



The Planning
Inspectorate

Report to Breckland Council

by David Hogger BA MSc MRTPI MCIHT

an Inspector appointed by the Secretary of State for Communities and Local Government

Date: 14th December 2011

PLANNING AND COMPULSORY PURCHASE ACT 2004

SECTION 20

REPORT ON THE EXAMINATION INTO THE SITE SPECIFIC POLICIES AND PROPOSALS DEVELOPMENT PLAN DOCUMENT

Document submitted for examination on 21 April 2011

Examination hearings held between 5 and 7 July 2011

File Ref: PINS/F2605/429/2

Abbreviations Used in this Report

AAP	Area Action Plan
AMR	Annual Monitoring Report
BIDD	Breckland Integrated Delivery Document
CC	Council's Change
CS	Core Strategy
DNPPF	Draft National Planning Policy Framework
DPD	Development Plan Document
dph	Dwellings per hectare
EEP	East of England Plan
IC	Inspector's Recommended Change
IOC	Issues and Options Consultation document
NMWDFCS	Norfolk Minerals and Waste Development Framework Core Strategy
PPS	Planning Policy Statement
PSC	Preferred Sites Consultation document
SA	Sustainability Appraisal
SCI	Statement of Community Involvement
SFRA	Strategic Flood Risk Assessment
SHLAA	Strategic Housing Land Availability Assessment
SPA	Special Protection Area
WCS	Water Cycle Strategy

The Council's allocated sites and settlement boundary changes are referred to as 'proposed' sites or changes. Sites and changes promoted by other parties are described as 'requested'.

Non-Technical Summary

This report concludes that the Site Specific Policies and Proposals Development Plan Document provides an appropriate basis for the planning of the area which it covers for the next 15 years. The Council has sufficient evidence to support the strategy and can show that it has a reasonable chance of being delivered.

One change is needed to meet legal and statutory requirements and this can be summarised as follows:

- A small amendment to the settlement boundary of Shropham in order to ensure the delivery of land to the north of the playing field.

The change recommended in this report is based on proposals which emerged in response to points raised during the public examination.

Introduction

1. This report contains my assessment of the Site Specific Policies and Proposals Development Plan Document (DPD) in terms of Section 20(5) of the Planning & Compulsory Purchase Act 2004. It considers whether the DPD is compliant in legal terms and whether it is sound. Planning Policy Statement 12 (paragraphs 4.51-4.52) makes clear that to be sound, a DPD should be justified, effective and consistent with national policy.
2. The starting point for the examination is the assumption that the local authority has submitted what it considers to be a sound plan. The basis for the examination is the submission document dated February 2011.
3. This report deals with the changes that are needed to make the DPD sound and they are identified in bold in the report (**IC**) and the detailed recommendations are set out in Appendix C. The change that has been proposed by the Council for reasons of soundness (CC.1) is presented in Appendix A. None of these changes materially alter the substance of the plan and its policies, or undermine the sustainability appraisal and participatory processes undertaken.
4. The Council has prepared a Schedule of Suggested Minor Changes which includes a small number of changes it agreed during the course of the hearings. These changes correct minor errors, add clarity or improve consistency and do not relate to soundness. They are generally not referred to in this report although I endorse the Council's view that they improve the plan. These are set out in Appendix B. The Council may make any additional minor changes to page, figure, paragraph numbering and to correct any spelling errors, as appropriate, prior to adoption.
5. The Council's proposed change (CC.1) regarding the inclusion of policy SB.1 relating to settlement boundaries, as set out in Appendix A, has been subject to public consultation. The consultation responses have been taken into account in writing this report and consequently a minor change to the reasoned justification of policy SB.1 is recommended in order that it more accurately reflects the wording in Core Strategy (CS) policy CP 14, which does not include a reference to retaining at least two key services (**IC2**). For pragmatic reasons the recommendation is included in Appendix C, although it relates to a matter of accuracy and not soundness.
6. The Government is committed to abolishing the East of England Plan (EEP) but it currently remains part of the Development Plan. The CS, which provides the framework for this document, was based on the EEP. No evidence was submitted to demonstrate that the Council should have taken a different approach to the preparation of this DPD and it can be concluded that the approach is appropriate.
7. Concern was expressed regarding the public consultation that was undertaken by the Council. However, the requirements of the Statement of Community Involvement have been met and the level and nature of the consultation undertaken was appropriate.

