Policy 6

Comment (E): Applies to a planning application that was approved on appeal, rather than a specific aspect of the Plan

Comment (F): General

REACTION TO REPRESENTATION(S):

Comment (A): The Plan has taken full account of flood risk at the locations noted in the response and throughout the whole of the Neighbourhood Area. A rigorous and independent site assessment process included assessment of each potential site by both the Lead Local Flood Authority and the Statutory Water Operator (Anglian Water). The recommendations of both those assessments were adopted without modification when sites were selected for allocation.

Policy 8 makes detailed and comprehensive provisions to avoid development of allocated sites (or any others that may come forward) increasing existing flood risk, and where relevant for allocated sites,

specific measures are included in the site allocation policies to reinforce the requirements of Policy 8. Nevertheless, measures will be taken to further reinforce those provisions.

The respondent is mistaken apparently suggesting the Neighbourhood Plan can resolve existing surface water flood issues. I cannot do that; in line with the NPPF and emerging Local Plan, it can only apply measures to prevent an increase in existing flood risk, and it does that in a stringent and robust manner. With regard to flood issues on Richmond Road and Cley Lane the Plan can only address the development of land, not the rectification of existing problems, so the Plan is not in a position to specify underground surface water storage tanks, or other measures, at locations where development is not proposed. Likewise, a Neighbourhood Plan cannot require a reduction in existing flood risk nor its complete elimination, as to do so would contravene the NPPF. A Parish Action Point dealing with such flood risk that was previously part of the Plan, has subsequently been formally handed over to the responsibility of the Parish Council for implementation and the respondent and other villagers are encouraged to engage with Parish Councillors in that implementation.

It is noted that some of the flood problems in the area are caused by the poor maintenance of ordinary watercourses. This is the responsibility of riparian owners. Policy 8 has been split into component parts that significantly reinforce the single pre-submission policy. New policy 8F explicitly deals with requirements for future management and maintenance of such watercourses on new development sites, but other householders who hold riparian rights on watercourses are encouraged to ensure they are regularly maintained. Guidance on riparian owner's rights and responsibilities can be found in a Breckland Council guide on the subject which can be downloaded from <https://www.stnp2036.org/the-neighbourhood-plan--flood-risk.html>

The Saham Toney Strategic Environmental Assessment, AECOM, June 2020, includes among its conclusions *"In light of the area's surface water flood risk and recent flooding events, the Neighbourhood Plan provides a close focus on policies which aim to reduce that risk as far as possible. This includes through an emphasis on the inclusion of climate change allowances within flood risk assessments, drainage scheme proposals and through seeking to ensure that new development effectively considers its impacts on surface water flood risk. This will help ensure that no significant adverse effects on surface water flood risk will take place as a result of the allocations taken forward through the Neighbourhood Plan, and increased resilience to flood risk is secured."* This supports the view that the Plan adequately addresses flood risk.

In its response to the publication of the Saham Toney Flood Risk Study, Create Consulting, May 2020, the Lead Local Flood Authority stated *"It is really welcome and encouraging to see the attention to surface water flooding and flood risk within the document and through the conversations we have had. If only all Neighbourhood Plans we see were like this."* This supports the view that the Plan adequately addresses flood risk.

Comment (B): In the case of the 6-house development noted (STNP15) it has been demonstrated by the site owner that 59m visibility splays can be provided in both directions from the proposed site access point, which satisfies the requirements of the Local Highway Authority in this respect. This has been further verified by the Saham Toney Neighbourhood Plan Transport Study, AECOM, April 2020. In the case of the 12-house development noted (STNP16) it is actually at Richmond Hall rather than Broom Hall and so the access and visibility issues differ from those noted by the respondent. The site assessment and selection processes showed the access to be acceptable, and the Local Highways Authority concurred with that finding in its consultation response. This has been further verified by the Saham Toney Neighbourhood Plan Transport Study, AECOM, April 2020.

Comment (C): Site assessment and a consultation response by the Local Highways Authority of the sites in question did raise some concern about the total number of houses in the area in question, and initially suggested a combined limit of 25 dwellings for sites STNP4, 5, 6 and 7. In a subsequent clarification of its representation the Authority revised its response and accepted the allocation of sites STNP4, 5, 6 and 7 (see B4.8, Highways section). Hence a reduction in the capacity of those sites due to increased traffic, as proposed by the respondent is not justified.

However, it is noted that for reasons of unacceptable landscape impact, sites STNP5 and 6 will be removed from allocation, thereby easing future traffic levels.

Additionally, the Saham Toney Neighbourhood Plan Transport Study, AECOM, April 2020 demonstrates that both individually and cumulatively, the impact of all allocated sites on traffic flows in the village and on queue lengths at two key junctions, will be negligible compared to existing levels.

