

Public Document Pack



Ian Vargeson – Democratic Services Manager
General Enquiries: Telephone No. 01362 656870
Committee Services Fax No. 01362 690821
DX 45058 Dereham

To The Chairman and Members of the Cabinet
All other Members of the Council – for information

Your Ref:
Our Ref: SH/L.3
Contact: Sian Harland
Direct Dial: 01362 656381
E-mail: sian.harland@breckland.gov.uk
Date 30 November 2007

Dear Sir/Madam,

CABINET - MONDAY 3 DECEMBER 2007

I refer to the agenda for the above-mentioned meeting and enclose the following item:

Item No	Report Title	Page Nos
6.	Breckland Core Strategy and Development Control Policies Development Plan Document (DPD) - Preferred Policy Options Consultation Report of the Executive Member for Housing and Planning. Response and comments provided by Policy Development and Review Panel 1	1 - 16

May I remind Members that the Overview and Scrutiny Commission are invited to attend this meeting.

Yours faithfully

Sian Harland

Senior Committee Officer

Provided below is a summary of the comments and recommended changes to the Core Strategy and Development Control Policies Preferred Options document which have arisen since the document was submitted for Committee consideration in October. The summary is presented in 3 parts as follows:

Part 1: Issues identified through the Panel meetings but not formally put forward as recommended changes;

Part 2: Formal recommendations from Policy Development and Review Panel 1 meetings on 23rd October; 8th November and 27th November to change the document; and

Part 3: Further changes recommended by Officers in light of new/updated information and guidance.

Policy / Paragraph	Panel 1 Comment	Response	Officer Recommendation to Cabinet / Implications for Soundness
Part 1 – Panel 1 Issues			
General	<p>Green Agenda is insufficiently reflected in the Strategy</p>	<p>The Strategy includes policies on renewable energy generation, energy efficiency and water resources which are a significant step forward from our existing policies.</p> <p>The emphasis of the LDF Strategy and Policies is to deliver development to meet the needs of the District's residents and the local economy. There are key Strategic Objectives on: reducing carbon emissions; efficient use of water resources; and sustainable waste management. Policies on design, energy, natural resources and reducing the overall need to travel (length and number of car trips) are all aimed at reducing the District's carbon footprint. It is likely that further mandatory measures on energy efficiency etc, including requirements from other regulatory processes such as Building Control, will deliver further green initiatives and instigate an early review of the LDF. We are awaiting a final version of a national planning policy statement on Climate Change. Further guidance is also needed on how "zero-carbon" will be defined. From April 2008, the Government is intending to make the current voluntary Sustainable Homes Code a mandatory Code and has signalled that the Building Regulations will be the primary delivery vehicle. The principle role of planning and the green agenda</p>	<p>No change. The 4 key issues and challenges of the LDF are growth; environment; natural resources and accessibility. The green agenda is reflected in the document as far as the current national and regional policy framework allows us to. Additional evidence would be required to demonstrate the viability and practicality of requiring additional green initiatives through new development. Additional work can be done as part of the site specific process where opportunities exist for a site to maximise its green potential (ie</p>

General	<p>“Sustainability” in terms of Breckland is not defined in the document</p>	<p>relates to the scale and location of development.</p> <p>The Strategy has sought to relate national definitions to the local level to make them work for Breckland and there is evidence to support this</p> <p>A technical definition of Sustainable Development is provided in the Glossary. This reflects International and National definitions which Breckland is required to adhere to. The local evidence of Breckland’s sustainability is provided for in the 560 pages of Sustainability Appraisal (appendices 5 and 7 as circulated). The Sustainability Appraisal includes baseline of the social, economic and environmental characteristics of the District and considers the associated strategies, policies and programmes in Breckland. The evidence from the Sustainability Appraisal informs the issues and challenges (p15-17, Appendix 3) which the LDF is aiming to address through its spatial vision, objectives and strategy. Additionally, the LDF will need to reflect the Sustainable Community Strategy for Breckland when that document is prepared. To aid integration, the two strategies have developed a joint evidence base over Summer 2007.</p>	<p>CHP).</p> <p>No change. The Core Policies and Development Control Policies as drafted (with amendments) and integral Sustainability Appraisal will meet the required soundness tests to demonstrate that the document will deliver sustainable development in the Breckland context.</p>
Spatial Strategy	<p>Importance of the A11 Corridor for economic development is insufficiently reflected in the Strategy and there should be a co-ordinated approach to development along the A11 Corridor</p>	<p>There is a co-ordinated approach to the A11 being taken by the Council not just through this document but through other measures to ensure that development comes forward e.g Snetterton CHP project and on-going dialogue with other service providers e.g water. An area Action Plan for Snetterton will be produced at a later date to comprehensively look at this issue in detail.</p> <p>The A11 corridor is central to the LDF’s spatial strategy and consequently the Core Policies and Development Control policies which have been drafted to deliver that strategy. The Spatial Vision (p18, Appendix 3) states that we will deliver significant employment growth along the A11 corridor (at least 6,700 jobs) and Thetford and Attleborough will accommodate strategic housing growth. Additionally Snetterton is identified as a strategic employment site and Local Service Centre villages are identified at Banham, Great Ellingham, Haring and Old Buckenham in the A11 corridor. The LDFs key diagram highlights the A11 corridor as a significant driver for growth and more detailed Area Action Plans are programmed for Snetterton and Thetford to co-ordinate significant development at these locations. Concern has been expressed about the jobs numbers for Attleborough (originally 300 net new jobs). The revised draft plan indicates a joint</p>	<p>No change. A11 Corridor is central to the LDF Strategy and is reflected in the Vision, Strategy and Policies and highlighted on the key diagram.</p>