8. Following the closure of the hearing sessions the Draft National Planning Policy Framework (DNPPF) was published. Comments on the implications of this publication with regard to the DPD were requested and the responses received have been considered. Insofar as the DNPPF suggests significant changes to national policy, I consider that in assessing the soundness of this DPD it has little weight. Reference is made to including an additional housing allowance of at least 20%¹, but if this requirement is retained it would be more appropriate for the Council to consider its application at the District-wide level, as part of the forthcoming CS review.

Assessment of Soundness

Main Issues

9. Taking into account all the representations, written evidence and the discussions that took place at the examination hearings there are four main issues upon which the soundness of the plan depends:
- taken as a whole, whether the distribution and selection of the site allocations has a sound basis and whether the needs of gypsies, travellers and travelling showpeople have been appropriately addressed;
 - whether the allocated sites are properly justified;
 - whether the proposed settlement boundaries are appropriate and justified; and
 - whether the DPD is sound in terms of its approach to monitoring and the need for flexibility.

Issue 1 – Taken as a whole, whether the distribution and selection of the site allocations has a sound basis and whether the needs of gypsies, travellers and travelling showpeople have been appropriately addressed

Preamble

10. In order to address this issue it is necessary to consider the background against which the DPD has been prepared and that is summarised below.

Relationship to the Core Strategy

11. The adopted CS provides the basis for the policies in the DPD. The Council is committed to reviewing the CS at least every three years² and work on the first review is scheduled to start later this year. The opportunity that the review of the CS will provide for strengthening the framework on which the current aspirations of the community are based, justifies taking a pragmatic approach to the examination of this document.

¹ Paragraph 109

² Local Development Scheme Fourth Revision (SS.24)

Relationship to the Area Action Plans

12. This DPD relates to the whole of Breckland, with the exception of *Thetford and Attleborough and Snetterton Heath*, for which Area Action Plans (AAP) are currently being prepared. It is expected that these two AAPs will together identify land for over 9,000 new homes and about 8,000 jobs. It is clear that consideration has been given by the Council to the relationship between these AAPs and this DPD.

Five Year Housing Land Supply and Housing Provision

13. The Council can currently only demonstrate a supply of housing land for just under 2 years. The allocations in this document would create an additional 1.6 years supply. However, work is progressing on the two AAPs referred to above and the Council has submitted the Thetford AAP for examination, with adoption anticipated by the end of July 2012. I was told that these two AAPs will allocate land for over 9,000 dwellings and the Thetford AAP alone is likely to produce over 6 years supply of deliverable land. No evidence was submitted to contradict the Council's view that a five year supply of housing land will have been formally identified within about a year.
14. In these circumstances it would be inappropriate to expect this DPD to exceed the housing figures set out in the adopted CS just to provide a short-term boost to the five year supply, especially as the Council has set out a 'fall-back' position in its 'Five Year Supply of Housing Assessment (2010)'³ whereby in the short-term applications for housing may be considered favourably in line with the advice set out in paragraph 71 of PPS3: Housing.
15. Therefore, bearing in mind the framework provided by the current CS, this DPD presents a realistic and sustainable approach towards housing provision in this part of Breckland but, as acknowledged by the Council, an approach that will need to be subject to early review.

Overall Site Distribution and Selection

16. Policy SS 1 of the CS establishes the settlement hierarchy within Breckland and policies CP 1, CP 3 and CP 7 set out the housing, employment and retail requirements for the period up to 2026. The settlement hierarchy is based on sound principles of sustainability and the proposed allocations accord with the approach established in the CS. The broad distribution of the sites is sound.
17. The Council's objectives are clear and a comprehensive evidence base provides a firm foundation on which the assessment and selection of sites has been undertaken. The evidence includes the strategic housing land availability assessment (SHLAA) which considered land availability and delivery; the submission sustainability appraisal (SA) which looked at the sustainability credentials of the sites; the Habitat Regulations Assessment (HRA); the Breckland Integrated Delivery Document (BIDD); the Strategic Flood Risk Assessment (SFRA); and the Water Cycle Study (WCS).
18. A large number of sites and amendments to the settlement boundaries have been considered throughout the process but it is clear from the evidence that

³ Library document SS.27

the Council has in broad terms followed a robust and thorough assessment of the alternatives and has provided appropriate justification for the allocations and boundary alignments that it has proposed.