Comment (D): While we sympathise and tend to agree with the concerns raised, the redevelopment of Page's Place is an ongoing process approved by a planning application supported by Historic England. While we might wish it would happen at a quicker pace, there is nothing the Neighbourhood Plan can do to achieve that.

Comment (E): The comment refers to a planning application approved at appeal, rather than any aspect of the Neighbourhood Plan. The Neighbourhood Plan Group opposed that application but is powerless to rescind it. However, the Plan does include measures that will help achieve what the respondent seeks more generally in terms of preserving biodiversity: (i) At planning application stage the site allocation policies require every allocated site to submit a full ecological impact assessment demonstrating any impacts remain at acceptable levels; (ii) There are specific policies in the Plan to preserve habitats and biodiversity (Policy 7D), green infrastructure (Policy 7E) and trees and hedges (Policy 7F). Additionally, Policy 2Q includes the designation of a large area of public amenity land immediately adjacent to the approved single-dwelling development noted by the respondent and that will greatly help achieve the aims the respondent mentions in the area concerned (will delete this paragraph if we delete the amenity land).

Comment (F): Noted

ACTION TAKEN:

Comment (A): Pre-submission Policy 8 split into component parts (new policies 8A-8H and 9) and significantly reinforced

Comment (B): No action required

Comment (C): No direct action is justified as a result of the comment, but the removal from allocation of sites STNP5 and 6 for other reasons will ease any traffic concerns.

Comment (D): None required

Comment (E): None required

Comment (F): None required

RESPONDENT NUMBER: 5

DATE:

5 September 2019

REPRESENTATION:

Comment 1: On reading; the "Allocation Plan" it would appear each offered site has been site assessed as individual proposals, their holistic community impact as such is not logically considered with regard to the historic flood events experienced by the area covered by Pages Lane, Chequers Lane and I Hills Road. Specifically draw your attention to STNP 1/4/5/6/7 and their impact if approved on the current historical and natural surface drainage events. You can forget the 100 years flood as you and any metrologically inclined observer will be aware precipitated flood events are becoming more the norm. I reviewed the pamphlet information and from my calculation it shows 63% of the Allocated Sites despatch their surface water via the Hills Road Chequers Lane drainage system and 75% through its extended system via Ploughboy Lane to the Ovington Road / Bell Corner. As I write 3rd Sept 2019 after a dry hot Summer the static water table level in this valley is one metre below the land surface (where measured) I understand the normal farm land can hold 3 & a half inches of rain water at the end of a Winter – please consider now the area of catchment inflow in this "Saham Toney" Valley system and the impact of any additional run-off when the outlet channel is currently a naturally designed given. Bearing in mind as you mention the further indicated surface water flow from Ashill which enters into the same system and currently where extensive housing development is in progress this will further add flow volume. In your document package pages 48-50 where the site "Major Issues / Comments" are assessed there seems to be no definitive knowledge re the water course (sites 4/5/6/7) in fact, the reading would indicate a "Cut & Paste" creation, I would suggest a definitive survey of Topological Hydrological Gradients and rediscovery, (unearthing) of the original partially observable flow course.

Comment 2: The villagers, as I recall, did not object to minor infill where numbers within the range of 4 to 6 houses were suggested the concentration of the STNP 4/5/6/7 will create initially a mini housing estate.

Comment 3: The proposed concentration of the Pound Hill / Pages Lane /Chequers Lane area will destroy the open vista that villagers are able to currently enjoy.

Comment 4: This concentration of development and ancillary support requirements will come at a cost to the residents currently living in the vicinity of the surface waters natural flow dynamics thus adding to the recurring sewage overflows when capacities are overwhelmed.

RELEVANT SECTION(S) OF PLAN / EVIDENCE BASE:

Site allocation policies 2G, 2I, 2J, 2K and 2L

Policy 8

Site Selection Report, section 7.6, table 18

REACTION TO REPRESENTATION(S):

Comment1: Independent site assessments were performed by both the Lead Local Flood Authority and the Statutory Water Provider (Anglian Water). Both took account of both individual and cumulative effects of the various sites proposed, and their recommendations as to which sites / parts of sites should not be considered for development have been adhered to in the site selections made. The respondent appears to make the common mistake of thinking that a 100-year flood event will occur only once in 100 years. That is not the case: it instead indicates a 1% chance of a flood occurring in any year. In fact, a 100-year flood event could in theory occur several times in one year; but the chances of that are less than 1%. With respect the percentages of new houses that the respondent has calculated will add to particular surface water flow routes is irrelevant because:

- A) The specialist independent assessors have not raised concern about that; and
- B) Measures are put forward in the general and specific site allocation policies and Policy 8 (Surface Water Management & Sewerage Provision) that must be adhered to if any future planning application is to be approved, and which specifically prevent any increase in existing risk of surface water flooding.