Spatial Strategy & Core Policy 13	Scale of Development in Villages - ability for housing to take place in villages that are not service centre villages.	<p>jobs target for Attleborough and Snetterton of potentially at least 1700 net new jobs consistent with REV and other economic objectives. These jobs figures will be tested as part of the forthcoming LDF consultation.</p> <p>The strategy provides for development outside of Local Service Centre Villages and enables small scale open market housing and affordable housing to take place. It also offers support for employment development and farm diversification in the countryside including the re-use of rural buildings.</p> <p>National planning policy states that housing should be developed in locations where there is good access to jobs, key services and infrastructure. This does not preclude development in the villages and smaller rural settlements but does require careful consideration of the scale and type of housing that should be permitted in the rural areas. This allows for housing development in the villages which would (a) support the needs of local people (thus maintaining social networks) and (b) meet the needs of people who live and work in the countryside. PPS7 (Sustainable Development in Rural Areas) states that away from market towns and local service centre villages, LDF policies can allow for limited development in, or next to, rural settlements to support local business and community needs (affordable housing on exception sites and agricultural workers dwellings).</p>	Supporting text to Core Policy 13 be amended to provide greater clarity over the circumstances of where and how settlement boundaries will be reviewed to allow for: (a) further development (especially adjoining brownfield sites); (b) boundaries to follow a more logical / defensible boundary; and (c) removal of settlement boundaries from some villages or parts of villages where further development would be unsustainable and/or out of character.
Core Policy 13	Issue: Some areas within settlement boundaries should be specifically identified as non-developable areas. Remove references to “infill” development.	<p>Some areas within settlement boundaries are already given a level of protection from development. These include:</p> <ul style="list-style-type: none"> (1) Open spaces (play areas; sports; amenity areas) (2) Conservation Areas (3) Areas around Listed Buildings (4) Floodplains <p>Critically, development which is inappropriate in its context or fails to improve the character or quality of an area, should not be accepted - good design is indivisible from good planning. PPS3 (Housing) at paragraph 16 reiterates that the design quality of housing development is critical and new housing should integrate with and compliment neighbouring buildings and the local area in terms scale, density,</p>	Amend Policy Core Policy 13 and supporting text to delete reference to “infill”. It is recommended that the offending paragraph within Core Policy 13 is replaced as such: <i>In villages not identified for a specific level of growth in the settlement hierarchy residential development will</i>