19. The only apparent discrepancy between the CS figures and the allocations in this DPD is at Watton and this is addressed on page 9.
20. Concern was expressed regarding the lack of an allocation at Weeting and I deal with that in more detail on page 12. However, CS policy SS 1 specifically states that Weeting will not see a new housing allocation for the remainder of the plan period and this must be the starting point for any consideration of this matter.

Provision for Employment, Retail and Open Space

21. The focus for new employment is on Dereham and Swaffham and the distribution and quantity of employment land accords with the CS. There is no significant evidence that current employment needs can not be met on the four allocated sites.
22. In terms of retail, only one site (D6) is allocated at Dereham, for a total of about 6,700 m² of floor space (net). Although CS policy CP 7 identifies Swaffham and Watton for a small level of comparison retail expansion, this was based on the 2007 Retail Study. The 2010 Study⁴ indicates that there will only be limited need for both further comparison and convenience floor space and therefore the Council's approach is sound. It was suggested that alternative uses, such as a bus station, could be found for the site at Dereham but no substantive evidence was submitted to demonstrate that such uses could be delivered.
23. A number of existing open space sites, for example The Antinghams at Swaffham, are to be identified on the Proposals Map but there is only one open space allocation which is for a new cemetery at Dereham and the evidence demonstrates that such a use can be successfully delivered on this site.

Gypsies, Travellers and Travelling Showpeople

24. The national framework within which the consideration of sites for gypsies and travellers takes place is changing but nevertheless it is important that the Council has a clear strategy for the provision of such sites. CS policy CP 2 states that site provision will be in a sustainable location on the A11 corridor and work is progressing on the Attleborough and Snetterton Heath AAP (through which area the A11 runs). The Issues and Options version of that AAP considered two areas of search along the A11 (March 2011). A total of eight potential sites have been identified for investigation.
25. There is sufficient evidence to demonstrate that the Council, in accordance with the CS, is taking a proactive approach to gypsy and traveller provision through the AAP. With regard to travelling showpeople no evidence was submitted to demonstrate a need for a site in Breckland and CS policy CP 2 provides appropriate criteria for considering potential sites should the need

⁴ Library document ECO.2

arise.

Conclusion on First Issue

26. On the first issue it can be concluded that the overall site allocations are based on a sound footing, having regard to the context and to the relationship with the forthcoming AAPs. There is no evidence of any significant omissions from the DPD and bearing in mind the strategic objectives and locational principles established in the CS, the overall approach to site allocations and the needs of gypsies and travellers is sound in principle.

Issue 2 – whether the allocated sites are properly justified

Preamble

27. As concluded above the DPD is sound in principle. Accordingly the following sections only consider the specific points about the allocations that give rise to concern about potential unsoundness.

Dereham

28. Three sites, totalling 600 dwellings, are allocated for residential development in Dereham. Taking into account permissions already granted this figure equates to the CS requirement. There are significant constraints to development in the town in terms of waste water capacity and although the Water Authority and the Environment Agency are assessing ways forward, it is unlikely that existing infrastructure could currently accommodate significant additional growth above that already proposed.
29. Concerns have been expressed about the listed maltings buildings that adjoin site D1. The policy recognises their importance and the preparation of a Masterplan for the allocated site will doubtless consider their relationship to any proposed development. However, they are not part of the site and the Council's ambition to deliver the regeneration of the site should not be dependent upon securing a viable long-term future for the adjacent listed buildings.
30. A number of residents opposed the linking of Greenfields Road and Wheatcroft Way (Site D2) but there has been no objection from the Highway Authority. Exact details of the link would be considered as part of the planning application process but there is no evidence to suggest that a satisfactory link, perhaps incorporating appropriate traffic management measures, cannot be provided.
31. Alternative sites were requested by respondents on land south of Dumpling Green; to the north of Windmill Avenue (west of site D3); and at Hillside Nurseries (see also page 16). However, bearing in mind my conclusions with regard to five year housing land supply and housing provision as set out above, the DPD is sound as it stands and because the allocated sites in Dereham are justified, can be delivered and are sound, there is currently no need to allocate further housing sites in the town, or replace those already allocated.