With respect, it is entirely wrong for the respondent to suggest that Table 18 of the Site Selection Report indicates “no definitive knowledge re the water course” and that the column titled “Major Issues / Comments” is an uninformed “cut and paste creation”. Table 18 in its entirety was provided by the Lead Local Flood Authority, who by definition must be seen as having the greatest qualifications to assess sites with respect to flood risk. The Neighbourhood Plan and the site allocations made defer entirely to that Authority’s judgement in this respect.

It is noted that some of the flood problems in the area are caused by the poor maintenance of ordinary watercourses. This is the responsibility of riparian owners. Policy 8 has been split into component parts that significantly reinforce the single pre-submission policy. New policy 8F explicitly deals with requirements for future management and maintenance of such watercourses on new development sites, but other householders who hold riparian rights on watercourses are encouraged to ensure they are regularly maintained. Guidance on riparian owner’s rights and responsibilities can be found in a Breckland Council guide on the subject which can be downloaded from <https://www.stnp2036.org/the-neighbourhood-plan--flood-risk.html>

The Saham Toney Strategic Environmental Assessment, AECOM, June 2020, includes among its conclusions “*In light of the area’s surface water flood risk and recent flooding events, the Neighbourhood Plan provides a close focus on policies which aim to reduce that risk as far as possible. This includes through an emphasis on the inclusion of climate change allowances within flood risk assessments, drainage scheme proposals and through seeking to ensure that new development effectively considers its impacts on surface water flood risk. This will help ensure that no significant adverse effects on surface water flood risk will take place as a result of the allocations taken forward through the Neighbourhood Plan, and increased resilience to flood risk is secured.*” This supports the view that the Plan adequately addresses flood risk.

In its response to the publication of the Saham Toney Flood Risk Study, Create Consulting, May 2020, the Lead Local Flood Authority stated “*It is really welcome and encouraging to see the attention to surface*

water flooding and flood risk within the document and through the conversations we have had. If only all Neighbourhood Plans we see were like this.” This supports the view that the Plan adequately addresses flood risk.

Comment 2: The Neighbourhood Plan must conform to the requirements of the Breckland Local Plan. At the time of the questionnaire noted by the respondent (July 2016 and October 2016) the emerging Local Plan set a criterion for rural villages such as Saham Toney, limiting development size to 5 dwellings. That policy criterion was not accepted as sound by the Government Inspector who examined the Local Plan and was deleted from the Local Plan (Policy HOU 04).

Therefore, the Neighbourhood Plan cannot include a criterion that would contravene the Local Plan, regardless of villager’s earlier expressed preferences.

Additionally, over the period August 2018 to July 2019, a comprehensive and robust process of site assessment and site selection has been undertaken to identify sites suitable for allocation in the Plan. That process is documented in great detail in the Site Assessment and Site Selection Reports, and demonstrates that some of the sites allocated are suitable for the provision of more than 5 dwellings and can be sustainably developed to a higher level: the largest allocation on a single site being 13 dwellings. The NPPF has a fundamental requirement for sustainable development to be supported and the Neighbourhood Plan does that. It is also pointed out that 6 of the 11 sites allocated are for 6 or fewer dwellings, as earlier supported by villagers.

Comment 3: Since the Regulation 14 submission of the Neighbourhood Plan, independent site masterplanning studies have been undertaken by the Government appointed consultants, AECOM. Those studies included three options for the settlement cluster formed by sites STNP1, STNP4, STNP5, STNP6 and STNP7. As a result of the studies and a professional review of the landscape impact of the sites, sites STNP5 and 6 have been shown to have unacceptable landscape impact and will be removed from allocation. This is fully explained in the Saham Toney Neighbourhood Plan Masterplanning Report and the second edition of the Saham Toney Neighbourhood Plan Site Selection Report. As a result, the existing open aspect and views across the land to the east of Pound Hill will be retained. The landscape impact review of masterplanning studies for STNP4 showed that site’s impact to be acceptable and hence it is retained as an allocated site. Given that professional conclusion there is no justification for the respondent’s suggestion to retain the open aspect and views across that site to the west of Pound Hill. Masterplanning for site STNP4 has been done in a way that retains some part of the long vista north-west from Pound Hill across the site.

It is noted that should the decision not to allocate sites STNP5 and 6 be overturned in future, masterplanning for those sites specifically includes a footway to the south and east of the sites that would have a completely open aspect.