<p>layout and access.</p> <p>In terms of form and character, paragraph 49 of PPS3 addresses the concerns raised at the Panel meetings. It states “More intensive development is not always appropriate. However, when well designed and built in the right location, it (intensification) can enhance the character and quality of an area.” The opportunity now exists with PPS3 ‘Housing’ and the LDF to require that proper attention is given to achieving good design; imaginative design that results in a more efficient use of land without compromising the quality of the local environment should be supported.</p> <p>There are a number of alternative approaches:</p> <p>(1) Define different types of built environment on the inset maps with accompanying policy approaches. This would require extensive survey work and would be open to significant challenge / scrutiny.</p> <p>(2) Identify “Visually important open spaces” within the built-up areas of towns and villages on the inset maps. Rationale/criteria would need to be suitably robust to withstand (a) challenge through the LDF and (b) appeals through the Development Control process.</p> <p>(3) Re-draw settlement boundaries to exclude particular areas where further intensification would be detrimental to the form and character of the locality</p>	<p>only be permitted where suitable sites are available inside the limits of a defined settlement boundary ...”;</p> <p>National Policy already provides a number of mechanisms to refuse development that is inappropriately designed to reflect its context. Design and Access Statements accompanying applications must address issues such as form and character.</p> <p>Opportunities exist with the Site Specifics document to look at identifying areas that should be protected from development taking account of updated evidence from sources such as the Open Space Assessment.</p>
<p>Core Policy 4</p>	<p>Amend Policy 4 to list local infrastructure requirements in addition to the Strategic Infrastructure items already contained in the Policy.</p> <p>A key strand to infrastructure is partnership working (the new CAAs and MAAs) and the Sustainable Community Strategy. Supporting communities is also part of the Local Government White paper and Planning White paper, both of which envisage a</p>
<p>Timing of infrastructure in new developments</p>	<p>It is clear that the district’s existing infrastructure is not capable of meeting its development needs. In practical terms this would mean that it is unlikely to the district’s infrastructure being secured. Before looking at when the Local Authority will require that infrastructure to be delivered it is useful understand the principle mechanisms through which that infrastructure will be delivered.</p> <p>There most common mechanism that will be used to secure these infrastructure upgrades is through a planning obligation (or “S106 agreement”). It is important to note that the purpose of a planning obligation is to make acceptable development which would otherwise be unacceptable in planning terms. This is important as it should be recognised that the requirements that can be placed on a developer is limited to only those which are fair and reasonably related to the proposed</p>

	<p>development, and is not a mechanism by which a betterment levy (community share in the profits of the development) can be secured.</p> <p>Government advice states that, in order to allow developers to predict as accurately as possible the contributions that will be sought through planning obligations, Local Authorities should seek to include as much information as possible in their published documents. This information should take the form of general policies about the matters to be covered by planning obligations and factors to be taken into account when considering the scale and form of contributions, and topic specific policies within the specific development plan documents. In the case of Breckland's Local Development Framework, general policies relating to planning obligations are contained within the Core Strategy with further topic based policies within the Development Control Policies element of the document. It is intended that there will be further specific requirement for obligations set out within the Site Specific Proposals DPD and Thetford and Snetterton Area Action Plans.</p>	<p>stronger "place-shaping" role for local authorities. The Core Strategy should provide certainty to infrastructure agencies on the scale and location of development so they can develop long-term investment plans, whilst taking into account known issues at this stage, to ensure that the proposed distribution of development is deliverable in principle.</p>
<p>Issue: Infrastructure constraints in Dereham</p>	<p>Constraints in Dereham primarily relate to High School capacity and waste water disposal.</p> <p>Both of the existing high schools in Dereham are landlocked with limited room to expand the existing facilities. This limited ability to accommodate extra pupils essentially caps new development in the Dereham catchment area to 1000 houses.</p> <p>The cost of providing a new high school, in addition to the two existing schools, is estimated to be in the region of £20million. In addition, a third high school is only considered viable of the back of an increase in children of secondary education age equivalent to the population of 6000 new houses. This scale of increase may also raise significant questions in relation to the highway implications in terms of the A47 trunk road and other local roads.</p> <p>In addition to the High School capacity constraints there are also critical waste water disposal problems in Dereham. Anglian Water has reported that the situation at this moment in time is that waste water capacity is exhausted. The fundamental constraint relates to the capacity of the receiving water course to</p>	<p>On the High School issue, a number of possibilities are being explored to see if capacity of one of the two high schools can be increased and this will be pursued through the Site Specific Document.</p> <p>The Sewage Treatment capacity issue for Dereham is more fundamental. It is important to note that if a contribution can be levied from developers in respect of waste water infrastructure it could only be required in relation to the additional effects resulting from the new development. Additional funding could not be required to tackle existing</p>