32. With regard to the employment allocation to the east of Dereham Business Park (D5), this replaced a proposed allocation on land to the south of the Business Park⁵. The Council advise that this change was primarily because of the potential harm that may be caused by development on land to the south to the living conditions of adjoining residents. This is a reasonable judgement to make following consultation and the site to the east now being proposed would have no such consequences. The delivery of site D5 was questioned but the Council confirmed that satisfactory access can be achieved and there is therefore no reason to doubt that employment development can be delivered. On that basis the allocation at D5 is sound and the proposed settlement boundary justified.
33. Concern was expressed regarding the application of CS policy DC 6 (which sets out appropriate uses for general employment areas), particularly in relation to land at Rashes Green. Greater flexibility in terms of uses was sought, for example by including hotels and other road-side facilities. However, such a change should not be made on an incremental basis but as part of a wider review in order to ensure that any consequences can be properly assessed. The forthcoming CS review may provide such an opportunity.

Swaffham

34. Only one site is allocated for residential development - to the east of Brandon Road (SW1). This would accommodate 250 dwellings in accordance with the CS. The site has been subject to full sustainability appraisal and although it lies within 7.5km of the Breckland Special Protection Area (SPA) the Council has proposed a Minor Modification (MM.38) which provides the framework for monitoring and mitigating any potential impact, which is an appropriate approach.
35. Nevertheless concern has been expressed regarding the site's sustainability credentials. The allocated site is close to the Junior and High Schools, and although some distance from the main shops and services (including the main employment areas) there is currently a local bus service to the town centre, albeit infrequent. Many of the alternative sites considered by the Council or requested by representors are peripheral and display poor characteristics in terms of sustainability and landscape impact. Bearing in mind the other attributes of the allocated site, including its comparatively low impact on the visual qualities of the area and its location within the form of the settlement (with development eventually on three sides), I conclude that in comparison to other requested sites the allocation is satisfactory.
36. The only outstanding matter is whether the reliance on only one residential allocation in the town ensures sufficient flexibility. However, it is clear that there are significant issues relating to waste water disposal which do not appear to have been satisfactorily addressed with regard to other sites in the town. Sufficient land is allocated to meet the CS requirements (requirements which are soon to be reviewed) and there is a commitment to review this DPD at least every three years, which when combined with the findings of the Annual Monitoring Report, should ensure that appropriate action can be taken should any unforeseen circumstances arise.

⁵ Site D5 in PSC

37. A number of alternative sites were requested by respondents but the Council's overall approach to housing provision is sound and there is no reason to doubt that development on site SW1 can be satisfactorily delivered. There is therefore currently no need to allocate further sites or replace the residential allocation, which is sound.
38. With regard to the employment allocations concern was expressed regarding the effect on trees of the access to site SW2. However, they are not protected and matters of access, planting and layout can be addressed at the planning application stage. With regard to site SW3 the impact of the development on the living conditions of neighbours was raised. However, issues of noise, restrictions on use, the protection of wildlife, historical features and screening can be addressed on receipt of a planning application.
39. The employment allocations in Swaffham as proposed by the Council are sound.

Watton

40. Four residential allocations are proposed at Watton, totalling 214 dwellings. An explanation of the current situation is given in the Council's Minor Modification MM60 and it can be concluded that there is a shortfall of about 25 dwellings. However, there are a significant number of extant planning permissions (497 at 1 April 2011) and in these circumstances and bearing in mind the imminent review of the CS, the current shortfall is not significant. All the sites are justified, can be delivered and have been subject to appropriate levels of public consultation and sustainability appraisal. The proposed sites are sound.
41. With regard to alternative sites, about half of requested site (104)022⁶ (south of Mallard Road) lies within the SPA buffer zone for Stone Curlews and no evidence has been submitted to demonstrate that development on this land would not be detrimental to this protected species. In terms of the site between Swaffham and Saham Roads, I have taken into account a recent appeal decision (ref: APP/F2605/A/11/2148331) relating to a proposal for 91 dwellings on the site. The Inspector correctly observes that if he were to allow the appeal he would in effect be allocating just under half the number of new dwellings intended for the town. Having found that the existing allocations are sound, there is no justification for allocating further housing land at Watton and in any event neither this site nor the other requested site has been subject to the same process of public consultation as other sites that have been considered.

Narborough

42. CS policy SS 1 identifies Narborough as a Service Centre Village and allocates 50 dwellings. Concerns have been raised regarding, for example, lack of services; drainage; and traffic. However, neither Anglian Water nor the Highway Authority has objected to the site allocation and there are a relatively high number of services available, including a school, community centre, bus service and shop. I am satisfied that the allocation at Narborough is sound.