Comment 4: The independent site assessments carried out by Anglian Water included a review of sewerage capacity, both for each site individually and cumulatively. Those assessments did not raise any concern in this respect that warrants exclusions of one or more sites from allocation. In addition, at the time of any future planning applications, prior to their approval pre-submission Policy 8 requires the submission of evidence to show that adequate capacity is available within the local sewerage network to accept additional flows, including at the local treatment works. By definition applicants will need to liaise with Anglian Water to establish that such evidence exists. Existing problems with sewerage overflows are outside the scope of the Neighbourhood Plan to deal with, but it should be noted that they are historical rather than the result of recent or future development

ACTION TAKEN:

Comment 1: Pre-submission Policy 8 split into component parts (new policies 8A-8H and 9) and significantly reinforced

Comments 2 and 4: None required

Comment3: Sites STNP5 and 6 have been removed from allocation in the Neighbourhood Plan

Respondents 6-8 supported the Plan without making comments.

REPRESENTATION:

Comment 1: The plan seems to totally disregard the wishes expressed by the people of the village which overwhelmingly said that developments should be restricted to between 4 and 6 houses.

Comment 2: The plan does not really take into account the historic surface flooding issues we have at the junction of Chequers Lane, Hills Road and Pages Lane. Many villagers (some of which have been flooded) in this area have reminded you of this but you have still approved 5 sites in a very tight area and 1 of these sites previously received over 60 letters of objection.

Comment 3: The plan does not seem to look at the traffic issue we have in this area specifically the speed of the traffic which constantly exceeds the 30mph which is in place!

Comment 4: The impact of the number of houses that will be built on the 5 sites in this area will have a great potential effect both on the flood risk and the quantity and speed of traffic. The neighbourhood plan should look to help our villagers and not potentially increase the risk we all live under regarding flood and certainly not put us all at a greater risk of serious accidents and possibly deaths from speeding vehicles.

Comment 5: We have no footpaths so we should protect any local walks we have as villagers appreciate the ability to see the beautiful views, we have which will be spoilt if we end up just walking through housing developments.

Comment 6: I have already submitted reasons (*...for opposing the plan...*) but would add that today, 6th October, the flood issues rear their heads again! We have had Anglian Water out to us as we are Unable to Flush any toilet as the waist will not go away. We are advised NOT to Run any Water at the moment as the entire run to the Bell Lane Pumping Station is overloaded and FULL! If you allow new builds in this area as your plan suggests it will only make the issue worse! We have an environmental issue with regard to the removal of sewerage as the current system does not cope with the current needs so do not make it worse. A complete stop on new build should be put in place until the system is updated and can cope!!

RELEVANT SECTION(S) OF PLAN / EVIDENCE BASE:

Comment 1: Policy 2A, Policy 2C, site allocation policies

Comment 2: Site allocation policies, Policy 8

Comment 3: Site allocation policies 2G, 2I, 2J, 2K and 2L

Comment 4: Site allocation policies 2G, 2I, 2J, 2K and 2L, Policy 8

Comment 5: Site allocation policies

Comment 6: Site allocation policies

REACTION TO REPRESENTATION(S):

Comment 1: The Neighbourhood Plan must conform to the requirements of the Breckland Local Plan. At the time of the questionnaire noted by the respondent (July 2016 and October 2016) the emerging Local Plan set a criterion for rural villages such as Saham Toney, limiting development size to 5 dwellings. That policy criterion was not accepted as sound by the Government Inspector who examined the Local Plan and was deleted from the Local Plan (Policy HOU 04).

Therefore, the Neighbourhood Plan cannot include a criterion that would contravene the Local Plan, regardless of villager's earlier expressed preferences.

Additionally, over the period August 2018 to July 2019, a comprehensive and robust process of site assessment and site selection has been undertaken to identify sites suitable for allocation in the Plan. That process is documented in great detail in the Site Assessment and Site Selection Reports, and demonstrates that some of the sites allocated are suitable for the provision of more than 5 dwellings and can be sustainably developed to a higher level: the largest allocation on a single site being 13 dwellings. The NPPF has a fundamental requirement for sustainable development to be supported and the Neighbourhood Plan does that. It is also pointed out that 6 of the 11 sites allocated are for 6 or fewer dwellings, as earlier supported by villagers. The suggestion that the Plan disregarded the wishes of the village is strongly refuted.

Comment 2: The Plan has taken full account of flood risk at the locations noted in the response and throughout the whole of the Neighbourhood Area. A rigorous and independent site assessment process included assessment of each potential site by both the Lead Local Flood Authority and the Statutory Water Operator (Anglian Water). The recommendations of both those assessments were adopted without modification when sites were selected for allocation.

Policy 8 makes detailed and comprehensive provisions to avoid development of allocated sites (or any others that may come forward) increasing existing flood risk, and where relevant for allocated sites, specific measures are included in the site allocation policies to reinforce the requirements of Policy 8. Nevertheless, measures will be taken to further reinforce those provisions.