Spatial Strategy		<p>accommodate any discharge. The “Dereham Stream” is relatively small and the requirements for treatment of water is reaching levels that are at the upper limit of financial viability for the water companies.</p> <p>There are two potential options to overcome these problems: firstly improvements to the existing sewage treatment works (STW) discharging into the Dereham stream and pumped from any new development. However, as has previously been established the runs the risk of being unviable from a volumetric consent perspective. The second option is the construction of a second STW discharging into the River Tud to the south-east which ultimately joins the River Wensum below its SAC status. Key issues with this option are the unknown discharge capacity into the Tud and the costs associated with a new STW, conversations with Anglian Water would put this in the region of £25 million. There are questions about how an extra STW would be funded and the lead in timescale that would be necessary.</p>	<p>capacity deficits or problems with the sewage system, which is the responsibility of the statutory undertaker themselves. This being said, further negotiations at the site specific stage will consider whether there is any joined up solution with the different interest groups working together in a combined effort to provide for the new development and resolve any existing problems.</p>
	<p>Local Service Centre Villages: Are the right villages on the list? (Bawdeswell, Swanton Morley and Gt Ellingham)</p>	<p>Local Service Centres are defined as “large villages with a good level of services”. The original list of Service Centre Villages was drawn up for the purposes of the original Strategy and Core Policies document published in Autumn 2005. This list was predicated on the criteria set out in the then draft RSS augmented by a locally defined population criteria. These criteria were as follows:</p> <ul style="list-style-type: none"> • A population of at least 1,000 people • A primary school, food shop, post office, doctors surgery and a range of community facilities • A good range of employment opportunities • A good public transport service <p>This original list of service centre villages comprised: Banham East Harling Great Ellingham Mattishall Narborough</p>	<p>Cabinet has two potential options to consider: (1) Re-introduce Great Ellingham as a Local Service Centre for growth (up to 50 houses) given that public transport has been reintroduced to the village. This option would not cause the LDF to be unsound.</p> <p>(2) Re-categorise Swanton Morley as a Local Service Centre for Service provision, rather than growth on the basis that the village may experience further growth without the need to allocate land. This option would not</p>

		<p>Necton North Elmham Old Buckenham Saham Toney Shipdham Swanton Morley Weeting</p> <p>This list was subsequently revised for the purposes of the purposes of the revisited issues and options consultation entitled "Development Choices" published in March 2007. This document explained that consultation with Mattishall, Swanton Morley and Saham Toney had confirmed that these communities wished to stay as they are. Additionally that Banham and North Elmham were no longer considered to meet the required criteria, while Necton already had consents for some 140 houses. The cases of Old Buckenham and Weeting were also finely balanced due to high school capacity at the former and environmental constraints at the latter. The general steer was towards a revised strategy with growth in only Shipdham, Harling, Gt Ellingham and Narborough of the candidate service centre villages. The consultation response from this document outwardly appeared generally supportive of this reasoning.</p> <p>This strategy was brought forward for the consideration of Policy Development and Review Panel 1 on the 18 September 2007 as part of the preparation of the current preferred options of the Core Strategy and Development Control Policies DPD. The resolutions of this panel are as follows:</p> <p>Harling, Narborough, Shipdham, Swanton Morley, Weeting were identified as local service centres suitable for further development. Banham, Gt Ellingham, Litcham, Mattishall, Necton, Saham Toney and Old Buckenham as service centres for service provision only. Shropham, Gt Hockham, Bawdeswell, Carbrooke and North Elmham not to be included as service centres.</p> <p>Following this resolution there have been further questions principally in relation to three of the villages: Bawdeswell, Gt Ellingham and Swanton Morley. Bawdeswell does not meet the regional criteria and has limited employment opportunities and therefore is considered to be classified correctly. This</p>	<p>cause the LDF to be unsound.</p> <p>Options to include additional villages as Local Service Centres (with the exception of North Elmham) would not be in conformity with the Regional Plan and would cause the LDF to be unsound.</p>
--	--	---	--

