

## **BRECKLAND COUNCIL**

### **LDF Task & Finish Group – 25<sup>th</sup> February 2010**

#### **Report of the Deputy Chief Executive**

**(Authors: David Spencer, Principal Planning Policy Officer & Phil Mileham, Senior Planning Policy Officer, Capita Symonds)**

#### **Site Specific Policies & Proposals Development Plan Document 2001-2026 Town Boundaries and remaining issues**

##### **1. Purpose of Report**

- 1.1 This report is the eighth and final report on the proposed content of the Site Specific Policies & Proposals document. The purpose of the Report is to set out the preferred options for a new set of town settlement boundaries and to bring to the Group's attention a number of additional allocations and issues which require consideration. The purpose is also to obtain the views of this Group on whether there are other reasonable options that Cabinet should consider as part of agreeing a Preferred Options document for a further 6 week consultation in Spring 2010.

##### **2. Recommendations**

- 2.1 It is recommended that the Group considers the contents of the report and provides their observations to inform the final content of the document to be agreed by the Council's Cabinet for public consultation.

**Note:** In preparing this report, due regard has been had to equality of opportunity, human rights, prevention of crime and disorder, environmental and risk management considerations as appropriate. Relevant officers have been consulted in relation to any legal, financial or human resources implications and comments received are reflected in the report.

##### **3. Information, Issues and Options**

###### **3.1 Information**

- 3.1.1 To date the focus of Local Development Framework (LDF) activity has been on the Core Strategy and Development Control Policies document. This accords with national policy that requires Local Planning Authorities to prepare a Core Strategy first which other Development Plan Documents will deliver. As a consequence, the following documents in the LDF must be in broad conformity with the Core Strategy as required by Regulation 13(6) of the Local Development Document Regulations 2004.
- 3.1.2 Breckland Council now has a sound Core Strategy and this provides the framework for finalising the site specific policies and proposals document. As set out in the adopted Local Development Scheme, the Site Specifics document will cover the three market towns of Dereham, Swaffham and Watton, the Local Service Centre villages and the rural settlement boundaries. Elsewhere the detail of specific sites will be addressed through Area Action Plans, namely for Attleborough & Snetterton (which will include Besthorpe) and Thetford. These Area Action Plans will incorporate parts of adjoining rural parishes but the settlement boundaries for affected parishes such as Croxton or Old Buckenham will be dealt with through the Site Specifics document.
- 3.1.3 As Members will recall this authority has already undertaken two "Issues and Options" consultations on those sites submitted to the Council for consideration as part of the LDF. These consultations (Summer 2008 and Spring 2009) have

presented some 852 sites, which if all were developed would deliver some 87,000 homes. Previous reports to this Group have addressed the allocations in the market towns and local service centre villages for growth. There is no policy framework to make allocations in the rural parishes. However, there is a commitment to review settlement boundaries.

- 3.1.4 The adopted Local Plan contained 83 rural settlement boundaries and these have in effect been rolled forward with the Core Strategy and factually updated to identify statutory biodiversity designations, flood zones, general employment areas and open spaces. The settlement boundaries were not amended as part of this process. The Site Specifics document is required to reassess their form and function in light of latest local policies and national planning policy. There is a further opportunity to address factual errors on inset maps as part of the Site Specifics document.
- 3.1.5 The next stage in preparing a Site Specific Document will be a consultation on the preferred options including a set of revised inset plans. It is timetabled that this 6 week consultation will start in April 2010. Following an assessment of comments it is intended to submit a final version of the Site Specifics document for Examination in October 2010. This programme will allow two opportunities for comment in 2010 before a final opportunity for objections to be considered in front of an independent Government Inspector.