The respondent is mistaken apparently suggesting the Neighbourhood Plan can resolve existing surface water flood issues. I cannot do that; in line with the NPPF and emerging Local Plan, it can only apply measures to prevent an increase in existing flood risk, and it does that in a stringent and robust manner. The site noted that was the subject of a previous planning application (allocated site STNP1) includes measures to avoid increased flood risk that were not included in that application.

It is noted that some of the flood problems in the area are caused by the poor maintenance of ordinary watercourses. This is the responsibility of riparian owners. Policy 8 has been split into component parts that significantly reinforce the single pre-submission policy. New policy 8F explicitly deals with requirements for future management and maintenance of such watercourses on new development sites, but other householders who hold riparian rights on watercourses are encouraged to ensure they are regularly maintained. Guidance on riparian owner's rights and responsibilities can be found in a Breckland Council guide on the subject which can be downloaded from <https://www.stnp2036.org/the-neighbourhood-plan--flood-risk.html>

The Saham Toney Strategic Environmental Assessment, AECOM, June 2020, includes among its conclusions *"In light of the area's surface water flood risk and recent flooding events, the Neighbourhood Plan provides a close focus on policies which aim to reduce that risk as far as possible. This includes through an emphasis on the inclusion of climate change allowances within flood risk assessments, drainage scheme proposals and through seeking to ensure that new development effectively considers its impacts on surface water flood risk. This will help ensure that no significant adverse effects on surface water flood risk will take place as a result of the allocations taken forward through the Neighbourhood Plan, and increased resilience to flood risk is secured."* This supports the view that the Plan adequately addresses flood risk.

In its response to the publication of the Saham Toney Flood Risk Study, Create Consulting, May 2020, the Lead Local Flood Authority stated *"It is really welcome and encouraging to see the attention to surface water flooding and flood risk within the document and through the conversations we have had. If only all Neighbourhood Plans we see were like this."* This supports the view that the Plan adequately addresses flood risk.

Comment 3: The Neighbourhood Plan cannot address issues regarding vehicles exceeding the speed limit. Furthermore, it is more likely to be through traffic that may be speeding in this location, rather than vehicles entering or leaving new housing developments allocated in the Plan.

Site assessment and a consultation response by the Local Highways Authority of the sites in question did raise some concern about the total number of houses in the area in question, and initially suggested a combined limit of 25 dwellings for sites STNP4, 5, 6 and 7. In a subsequent clarification of its representation the Authority revised its response and accepted the allocation of sites STNP1, 4, 5, 6 and 7 (see B4.8, Highways section). This indicates that any traffic impact must be deemed acceptable.

The respondent is advised to take this issue up with the Local Highways Authority.

Additionally, the Saham Toney Neighbourhood Plan Transport Study, AECOM, April 2020 demonstrates that both individually and cumulatively, the impact of all allocated sites on traffic flows in the village and on queue lengths at two key junctions, will be negligible compared to existing levels.

Comment 4: This representation is a rephrasing of those made by the respondent in comments 2 and 3, and the responses to those comments apply.

Comment 5: The respondent is perhaps referring to a lack of designated footpaths (rights of way) throughout the Neighbourhood Area as opposed to pedestrian pavements, which exist along Pound Hill,

Page's Lane and Richmond Road and part of Bell Lane. It is further assumed the local walks (none of which are documented) and views referred to are the same as those noted by Respondent 1's comment 3 and hence the same reaction applies.

For reasons other than this representation, sites STNP5 and 6 have been deleted from allocation and therefore no longer obstruct a view to the east of Pound Hill, including the Key View towards Saham Mere. The masterplanning studies for site STNP4 have taken into account the long-distance vista north-west across the site.

Comment 6: Anglian Water made assessments of each site put forward for allocation in the Plan, and that included an assessment of the available capacity at the receiving Water Recycling Centre, or WRC (sewage treatment works). Its assessment concluded there is currently limited capacity at the WRC for additional growth in the Saham Toney catchment. However, the assessment went on to state that "Anglian Water has a statutory obligation to provide sufficient capacity for sites with the benefit of planning permission. We are also currently in discussion with the Environment Agency about how this can best be achieved as part of a revised permit for the site. As such this shouldn't be viewed as an absolute constraint to additional residential development at Saham Toney." Full details of Anglian Water's site assessments can be found in the Saham Toney Site Selection Report. It is further highlighted that at the time Anglian Water undertook its site assessments, sites in the area that is the subject of the respondent's comments had a potential capacity of 131 dwellings, whereas the number allocated in the Plan at its Reg. 14 issue in the same area as a result of the site selection process was 48: clearly a significantly lower number than that assessed by Anglian Water. **Note: This has been reduced to a total of 35 as a result of sites STNP5 and 6 being removed from allocation to their harmful landscape impact.**

The problems the respondent refers to are historic in Saham Toney and result not from lack of sewerage capacity, but the inflow of surface water to the foul sewerage system due to (the incorrect) connection of surface water drain pipes to the foul system. That is a problem neither the Neighbourhood Plan nor Anglian Water can solve: responsibility lies with those householders who allow surface water to drain into the foul system.