	<p>approach is endorsed by the Parish Council and local community.</p> <p>Gt Ellingham does meet all the regional assessment criteria except for having a Doctors Surgery, but there are concerns over its accessibility to public transport. However, there has been a recent move by the County Council to fund a flexi bus service operating at peak hours and this may go some way to resolving the identified public transport issues. Therefore, Gt Ellingham may have a case for re-classification.</p> <p>Swanton Morley meets all of the regional assessment criteria. There are questions over the future plans for the adjacent Robertson Barracks but no commitment has been made by Defence Estates at this stage. Although the Ward Member reported to the panel that the Parish Council were in favour of development, latterly the Parish Council has indicated that the community actually wish to stay as they are. The uncertainty over the future of Robertson Barracks (which contains a significant stock of housing accommodation) during the lifetime of the LDF, together with the existing number of consents in Swanton Morley (approximately 40 units) presents a planning case for reconsidering the classification for this settlement.</p>		
<p>National policy is that new development must make efficient use of land and 30 dwellings per hectare is the national density. Lower densities can be justified where there is local evidence to support this (form and character).</p> <p>Policies as drafted would not preclude 3 and 4 storey developments in town centres, although reference could be made in supporting text to Core Policy 5 (retail).</p>	<p>The Strategy allows for lower densities in rural areas where it can be demonstrated that higher densities would be detrimental to the form and character of the area.</p> <p>There is a careful balance to be struck between the protection of the undeveloped countryside and the accommodation of the development to meet the needs of the district, including the need outside of the towns.</p> <p>Having recognised the recommended national minimum of 30 units per hectare recommended by PPS3 – Housing, officer's consider that this balance lies within the 22-30 units per ha allowed for in preferred option for Development Control Policy 2.</p> <p>An alternative option of providing for developments at a density less than 22 per ha was tested as part of the document. Although this testing accepted that the would be some localised benefits in terms of the impact on the landscape /</p>	<p>Higher densities should only be allowed in the towns</p> <p>3 and 4 storey developments should be allowed in town centres</p>	<p>Development Control Policy 2</p>

	<p>villagescapes of the district, it would also be likely to lead to a significant increase in releases of greenfield land in and around villages, this in itself may be less preferable in terms of its impact upon the landscape of the district.</p> <p>The LDF will need to provide direction on where higher density development will be acceptable and/or encouraged. Your officers would advise that Theiford and the centres of the market towns offer the most sustainable locations to encourage high density development, including 3 and 4 storey town centre schemes. The approach should not be overly prescriptive as national guidance recognises that well-designed and innovative high density schemes can work in non-urban locations.</p>	
<p>No change. Requiring 10% of energy on larger developments to come from renewable sources is consistent with National and regional policy. Seeking a higher percentage will require additional work on testing the viability of such an approach.</p>	<p>A higher % than 10% would be difficult to justify and would represent a huge step change in relation to current policy</p> <p>A number of Panel Members supported the principle of Preferred Option DC 15, but requested that the percentage of energy to be generated in new developments over 1000sq meters or 10 units, from renewable sources should be higher than the proposed 10%. Percentages suggested by Panel Members ranged from 20% to 80%.</p> <p>The 10% figure was sourced from the Regional Spatial Strategy, as a minimum percentage that local authorities should use. A number of other Local Authorities have used the same 10% figure. The most notable council is the London borough of Merton which pioneered this type of policy.</p> <p>The risks associated with a higher percentage are the potential effects on scheme viability. There has currently been no work done on the effect of a higher percentage on viability and further work will be required if a higher percentage is chosen. Only one rural council, North Devon has an adopted policy which has a higher percentage than the 10% proposed in the preferred option. North Devon's policy seeks to achieve 15% figure on non-residential developments over 1000sqm or 10 units and on residential developments above 50 units.</p>	<p>Percentage of energy to be generated from new developments from renewable sources should be higher than the proposed 10%</p>
<p>Amend criterion 2 of the policy</p>	<p>Demographic changes and housing need are driving a strong demand for</p>	<p>Smaller properties</p>
	<p>Development</p>	

Control Policy 2	should be secured through good design	<p>smaller properties (especially 2 bedroom) to meet the needs of newly forming households (increasingly single people) and elderly households who are currently contributing to noticeable levels of under-occupation in the housing stock.</p> <p>Good design is going to be essential in not only ensuring that good quality smaller properties are provided but that they remain smaller properties through designs and layouts that prevent extensions and enlargements.</p> <p>The Strategy is positive about existing businesses in rural areas.</p>	to emphasise that good design can help deliver quality smaller properties that through their design prohibit enlargement and loss of smaller properties.
General	LDF needs to be more positive about existing businesses wanting to expand in rural areas	<p>Panel Members expressed the need to ensure that existing business and potential new businesses were not constrained by policy if they wish to expand in the rural area. A number of policies included in the Preferred Options support business development and expansion in the countryside</p> <p>Preferred Option CP13 sets out the principle that business development in rural areas will be supported. Preferred Option DC7 sets out this principle in more detail and allows for the expansion of existing businesses and the development of employment use classes in the countryside where they are associated with agriculture, forestry or other industries where there are sustainability advantages that they are located in the countryside. Preferred Option DC7 also allows for the replacement of rural buildings to employment use classes, subject to the conditions detailed in the policy. Preferred Option DC25 also supports business development in rural areas as it prioritises the conversion of rural buildings to economic uses over residential uses. Preferred Option DC19 also allows for the conversion of buildings with particular historic or architectural merit to economic uses where the desirability to retain a building by converting it outweighs the harm of the actual conversion.</p>	<p>No change. The proposed policy framework allows for controlled business development in the rural areas. A more flexible approach would result in less certainty for rural communities about where business development may take place and ultimately result in the LDF being out of conformity with National/Regional policy and therefore unsound.</p>
Core Policy 3	Jobs Figures	<p>There are different jobs figures for each of the towns because they are not all starting from the same baseline – they are all different in terms of their evolution, their role and their character and how they are influenced by other settlements.</p> <p>Until 2006 there were no District job figures to plan for. Changes to the Regional</p>	<p>Amend Core Policy 3 to delete a range for Thetford of 2,000 – 5,000 jobs and replace with “at least 5,000 jobs”. Insert additional supporting text to outline the deliverability of</p>