## 3.2 **Background**

- 3.2.1 In addition to reviewing the rural settlement boundaries it is also required that the town settlement boundaries are reviewed. Members will recall that this Group has already considered the issues of allocations in Dereham, Swaffham and Watton at the following respective meetings: 3<sup>rd</sup> November 2009; 14<sup>th</sup> October 2009; and 22<sup>nd</sup> September 2009. The information presented today at appendices B - D are proposed revised town settlement boundaries with small-scale amendments to ensure that the LDF provides for consistent settlement boundaries which contribute to delivering the spatial objectives of the Council. The amendments to the boundaries in the towns have addressed the following:
- (i) inconsistencies, where the settlement boundary needs to follow logical, defensible features on the ground;
  - (ii) factual updating where development has occurred astride or outside of the settlement boundary
  - (iii) the need to protect open areas, infrastructure and other areas which are unsuitable for intensification; and
  - (iv) the need to restrict development in areas of flood risk and environmental protection consistent with Core Strategy policies.
- 3.2.2 On the whole, the existing town settlement boundaries taken from the adopted Local Plan (1999) are reasonably coherent given the periphery of the towns is often demarcated by recent developments which often follow a rigid or uniform pattern of development. However, scrutiny of the town settlement boundaries has identified that there are a number of amendments which would result in more robust boundaries reflecting the issues identified in (i) – (iv) in paragraph 3.2.1 above. The final document for submission for Examination will have settlement boundaries which include the agreed allocations. This is subject to the forthcoming consultation.
- 3.2.4 In preparing this report, Capita Symonds is mindful that the town settlement boundaries in the LDF will, as was the case with the adopted Local Plan, extend into adjoining rural parishes, where the coherent urban built form continues from one parish into another. The examples include Scarning in relation to Dereham and Carbrooke, Griston, Little Cressingham and Saham Toney in relation to Watton. The section below reiterates the purpose and function of settlement boundaries. To date, the delineation of town settlement boundaries has been a contentious issue as many consider they define the extent of a settlement or parish or local administrative area and therefore by including an adjoining part of a parish within a town settlement boundary can be construed as concealing parish boundaries. It is important to

recognise that settlement boundaries in the LDF are a tool for the application of planning policies in the determination of planning applications which are applied to a continuous built-up area. It is difficult and potentially confusing to users of the document to define settlement boundaries along parish boundaries. Particularly in the case of Watton, Carbrooke and Griston where parish boundaries dissect individual properties and housing estates. Therefore officers are recommending that Parish boundaries are more clearly defined and that the title for the Watton Inset Map makes a clear reference that it includes Norwich Road, Carbrooke.

- 3.2.5 During the summer 2008 public consultation on Site Specifics, your officers attended meetings with all three Town Councils and adjoining Parish Councils in Carbrooke, Griston, Saham Toney and Scarning.

### 3.3 The Purpose of Settlement Boundaries

- 3.3.1 This section of the Report highlights the policy framework within which the settlement boundary review process must be undertaken in order to prepare a sound document. As with the Core Strategy, the Site Specific document will ultimately be examined on its soundness including its conformity with national and local policy. The review of rural settlement boundaries cannot be taken in isolation from policy set out in National Planning Policy Statements or the sound Breckland Core Strategy document.

- 3.3.2 Settlement Boundaries are a policy tool which delineate in plan form coherent and established built-up areas.

- 3.3.3 The purpose of the settlement boundaries is to consolidate development around existing built-up communities where there is a clearly defined settlement where further development, if properly designed and constructed, would not be incongruous or intrusive because of the size of the settlement.

- 3.3.4 The emerging Core Strategy and Development Control Policies Document of the LDF confirms that Settlement Boundaries remain a valid policy response in Breckland to achieve the twin objectives of focussing the majority of development towards existing settlements whilst simultaneously protecting the surrounding countryside.

- 3.3.5 There are no defined criteria on how to draw up settlement boundaries in National or Regional policy planning which can be used in the Local Development Framework. There are however a number of location specific policies which can be used in determining which settlements have settlement boundaries and how those boundaries are delineated. PPS1 "Sustainable Development" encourages development plans to focus new development in existing centres. It suggests that new development must be located in places where everyone can access services by foot, cycle or public transport. PPS1 also promotes the protection of the wider countryside and landscape. In addition one of the Key Planning Objectives of the supplement to PPS1 on "Planning and Climate Change", promotes development to be located in areas which reduce the need to travel by the private car. This point is reiterated in PPS3 "Housing". PPS7 "Sustainable Development in Rural Areas" further supports these aims and states that development in open countryside, away from settlements should be strictly controlled. At a regional level the Regional Plan requires development to maximise the potential for people to form more sustainable relationships between their homes, workplaces and regularly used services and facilities and their means of travel between them.