It is noted that in its response to the consultation, Anglian Water raised no concerns in this respect.

ACTION TAKEN:

Comment 1, 3 and 4: None required (but with respect to comments 3 and 4 sites STNP5 and 6 have been removed from allocation for other reasons, thereby alleviating concern)

Comment 2: Pre-submission Policy 8 split into component parts (new policies 8A-8H and 9) and significantly reinforced

Comment 5: Sites STNP5 and 6 have been removed from allocation in the Neighbourhood Plan.

Comment 6: None required.

RESPONDENT NUMBER: 10	DATE: 06 October 2019
REPRESENTATION: Please see the form entered by my husband, (Respondent 9), as my reasons are the same but I also include the fact that Anglian Water are unable to cope with the current needs for sewerage removal as today, 6th October, the drains from Chequers Lane to the Bell Lane Pumping Station are FULL and unable to move the sewerage waste away and we are UNABLE to flush a toilet or run any water!! If you allow more new builds in this area it will only add to the problem. It is not only Surface Water, it is also Sewerage!! You must put on Hold ALL new Builds until the Drainage system is updated and able to cope with the current needs let alone the needs that all the extra housing will put on the system.	
RELEVANT SECTION(S) OF PLAN / EVIDENCE BASE: Site allocation policies	
REACTION TO REPRESENTATION(S): This is an identical comment to Respondent 9, comment 6, hence see that comment for the response	
ACTION TAKEN:	

None required.

RESPONDENT NUMBER: 11	DATE: 06 October 2019
REPRESENTATION: As discussed at the last Parish Council meeting, we are extremely worried about the possibility of exacerbating the problems we already have with regard to the drainage, both surface water and sewage. Today 6/10/19 being a prime example where after heavy rainfall the drain (on the road) between us and our next-door neighbours was overflowing. I have photos which prove this. Our front garden is also flooded. Our neighbours on the other side of us in 'Glendower' cannot flush their toilets and were told by Anglian Water not to run any water. They had checked the pumping station and could see that it was overloaded. This only goes to show the current problems which would be made far worse should these houses be built.	
RELEVANT SECTION(S) OF PLAN / EVIDENCE BASE: Site allocation policies	
REACTION TO REPRESENTATION(S): With respect to comments concerning surface water, the problems of 6 th October referred to by the respondent were a result of detritus (as reported by the leader of the Parish Council who helped clear the blockage, this included plastic bags, a tupperware lid, large lumps of wood and sundry other bits of rubbish) in the stream near the property in question blocking a grate gully near the junction of Chequers Lane and Hills Road. When the gully was cleared the problem was solved. This is not a problem the Neighbourhood Plan can solve, and furthermore since the stream in question flows from Ashill to Saham Toney, rather than through any of the allocated sites, so the latter will not contribute further to the problem of rubbish accumulation. It is noted that some of the flood problems in the area are caused by the poor maintenance of ordinary watercourses. This is the responsibility of riparian owners. Policy 8 has been split into component parts that significantly reinforce the single pre-submission policy. New policy 8F explicitly deals with requirements for future management and maintenance of such watercourses on new development sites, but other householders who hold riparian rights on watercourses are encouraged to ensure they are regularly maintained. Guidance on riparian owner's rights and responsibilities can be found in a Breckland Council guide on the subject which can be downloaded from https://www.stnp2036.org/the-neighbourhood-plan--flood-risk.html The Saham Toney Strategic Environmental Assessment, AECOM, June 2020, includes among its conclusions <i>"In light of the area's surface water flood risk and recent flooding events, the Neighbourhood Plan provides a close focus on policies which aim to reduce that risk as far as possible. This includes through an emphasis on the inclusion of climate change allowances within flood risk assessments, drainage scheme proposals and through seeking to ensure that new development effectively considers its impacts on surface water flood risk. This will help ensure that no significant adverse effects on surface water flood risk will take place as a result of the allocations taken forward through the Neighbourhood Plan, and increased resilience to flood risk is secured."</i> This supports the view that the Plan adequately addresses flood risk. In its response to the publication of the Saham Toney Flood Risk Study, Create Consulting, May 2020, the Lead Local Flood Authority stated <i>"It is really welcome and encouraging to see the attention to surface water flooding and flood risk within the document and through the conversations we have had. If only all Neighbourhood Plans we see were like this."</i> This supports the view that the Plan adequately addresses flood risk. The comment concerning the sewerage system is as noted by respondent 9 (comment 6) and respondent 10 – the occupants of the property in question. Refer to the reaction to respondent 9's comment 6.	
ACTION TAKEN: None required.	