<p>5,000 jobs in Thetford.</p> <p>Significantly increasing the jobs figures beyond 10,900 figure in Core Policy 3 would lead to significant conformity issues with the Regional Plan and would be difficult to justify on the evidence base available.</p>	<p>Plan (RSS) in 2006 allocated a minimum target of 6,000 jobs for Breckland for the period to 2021 based on evidence prepared with EEDA and other Norfolk Authorities (Norfolk Economic Growth Study (NEGS)). Additional evidence has been prepared at the Breckland level on how that 6,000 target could be delivered across Breckland, taking account of the REV project, the Breckland Economic Prosperity Strategy and other Regional economic objectives. Additional work has been undertaken with EEDA in respect of the jobs figures for Thetford.</p> <p>The upper job ranges in Policy CP3 advocate somewhere between 6,000 and 10,900 jobs – which we can evidence from independent research. These are minimum figures and could be exceeded. Allowing for a significantly higher job figure could result in imbalance between jobs and homes in some parts of the District; areas of undeveloped employment land; and would need additional evidence to justify such an approach and demonstrate it is deliverable. The regional average is approximately 0.95 jobs per home a figure that has been endorsed at Planning Appeals.</p> <p>A proposed job distribution was put forward in the Development Choices consultation in Spring 2007 and the two areas of comment were: (1) not enough jobs for Attleborough; and (2) not enough jobs for Thetford. To address these concerns we have increased the jobs figure Attleborough from 300 net new jobs to an amalgamated figure with Snetterton. This would result in a more flexible approach of allowing for greater levels of employment development in Attleborough, especially if strategic infrastructure issues cannot be resolved at Snetterton.</p> <p>Panel 1 at its meeting on 5th December 2006 considered the Employment Land Review and despite initial concerns did accept it as valid evidence (as Minuted). Panel 1 did request that further work be undertaken on the rural economy. As part of that request we have looked at employing ACORUS (formerly ADAS) jointly with Economic Development but the cost was prohibitive and in part duplicated outputs from the NorthSEA Project on Rural Buildings in Norfolk produced by NCC and NRBAS to which Breckland Planning Officers have held workshops on farm diversification and planning. We have nevertheless addressed rural economy in SA baseline and redrafted policies around re-use of rural buildings; farm diversification and replacing modern agricultural buildings</p>
--	---