⁶ Library document SS.5

Shipdham

43. The CS allocates 100 dwellings to Shipdham but a recent planning permission on land off Parklands Estate reduces the requirement to 85. It is proposed that only one site be allocated in the village to accommodate that growth (SH1) and despite residents' concerns regarding traffic and drainage infrastructure, there were no objections to development in Shipdham from either the Highways Authority or Anglian Water.
44. Shipdham is a linear village and the proposed allocation would create a significant extension into the countryside on the north side of the main road, where, unlike on the south side, no such incursions have yet taken place. The Breckland Settlement Fringe Landscape Assessment identifies the site as being within a moderate to high sensitivity character area. The document advises that any "development to the settlement edge should aim to create a varied range of frontage treatments and spatial experiences and a porous, transitional landscape edge to the settlement".
45. The allocation of a smaller part of SH1 to accommodate 50 dwellings (as considered in the Preferred Sites Consultation Document – PSC) would be acceptable; however, it is the requirement to provide 85 dwellings that would result in the significant intensification of housing and the significant incursion of development into the countryside.
46. The potential impact of a development on the countryside setting of the village, however, has to be balanced against the benefits of developing this site, which is in the centre of the village with good access to services and facilities. Such benefits could also include significant visual improvements to the street scene of Chapel Street, part of which lies within the Shipdham Conservation Area.
47. Initially I placed more weight on protecting the setting and form of the village than on the sustainability credentials of the site. This led me to consider alternative sites and to conclude that the smaller site referred to above be allocated to the north of Chapel Street to accommodate 50 dwellings. The Council confirmed that a smaller development could still achieve significant improvements to the street scene; including appropriate strengthening of existing planting and the provision of new planting; and providing the necessary highway and pedestrian access improvements.
48. The allocation of a smaller site north of Chapel Street would have resulted in a shortfall of 35 dwellings in the village which could be accommodated on a number of sites. For example the site referred to as the former Thomas Bullock School playing field⁷ is centrally located within the settlement boundary and appears to be unused. On the face of it this would be an appropriate location for residential development and its allocation would accord with the advice in PPS3: Housing which seeks to ensure that optimum use is made of land in sustainable locations. However, the Council (who own the site) raise a number of concerns including the inability to currently achieve an appropriate access. It can not be certain that development on this site could be satisfactorily delivered and it is also clear that there is likely to be

⁷ SH2 in PSC

significant public objection to such a proposal.

49. Most other sites considered by the Council in Shipdham are either peripheral or have uncertainty regarding delivery. However, it is proposed by the Council to amend the settlement boundary at Old Post Office Street to include former nursery buildings⁸. Although Old Post Office Street is not close to some services, for example the school, the PSC document states that the location "is reasonably related to services and facilities" and improvements to pedestrian routes into the village centre could be implemented.
50. Bearing in mind the likelihood that the former nursery will be redeveloped it was logical to assess the potential for this area to accommodate the 35 dwelling shortfall. A larger site⁹ to accommodate 50 dwellings has been subject to sustainability appraisal and public consultation but was dismissed primarily on sustainability grounds. However, it has been demonstrated that a smaller part of the site could accommodate 30 dwellings¹⁰. The suggested layout showed only 10 dwellings outside the proposed settlement boundary and such development could be considered not to have a significantly harmful effect on the setting of the village and appropriate boundary planting would ensure that any visual impact would be minimal.
51. The proposed revisions to the allocations at Shipdham, as summarised above, were advertised for public consultation and a significant number of representations were submitted. It is clear that many respondents support the original allocation of 85 dwellings to the north of Chapel Road (for example over 75% of those with an address in Shipdham) and have placed more weight on the sustainability credentials of the site than the impact the development may have on the character of the village.
52. In this case an assessment of the sustainability and visual impacts of the two alternatives is closely matched. The Government is seeking to empower local communities to shape their surroundings and the consultation responses are also important considerations. The high level of support for the Council's proposal tips the balance in favour of site SH1 and therefore, having taken all other factors into account, I conclude that the allocation at Shipdham is sound.
53. There were a number of other factors to consider but they are of insufficient weight to change the conclusion above. For example concern was raised regarding potential mineral deposits but the Norfolk Minerals and Waste Development Framework Core Strategy (NMWDFCS) had not been adopted at the time of the hearing sessions. That document has now been adopted but the proximity of residential properties and the inadequacy of the local road network to cater for lorry movements, make support for the extraction of any deposits unlikely.
54. With regard to sites 085(024) and 085(025)¹¹ (which were requested to be allocated) they would not be as sustainable as SH1; would have the potential to extend development significantly into the countryside; would not make comparable use of previously developed land; and may have unacceptable

⁸ SHP.1 in PSC

⁹ SH4 in PSC

¹⁰ Library document PS.11(I)

¹¹ Library document SS.5

consequences for the living conditions of nearby residents. They do not display equivalent qualities to the allocated site.