RESPONDENT NUMBER: 12	DATE: 07 October 2019
REPRESENTATION: I am not in favour of the proposed 12 house development STNP5 on the East side of Pound Hill. It would impose on the 'Key View' across towards the Mere which contributes to the character of the open landscape of this Norfolk village.	
RELEVANT SECTION(S) OF PLAN / EVIDENCE BASE: Site allocation policy 2J	
REACTION TO REPRESENTATION(S): Since the Regulation 14 submission of the Neighbourhood Plan, independent site masterplanning studies have been undertaken by the Government appointed consultants, AECOM. Those studies included three options for the settlement cluster formed by sites STNP1, STNP4, STNP5, STNP6 and STNP7. As a result of the studies and a professional review of the landscape impact of the sites, sites STNP5 and 6 have been shown to have unacceptable landscape impact and will be removed from allocation. This is fully explained in the Saham Toney Neighbourhood Plan Masterplanning Report and the second edition of the Saham Toney Neighbourhood Plan Site Selection Report. As a result, the existing open aspect and views across the land to the east of Pound Hill will be retained, including the Key View across to the Mere. It is noted that should the decision not to allocate sites STNP5 and 6 be overturned in future, masterplanning for those sites specifically includes a footway to the south and east of the sites that would have a completely open aspect and a policy criterion preventing above ground development at the south end of site STNP5, would ensure retention of the Key View to the Mere.	
ACTION TAKEN: Site STNP5 has been removed from allocation due to its unacceptable landscape impact	

RESPONDENT NUMBER: 13	DATE: 07 October 2019
REPRESENTATION: I think there are too many houses allocated around Pound Hill - The areas defined as STNP4, STNP6 & STNP7 in my view would be acceptable. The remaining sites for that area - STNP5 & STNP1 I feel would have an impact on the openness and views of the village. There are very few open areas left, as far as I can see this being one of the last such areas	
RELEVANT SECTION(S) OF PLAN / EVIDENCE BASE: Site allocation policies 2G, 2I, 2J, 2K and 2L	
REACTION TO REPRESENTATION(S): Since the Regulation 14 submission of the Neighbourhood Plan, independent site masterplanning studies have been undertaken by the Government appointed consultants, AECOM. Those studies included three options for the settlement cluster formed by sites STNP1, STNP4, STNP5, STNP6 and STNP7. As a result of the studies and a professional review of the landscape impact of the sites, sites STNP5 and 6 have been shown to have unacceptable landscape impact and will be removed from allocation. This is fully explained in the Saham Toney Neighbourhood Plan Masterplanning Report and the second edition of the Saham Toney Neighbourhood Plan Site Selection Report. As a result, the existing open aspect and views across the land to the east of Pound Hill will be retained. The landscape impact review of masterplanning studies for STNP1 showed that site's impact to be acceptable and hence it is retained as an allocated site. Given that professional conclusion there is no justification to remove STNP1 from allocation. In addition, it is noted that site STNP1 is a brownfield site, currently occupied by unattractive farm buildings and hard-standings. It cannot be agreed that replacement of those would harmfully impact the local landscape, or its openness and views. In fact, masterplanning studies for STNP1 indicate landscaping specifically intended to reveal and enhance long views from Hills Road and Chequers Lane across the site towards St. George's Church	

It is noted that should the decision not to allocate sites STNP5 and 6 be overturned in future, masterplanning for those sites specifically includes a footway to the south and east of the sites that would have a completely open aspect.
ACTION TAKEN: Sites STNP5 and 6 have been removed from allocation in the Plan