		with modern employment premises (policies CP3, dc7, dc25, dc26)	
	Biodiversity Policies should be stronger on European Designations	The members were concerned about the need for stronger biodiversity Policies with regards to European Designations. It is specifically stated in PPS9 that polices in respect to the protection of international sites of biodiversity and geological conservation value should not be included in Local Development Documents as they have existing statutory protection through international conventions and European Directives. PPS9 indicates that these sites should be shown on LDF Proposal Maps and explanatory texts included within documents if required. However it is likely that if the Local Authority chooses to include an individual policy with regards to protecting these sites then the Government Office will ask for its removal and ultimately a Government Inspector will remove the policy to ensure that Breckland's LDF does not repeat national policy. Additionally the LDF will be accompanied by an Appropriate Assessment Report which will consider in detail the effects of the strategy and policies on the European habitats in Breckland.	No change. Including policies to protect European sites would duplicate primary legislation.
Panel 1 – Recommendations			
Core Policy 1 and Development Control Policy 4	Issue: Affordable Housing – Threshold of 3 in villages causes concern; 40% causes concern over viability of schemes; local connection criteria is essential.	There is evidence to support a 40% viability on small schemes however there is some justification in using a threshold of 5 dwellings in the rural areas consistent with the towns. In determining the target for affordable housing, the key consideration is delivery both in terms of public subsidy and the level of developer contribution that can reasonably be secured. Reasonableness on developer contributions principally relates to the economic viability of development to support a contribution. To address this area, the Council's Strategic Housing and Environmental Planning teams jointly commissioned an Affordable Housing Thresholds Site Viability Study as part of the wider Strategic Housing Market Assessment and Breckland Housing Needs Study (2007)	Amend Core Policy 1 and Development Control Policy 4 to raise the affordable housing threshold to sites of 5 houses or more (or 0.17ha or more) in the towns and villages. The contribution percentage will remain at 40%.
Development Control Policy 3	Amend Replacement Dwelling policy so	Panel Members agreed to support Alternative Option 1 as opposed to the Preferred Option in Policy DC3 (Replacement Dwellings).	Agree. Replace preferred policy option for replacement dwellings with Alternative

	<p>that design rather than size is the determinant factor</p>	<p>The purpose of the Preferred Option is to ensure that traditional dwellings are not lost through the development of replacement dwellings and to ensure that small dwellings in the countryside which meet the needs of the population are retained and not lost to larger dwelling redevelopments. The Alternative Option 1 will still protect traditional dwellings, but will allow for design to be the determinant factor for replacement dwellings rather than size, related to housing need. Therefore this option would allow for small dwellings in the countryside to be replaced by large dwellings where the design is appropriate and there is no detriment to the character of the landscape and surroundings. Panel Members supported this approach as they felt it gave more flexibility than the Preferred Option.</p>	<p>Option 1 which makes design of the replacement dwelling the key factor in determining planning applications.</p>
<p>Core Policy 10</p>	<p>Amend Design policy to include reference to “traditional Norfolk roofs”</p>	<p>This addition would make the policy extremely specific and be difficult to justify</p> <p>When considering the issue of design consideration should be given to the advice of PPS1 – Delivering Sustainable Development. PPS1 states that design policies should avoid unnecessary prescription or detail, and that local planning authorities should not attempt to stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles.</p> <p>The built form of Breckland is diverse with a range of traditional and more modern buildings distributed throughout the District. A highly prescriptive criteria defining that exact form that development should take in every eventuality is not only likely to be extremely difficult, if not impossible, to produce, but also arguably undesirable in achieving the best design on any particular site.</p> <p>The preferred option for Development Control Policy 17, which deals with the issue of design, sets out guiding design principles, which should be taken into consideration in all new developments. These principles include locally distinctive patterns of development. This design policy will be augmented in the development control process by those other core and development control policies which seek to protect and enhance the landscape and the historic environment.</p>	<p>No change. A highly prescriptive policy on design would fail to conform to national policy, and therefore be liable to change by a binding inspectors report, but could also be relatively easily argued away on appeal through this national policy if the application of strict design principle was not appropriate in a particular instance.</p>
<p>Development</p>	<p>Policy is too</p>	<p>The policy allows for conversion of existing buildings e.g hotels and</p>	<p>No change. Draft policy is in</p>