- 3.3.6 In conclusion the purpose of settlement boundaries is to draw a line around those areas within the District which are an established and coherent built-up area with some form of service provision which supports the sustainability of that community. Within settlement boundaries the principle of further development will be considered favourably subject to form and character, access, biodiversity and historic environment. As a consequence those areas outside of settlement boundaries will

constitute “countryside” for the purposes of planning policy and in these areas development will be strictly controlled to that which is needed to specifically support the rural areas.

### 3.4 Presentation of the Options

#### **Dereham**

- 3.4.1 Dereham is identified in the Breckland Core Strategy as a Market Town which will see moderate levels of growth over the period to 2026. The town will provide an additional 1,971 new homes over the plan period, and approximately 5-10 hectares of new employment land and a quantum of additional retail floorspace. Of the 1,971 new homes, 1,371 already have the benefit of planning permission or have been completed. Therefore, land for an additional 600 homes will need to be allocated up to 2026.
- 3.4.2. Evidence to date suggests that there is sufficient infrastructure capacity to accommodate the proposed level of growth. The Outline Water Cycle Study states that development to the west of the town can make use of larger sewerage pipes, whilst elsewhere in Dereham is constrained by the need to utilise historic sewers through the town centre. In terms of community infrastructure, it is likely that improvements will be needed to rural bus services in and around Dereham in common with other market towns being identified for growth. New development will have to contribute to the expansion of primary and nursery schools and primary healthcare provision will need to be slightly expanded.
- 3.4.3 The town’s employment areas are located in close proximity to the A47 trunk road and include the three key employment areas at Yaxham Road, Rash’s Green and Dereham Business Park. These employment areas include some larger enterprises as well as a range of small to medium size enterprises, with stock of a range of ages. The Employment Land Review (2006) recognises Dereham as having good potential for economic growth in the plan period and this is reflected in the proposed allocation figures.
- 3.4.4 In addition to housing and employment allocations there is a need to allocate land for town centre uses and open space to reflect available evidence and policy requirements in the Core Strategy. This is addressed in Appendix A of this report. Policy CP7 of the Core Strategy reflects the Council’s 2007 Retail Study update in terms of additional retail floorspace requirements. The Core Strategy identifies Dereham as the main town and administrative centre for mid-Norfolk. The 2007 retail floorspace requirements for Dereham were forecast at 7,750-8,500sqm of comparison (non-food) floorspace and 2,000-2,500sqm of convenience (food) floorspace. However, following a number of recent development, the available comparison retail floorspace to plan for is 5,000 sqm. The remaining convenience (food) floorspace has been taken up through recent developments in out of centre locations, and as such there is insufficient quantum remaining meriting an allocation.
- 3.4.5 This floorspace figure is based on the 2007 Retail Study update. The Council is to commission a new retail study which will update the floorspace forecasts and meet the new national planning requirements in PPS4. The new retail study will be completed by August 2010 and at this stage it is likely that a detailed, technical consultation may need to be undertaken with affected stakeholders (town councils, retail organisations etc). Nevertheless, it is considered appropriate at this stage, that the Council identifies reasonable options for further town centre development. An Area of Search has been identified in Appendix A and it is proposed that the consultation document seeks comment on the potential of this area for an intensification of comparison retail floorspace.
- 3.4.6 In addition to town centre uses, there are a number of opportunities to enhance open space provision in the town. The Town Council, in particular, has taken a proactive approach in identifying land for new cemetery provision and options for implementing

elements of the Dereham Green Infrastructure Strategy. This has already included extending the Neatherd open space area north of Shillings Lane. Appendix A identifies options for open space allocations which should be presented in the Preferred Options document. The Officer advice is that there is a reasonable prospect that these open space allocations will come forward and therefore should be consulted on.