Other Settlements: Harling; Swanton Morley; and Weeting

55. The CS allocates 50 dwellings to **Harling** but planning permission has been granted for 65 homes in the village since 2009 and therefore no specific allocation is proposed in the DPD. This is a reasonable and justified approach.
56. At **Swanton Morley** one site is allocated for 50 dwellings in accordance with the CS. The issue of potential mineral deposits on the site was raised but the NMWDFCS had not been adopted at the time of the hearing sessions. That document has now been adopted but the proximity of residential properties; the inadequacy of the local road network to cater for lorry movements; and the potential for adverse impacts on the nearby River Wensum Special Area of Conservation; all mitigate against the likelihood of any deposits being extracted. With regard to the visual protection of the listed All Saints Church, this can be secured at the planning application stage and finally there is no substantive evidence that the development of this site would have significant highways implications. The allocation at Swanton Morley is sound.
57. Reference has already been made to the fact that there is no allocation in the CS for housing at **Weeting**. The main issue is the proximity of the Breckland Special Protection Area (SPA) and in particular the need to protect the habitat of Stone Curlews. The CS explicitly states, in policy SS 1, that development will not be allocated or promoted within a 1,500m zone from the boundary of the areas of the SPA with Stone Curlew.
58. The Inspectors who considered the CS advised that 'urgent work' be undertaken to provide a better understanding of the interactions between Stone Curlews and human settlement and to develop practical and effective mitigation measures¹². I interpret that as meaning that the work should start as soon as possible, not that the work should necessarily be completed quickly, as it is clear that such work may take several years.
59. Following a Report to the Council's Cabinet meeting on 30 November 2010, it was agreed that a Chief Officer Group be convened from all the affected local authorities to discuss a way forward with regard to Stone Curlew research. No such meeting has yet been arranged¹³. It is clear that research into the issue is complicated and that there would be risks attached, both financial and in terms of the quality of the conclusions that may be reached. Nevertheless without such research or even an agreed methodology there is the risk that an un-coordinated and incremental approach may evolve.
60. Work has been undertaken by Norfolk Wildlife Services but concern has been expressed regarding the methodology and approach taken towards its research. Reference was made to the potential for biodiversity offsets but such an approach should only be supported if it can be clearly demonstrated

¹² Paragraph 3.224 of Inspector's Report dated 13 October 2009

¹³ An initial meeting on Development and the Breckland SPA was convened by Natural England in November 2011 between the affected local planning authorities, RSPB and landowner representatives. Further meetings will be held in 2012 to examine approaches to resolving existing evidence gaps.

that the likelihood of successfully creating appropriate new habitat would be high and no feasible alternatives exist. Such reassurances were not provided to a level which would enable a definitive conclusion to be reached. I need to be satisfied that significant development at Weeting would not have a detrimental impact on Stone Curlews and their habitat but the evidence submitted does not provide me with the necessary confidence to draw that conclusion. There remains uncertainty regarding the effect that an allocation of dwellings at Weeting would have on the Stone Curlew population. Therefore in view of the precautionary principle enshrined in the Habitats Regulations¹⁴, I conclude that it would not be appropriate to allocate the site to the north of Cromwell Close for housing.

61. This conclusion is strengthened by the fact that there is no allocation for development at Weeting in the CS; that sufficient land is allocated elsewhere to accommodate the growth proposed in the CS; and that the site has not been subject to the equivalent level of sustainability appraisal or public consultation as other allocated sites. It is also relevant that the Council intends to commence a formal review of the CS later this year and it should be expected that this matter will be addressed in more detail, in order that confidence in the Council's approach, whatever that might be, can be assured.

Conclusion on Second Issue

62. Having considered the requested alternative allocations, there is no compelling evidence in their support (except at Shipdham) that would justify recommending their inclusion in the DPD either as additional sites or as replacements for those proposed by the Council. With the changes that are recommended the allocated sites are properly justified, effective and consistent with national policy and are sound.