Control Policy 8	restrictive on new-build tourist accommodation in the countryside	<p>holiday cottages but retains control over new build in remote locations</p> <p>Policy DC8 as drafted is in conformity with National planning policy which seeks to control new development in the countryside. National planning policy defines hotels as a town centre use given the number of visitors they attract and people they employ. Policy DC8 is flexible in that hotel proposals will be permitted away from town centres where they serve a road-related purpose and where they involve the re-use of a sustainably located rural building. This would allow for the country house hotel concept. What the policy would inhibit is completely new hotel buildings on greenfield sites in the countryside.</p> <p>The policy does not preclude new build holiday cottages provided it can be demonstrated that there is a need for the development, there are no suitable buildings for conversion nearby and that there are sustainability advantages to new build (energy efficiency, landscape enhancements, supports rural enterprise). The policy would also not rule out the change of use of existing cottages to self-catering holiday accommodation (which does not need planning consent in any event).</p>	conformity with National policy on tourism development and development in the countryside and has been drafted to reflect the rural nature of Breckland as far as is practicable whilst remaining a sound policy that a Government Inspector could approve.
Development Control Policy 16	Policy should recognise the cumulative impact (landscape) of renewable energy projects.	<p>Panel 1 Members concerned that the cumulative impact of wind turbines needs to be reflected in policy, particularly where extensions are proposed to existing wind turbine developments.</p> <p>The District Council has a detailed landscape character assessment specifically prepared to assess wind turbine proposals and the capacity of the landscape to accommodate such developments. The landscape character assessment addresses cumulative impacts and this evidence will be used to assess planning applications for wind turbines.</p>	<p>Amend policy to read:</p> <p>Planning permission will be granted for renewable energy developments and related infrastructure unless there is a significant detrimental impact, either individually or cumulatively, upon:</p> <ul style="list-style-type: none"> - conservation sites - landscape - local amenities
Development Control Policy 21	Policy be amended to define an appropriate period of time for marketing.	<p>The supporting text of this policy could be amended to define clearly the steps expected to be undertaken to satisfy a marketing criteria.</p> <p>Members were supportive that proposals to change a rural facility such as a shop or pub into residential use should be subjected to a marketing exercise that realistically attracts a viable business use. Members requested that the LDF</p>	<p>The policy refers to “all reasonable efforts have been made to preserve the facility”. Amend supporting text in paragraph 3.1.55 to define “appropriate period of time for</p>

Development Control Policy 23	Amend residential car parking standards to set minimum parking standards of 2 spaces for each property and allowing for more parking on larger properties.	define a marketing period for the property to be advertised and for the period to be of sufficient length in order to prove un-viability. Concern that the proposed parking standards were too restrictive and did not reflect car ownership levels in Breckland especially in the rural areas. Separate standards could be developed for residential developments in town centres where there needs to be a careful balance between the efficient use of land, objectives to support town centre living (flats over shops) and design considerations.	marketing” and provide further clarity on how the marketing exercise will be conducted. Amend parking standards to reflect Panel 1 comments so that minimum parking standards are 2 spaces per property. However, there must remain in policy, the flexibility for developers to provide less parking where circumstances allow (Town Centres).
Development Control Policy 25	Replace the Preferred Option for Policy (limiting residential barn conversions to within 400m) with Alternative Option 2 which would allow the conversion of buildings in the countryside to residential uses in any location provided that the economic reuse of the building is not viable.	Panel 1 was concerned that the policy was too restrictive and would result in the loss of a large number of rural buildings where residential use was the only viable alternative. Members also considered that the benefits of re-using remote rural buildings outweighed the environmental impacts of distributing development and the economic benefits of supporting the re-use of rural businesses.	Amend Policy DC25 to delete reference to residential conversions only being allowed within 400metres of a settlement boundary. A consequence of this approach will be that Policy DC19 would be surplus to requirements (exception policy allowing traditional barns to be converted to residential). Amending Policy DC25 as per Panel 1 recommendation may draw a strategic objection from Government Office for non-conformity with national policy.
Development Control Policy 26	Delete second sentence of criterion (b) which seeks to restrict the sale of goods from	This policy on farm diversification was intended to cover those cases where farmers were looking for other streams of income to support their business. The policy offered positive support to farm diversification. Members were of the opinion that the policy should enable farm diversification in	Amend policy to delete criterion (b) to allow for a flexible approach to retailing in the countryside. Such an approach is contrary to the

	farm shops to products that can reasonably be related to agriculture.	the wider sense and that paragraph b) was too restrictive in tying goods and products to the agricultural process.	strategy of supporting retail in our town centres and may draw a strategic objection from Government Office for non-conformity with national policy
Proposed Officer Changes			
Core Policy 5	Amend Dereham Retail floorspace to account for recent Tesco extension	In the time between drafting the LDF documents for Committee and this Cabinet meeting, the Council has determined to grant planning permission for a 1,921sqm extension to Tesco, Dereham. This approved floorspace needs to be deducted from the overall retail floorspace projections for Dereham to 2018.	Factually amend Dereham retail floorspace figures to take account of Tesco extension.
Development Control Policy 6	Amend employment land figures to account for RAF Watton, Carbrooke	The details around the quantities of employment land to be released will be determined as part of the Site Specifics Document process. It is acknowledged that we have lost 15 ha (37acres) of employment land at Carbrooke on the former RAF Watton Technical site. The scheme approved by the Government Inspector did include 2.5hectares (6 acres) for employment uses and policy should seek to protect this area.	Include 2.5hectares of employment land at RAF Watton, Carbrooke within Policy DC6.