### **Swaffham**

- 3.4.7 Swaffham is identified in the Breckland Core Strategy as a Market Town which will see modest levels of growth over the period to 2026. The town will provide an additional 749 new homes over the remainder of the plan period, at least 5 hectares of employment land and approximately 1000 sqm of non-food retailing. Of the 749 new homes, 499 have already have the benefit of planning permission. Therefore land for an additional 250 homes will need to be allocated.
- 3.4.8 Evidence to date suggests that there is sufficient infrastructure capacity to accommodate the proposed level of growth. The Outline Water Cycle Study states that there are no strategic sewers to the west of the town. As a result of this the study recommends that development should not go to the west of the town. It is likely that improvements will be needed to rural bus services in and around Swaffham. New development will have to contribute to the expansion of primary and nursery schools and primary healthcare will need to be slightly expanded.
- 3.4.9 The town's employment areas are concentrated in the north of the town with the principal location being the Eco-Tech employment area. This employment area has good links to the A47 and Swaffham is served by the X1 bus service which links Lowestoft to Peterborough. The Employment Land Review (2006) recognises this area as having the greatest potential for economic growth in the town
- 3.4.10 In addition to housing and employment allocations, policy CP7 of the Core Strategy identifies a relatively low need for additional retail floorspace in the town. The Core Strategy identifies Swaffham as a mid-size Town Centre with a forecast of 1,000-1,500sqm (net) of comparison (non-food) floorspace at 2007.
- 3.4.11 This floorspace figure is based on the 2007 Retail Study update. The Council is to commission a new retail study which will update the floorspace forecasts and meet the new national planning requirements in PPS4. The new retail study will be completed by August 2010 and at this stage it is likely that a detailed, technical consultation will need to be undertaken with affected stakeholders (town councils, retail organisations etc). Nevertheless, it is not considered appropriate at this stage, that the Council identifies sites for town centre development given the current low level of need for additional floorspace.
- 3.4.12 Two options have been presented for public open space in the town. The first site is "The Antinghams", which is an area of pasture to the east of the town centre in private ownership. A number of rights of way criss-cross the site and it is regularly used on an informal basis. The site was conditionally offered for open space in 2008, linked to the potential for residential development on land to the east of the Manor House. Given the undeveloped character and the proximity of listed buildings it was considered at the previous LDF Group meeting on Swaffham (14<sup>th</sup> October 2009) that the area be remain open. The Town Council confirmed at this meeting that it would be interested in managing The Antinghams as open space. The second option is for an allocation at Former Hamonds Playing Field on Princes Street. This site is currently owned by the Hamonds Trust and was the playing field linked to the former Grammar School. It has over the years become an area for dog walking and informal open space. Access to the site for development cannot be satisfactorily achieved from Princes Street and the proximity of the water tower makes development of the site unlikely. Therefore it is proposed to allocate the site for public open space. These sites are presented in Appendix B