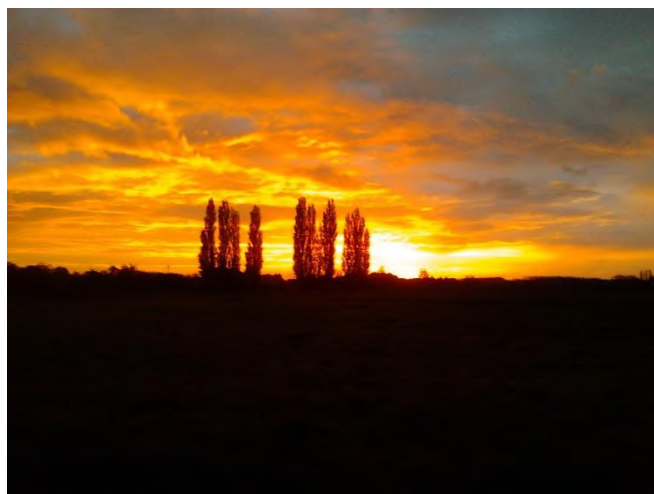
RESPONDENT NUMBER: 14	DATE: 08 October 2019
REPRESENTATION: I do not agree with the proposal to build outside the settlement boundary. this will open the gates to uncontrolled building.	
RELEVANT SECTION(S) OF PLAN / EVIDENCE BASE: Policy 2C, site allocation policies 2G-2O and 2Q	
REACTION TO REPRESENTATION(S): Strategic Policy HOU 04 of the emerging Breckland Local Plan specifies that new residential developments may be located “immediately adjacent to the settlement boundary”. That clause was not challenged at examination. The Neighbourhood Plan must comply with the strategic policies of the Local Plan and hence also allows residential development adjacent to the settlement boundary. This is set out in general terms in Policy 2C. Some exceptions to the criterion are allowed (e.g. exception sites) in accordance with the NPPF. One allocated site is within the settlement boundary. All others are immediately adjacent to it. The Neighbourhood Plan therefore complies fully with national and local planning rules in this respect, and a criterion / policy preventing development outside the settlement boundary would not be allowed. By allocating a number of houses in excess of the target set by the Local Plan, the Neighbourhood Plan manages where development will (and hence by inference, will not) take place, and so will not “open the gates to uncontrolled building”. That situation is what is happening at present while the Neighbourhood Plan is not in force and speculative developers are taking advantage of Breckland Council’s lack of a 5-year supply of housing land. The allocation of sites offers additional protection as for the first two years of the Plan Breckland Council will only need to show a 3-year housing land supply (rather than 5-years) in order to refuse non-compliant development proposals in Saham Toney.	
ACTION TAKEN: None required	

RESPONDENT NUMBER: 15	DATE: 12 October 2019
REPRESENTATION: Congratulations on a well written and detailed plan. I would like to add my thoughts on plots STNP4 and STNP5. These lie on the edge of a low knoll of land that slopes down to the circular village lake. Saham Toney was an important centre for the Iceni tribe and, although I am no archaeologist, one would expect that the low knoll might be of archaeological importance. We do not know where Boudica was born although this minor detail might not be of concern to the press. If development were to go ahead, it would be in no one’s interest to see headlines such as “Builder Bulldozes Boadicea’s Birthplace” or “ <u>Bozo</u> Builder Bulldozes Boadicea’s Birthplace”. The landscape around the two sites and its wildlife are enjoyed by a large number of villagers, particularly many who, like me, are dogwalkers. In the mornings, it is not uncommon to see spectacular sunrises or see mists drifting from the lake over STNP5. I attach some of my pictures by way of illustration.	

Overall, I would therefore oppose any development of STNP4 and STNP5.

Best Regards

Dr. Colin Cork



RELEVANT SECTION(S) OF PLAN / EVIDENCE BASE:

Site allocation policies 2I & 2J

REACTION TO REPRESENTATION(S):

A consultation response from Norfolk County Council's Historic Environment department made reference to site STNP1 with regard to potential archaeological interest and made note of its response to a 2015 planning application for that site (which was withdrawn before a decision on it was made). That earlier response requested the Local Planning Authority to apply three conditions were planning permission to have been granted, relating to an archaeological written scheme of investigation being provided prior to development. Similar conditions could be requested again at the time of a future application for the site. The same approach would be equally applicable to sites STNP4 and 5. It would not be reasonable to require site owners to undertake such an investigation prior to the submission of a planning application.

As a result of post-consultation masterplanning studies of the sites referred to by this comment, and a professional review of the landscape impact of the master-planned layouts of them as a group, sites STNP5 and 6 have been removed from allocation in the Plan.

ACTION TAKEN:

Add reference to the suggested conditions in the policy supporting text (implementation section) to guide development management officers

For other reasons (landscape impact) site STNP5 has been removed from allocation in the Neighbourhood Plan.

APPENDIX B6. Pre-Submission Consultation August-October 2019: Parishioner “Tick-Box” Questionnaire Results

The results of the consultation questionnaire were as follows:

- 31 parishioners indicated support for the Plan, without comment;
- 6 parishioners indicated support for the Plan, subject to their comments (given in Appendix B5);
- 5 parishioners indicated they did not support the Plan and gave their reasons for that (given in Appendix B5)

APPENDIX B7. Parishioner Responses to Various Other Informal Questionnaires

B7.1 Village Presentation 14 August 2018

20 villagers liked the presentation; none were indifferent or disliked it