## Watton

- 3.4.13 Watton has been identified as a market town in the Core Strategy which will accommodate modest housing and employment growth arising from predominantly local need so as to reduce the volume of out commuting and the potential relocation of existing businesses. The Strategy originally required that allocations are made for approximately 300 dwellings, although this figure has since been reduced to 252 because planning permission has been granted for 48 units outside of the settlement boundary along Norwich Road. The Core Strategy requires that sites are well integrated with the established built up area of the town in order to minimise the impact on the countryside and local wildlife, particularly Wayland Wood and the Breckland SPA.
- 3.4.14 Whilst identified as a market town, limited housing growth is being proposed in order to reflect the level of services and facilities available. Additionally, evidence indicates that there is limited potential for further economic growth in Watton and that the town mainly supports local businesses. Large scale growth runs the risk of undermining the small market town character of Watton which is derived from the historic and attractive nature of the town centre and from the varied countryside that surrounds the town. Particular concerns would accompany any growth to the west and south-west of the town because of the impact on European protected species (the Stone Curlew buffer zone).
- 3.4.15 There is sufficient infrastructure capacity to accommodate the proposed 250 new dwellings. Evidence from infrastructure studies and utility capacity work demonstrates that the preferred development sites in Watton are deliverable. Whilst they will require localised upgrades to the utility networks, there are no critical capacity issues or insurmountable barriers to development of this scale. In addition there will be a need to upgrade primary school education provision and healthcare provision to meet the expanded population. The scale of the upgrades is incremental and involves expanding existing provision rather than new facilities. Therefore contributions from development will be sought to secure off-site provision in accordance with Policy CP5 of the Core Strategy. The existing secondary school (Wayland High) is considered to have sufficient capacity to absorb the anticipated growth in population.
- 3.4.16 In addition to housing and employment allocations, policy CP7 of the adopted Core Strategy identifies a relatively low need for additional retail floorspace in the town. The Core Strategy identifies Watton as a mid-size Town Centre with a forecast of 250-500sqm (net) of comparison (non-food) floorspace at 2007.
- 3.4.17 This floorspace figure is based on the 2007 Retail Study update. The Council is to commission a new retail study which will update the floorspace forecasts and meet the new national planning requirements in PPS4. The new retail study will be completed by August 2010 and at this stage it is likely that a detailed, technical consultation will need to be undertaken with affected stakeholders (town councils, retail organisations etc). Nevertheless, it is not considered appropriate at this stage, that the Council identifies sites for town centre development given the current low level of need for additional floorspace.
- 3.4.18 The Group has already agreed that a significant area of open space will be allocated at the former RAF Officer Mess site at Portal Avenue (site reference W3). An additional option for a public open space site in Watton is now being presented. The site is land immediately to the south of Tesco off the Thetford Road. The site is already managed by the Town Council and has been laid out for allotments. It is therefore proposed to protect the area as open space as identified in Appendix D.

### **3.5 Other District-Wide Site Specific Issues**

#### **Gypsy & Travellers**

- 3.5.1 It will be necessary for the Site Specific document to include a section on Gypsy and Traveller provision. Breckland has a requirement to provide 15 permanent pitches by 2011 as set out in the Regional Spatial Strategy Review (adopted May 2009). The adopted Core Strategy Policy CS2 states that the search for permanent pitch provision to 2011 will be focussed along the A11 corridor. Recent encampments at Attleborough indicate that there is a need in the area for authorised and managed provision. This will be considered as part of the Attleborough and Snetterton Heath Area Action Plan.
- 3.5.2 Away from the A11 corridor, Gypsy and Traveller provision has been made on the A47. A permanent site at Swaffham Splashes provides for 23 pitches and this site attracts regular visitors who often camp at locations in the town outside of the authorised site. Additionally, there have been occasional incidences of unauthorised Gypsy and Traveller encampments in Dereham, including new age travellers. These tend to be temporary visits which nonetheless indicate that there is some need for future provision along the A47.
- 3.5.3 At present the Regional Spatial Strategy states that after 2011, local planning authorities should plan for a 3% annual increase in pitch provision over the period to 2021. This equates to an additional 16 pitches in Breckland between 2011 and 2021. Further Gypsy and Traveller Accommodation Assessment work will inform where the additional provision post 2011 needs to be made. Additionally, further work is required at a County level to identify where the county target of 40 transit pitches is provided. Therefore it is too premature at this stage to identify the location of provision post 2011, without the appropriately robust evidence, as part of this Site Specifics document. It is therefore recommended that the authority deals with the issue as follows:
- (i) Text on Gypsy and Traveller provision is included in the Site Specifics document based on paragraphs 3.5.1 – 3.5.3 above;
  - (ii) The authority commits to deal with additional provision post 2011 as part of a review of this document with an indication that the A47 corridor will be the focus for the area of search; and
  - (iii) This option (the 'do nothing' option) is presented as the preferred option but that Officers appraise the alternative option of providing 15 pitches on the A47 as a comparator option for the purposes of Sustainability Appraisal.

#### **Monitoring and Implementation Framework**

- 3.5.4 Monitoring and review are key elements of the new planning system. The Site Specifics document will need to include a draft Monitoring and Implementation Framework (MIF) to assess the performance of policies as well as setting a framework for delivery. The MIF will also identify key infrastructure dependencies that impact upon site delivery, risks and contingencies, further detail in relation to phasing and timescales, as well as identifying the bodies responsible for delivery. The MIF will also set out the key indicators and targets against which each of the policies will be monitored against.
- 3.5.6 The MIF will provide the authority with the ability, through its Annual Monitoring Report (AMR), to identify areas of the plan that are 'on-track' and those areas where early review may be necessary. This is an important part of the planning systems' requirements that proposals are deliverable and flexible. Members should note that the Monitoring and Implementation Framework may need to be amended to reflect the allocations to be taken forward after Cabinet.

### 3.6 Summary Conclusion

- 3.6.1 The preferred options presented at Appendices A-D represent the professional advice of Capita Symonds' Breckland Planning Policy Team. The preferred options best reflect the evidence from previous consultations, consistency with existing policies and strategies and as such represent the most sustainable option going forward for further consultation. The preferred options document is intended to be a detailed and comprehensive document that enables communities, landowners and developers to understand what the map for their community will look like.

### 3.7 Next Steps

- 3.7.1 The preferred options for town settlement boundaries contained in Appendices A-D, the preferred options for retail and open space allocations contained in Appendices A - D and advice on Gypsy and Traveller provision in Section 3.5, together with the views of this Group will be reported to the Council's Cabinet with a recommendation to agree the contents of the document and to proceed to a 6 week public consultation. At this stage the document will be made available on-line, sent to Parish Councils and other statutory consultees and placed in local libraries and Council offices. Those who have registered an interest in the document will be advised of its availability.

### 3.8 Options

- 3.8.1 The report is for consideration by this Group and Members are requested to provide observations on the review of rural settlement boundaries.

### 3.9 Reason For Recommendation

- 3.9.1 To ensure there is a robust and transparent scrutiny of the proposed preferred options for rural settlement boundaries to be presented for future public consultation in the Site Specifics document of the LDF.

## **4. Risk and Financial Implications**

### 4.1 Risk

- 4.1.1 A Risk Management questionnaire has been completed and confirms that risk has been given careful consideration, and that there are no significant risks identified associated with the information in this report.

### 4.2 Financial

- 4.2.1 This report has no financial implications.

## **5. Legal Implications**

- 5.1 Statutory Instrument 2008 No. 1371 Town and Country Planning (Local Development) (England) (Amendment) Regulations 2008 sets out the procedures to which the LDF process must adhere.

## **6. Other Implications**

- a) Equalities: None
- b) Section 17, Crime & Disorder Act 1998: None
- c) Section 40, Natural Environment & Rural Communities Act 2006: None
- d) Human Resources: None
- e) Human Rights: None
- f) Other: None

## **7. Alignment to Council Priorities**

7.1 PPS12 deals with the Local Development Framework, including arrangements for consultation and participation. The statement will need to be taken into account throughout the production of the Local Development Framework and its components and will be relevant to the following Council priorities:

- Building Safer and Stronger Communities
- Environment
- Prosperous Communities

## **8. Ward/Community Affected**

8.1 This report directly affects the Wards of Dereham Central, Dereham Neatherd, Dereham Toftwood, Swaffham, Watton, Carbrooke, and Griston.

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### Key Decision Status (Executive Decisions only):

*This is not a key decision as indicated on the Forward Plan.*

### Appendices attached to this report:

Appendix A – Proposals for retail and other allocations in Dereham

Appendix B – Proposals for Dereham Settlement Boundary

Appendix C – Proposals for Swaffham Settlement Boundary

Appendix D – Proposals for Watton Settlement Boundary

Appendix E – Monitoring and Implementation Framework