Issue 3 – Settlement Boundaries

63. The Settlement Boundary Topic Paper¹⁵ sets out the criteria used by the Council for delineating rural settlement boundaries, in line with CS policy CP 14. Where the existing settlement boundary is to be retained it is explained that this may be a reflection of the fact that there are no options for extending the boundary in a way that would not be harmful to the landscape, amenity or highway safety. In some circumstances no changes are proposed because the settlement in question is not defined as a Local Service Centre. Such locations display few sustainability credentials and CS policy SS 1 makes it clear that such settlements will only provide nominal growth where local capacity allows.
64. Where changes to a boundary are proposed these are either to address anomalies or inconsistencies or to remove sites where there is a risk that backland or other inappropriate development could be sought. The overall approach to defining settlement boundaries is soundly based on an appropriate methodology and reflects the advice in CS policy CP 14. Therefore the following paragraphs relate only to those specific parts of the proposed

¹⁴ The Conservation of Habitats and Species Regulations 2010

¹⁵ Library document SS.20

settlement boundaries which have been challenged in representations. The defined boundaries for all settlements not considered below are sound.

Beeston

65. One of the Council's considerations in amending settlement boundaries¹⁶ was to define tighter boundaries where this would preclude inappropriate development. Syers Lane can accurately be described as an attractive rural lane characterised by a loose scattering of development with established trees and hedging. The intensification of development in locations such as this, on the edge of settlements, would blur the transition between 'town' and 'country'. The protection of such character (which would accord with requirement (h) of CS policy CP 14), can best be achieved by excluding land to the north of Syers Lane, including adjacent to Rose Cottage, from the settlement boundary.
66. With regard to the proposed boundary change at Chapel Lane, this would enable up to 5 dwellings to be accommodated on the site, which would accord with the requirements of criterion (i) of CS policy CP 14. The visual impact of development on this site, which lies close to what could be described as the village centre, would not be unduly harmful.
67. In terms of the relationship between School Farm and the potential site for up to 5 dwellings, there is no substantive evidence that the living conditions of the occupiers of any future housing on this land would be significantly harmed by the activities at the farm, for example in terms of disturbance from noise. It was stated that the relationship between the farm, which occupies a central position in the village, and existing residents is good and there is no reason to believe that this would not also be the case in terms of any future residents. The Council's Environmental Health Department raised no concerns about the proximity of the farm to the potential housing.
68. In terms of access to the proposed site this could be achieved by utilising a weaker gap in the hedgerow to the north of the existing access to the farm, thus avoiding any direct conflict with vehicles entering or leaving the farm. No objection was received from the Highway Authority and it has not been satisfactorily demonstrated that the addition of this small number of dwellings would, in terms of traffic, be likely to cause any undue conflict with the workings of the farm.
69. It was requested that land to the south of Dairy Drift be allocated for employment purposes. However, this site is some distance from the settlement boundary and taking into account the CS policies which direct employment growth to the main towns, there is no justification for such a significant allocation.
70. The Council's proposed settlement boundary at Beeston is sound.

Colkirk

71. CS policy SS 1 does not identify Colkirk as a service centre village and although a number of services are available CS policy CP 14 advises that the

¹⁶ Library document SS.20

review of the settlement boundaries in locations such as this will only address the inclusion of small-scale sites within the boundary (up to 5 units). The site requested for inclusion within the boundary, to the west of Fairview Drive, could accommodate significantly more than 5 dwellings and would therefore not meet the requirements of the CS. The Council's proposed settlement boundary at Colkirk is sound.

Dereham

72. CS policy CP 14 refers to the review of settlement boundaries for rural communities and explains the matters to be addressed. Dereham, however, is categorised as a market town and therefore the policy is not directly applicable. Nevertheless the appropriateness of the proposed boundary at Dereham must be considered and the Council propose to remove three schools from the settlement boundary, namely St Nicholas Junior School, Northgate High School and Neatherd High School.
73. The methodology for undertaking the review of settlement boundaries includes the need to consider 'tighter boundaries where this would preclude back land or other inappropriate development'¹⁷ and the Council confirmed¹⁸ that it has tried to take a consistent approach by excluding schools and their playing fields from the boundary in edge of settlement locations. The Council argue that such an approach reduces the scope for disposal and redevelopment for residential purposes, without considering potential alternative uses.
74. CS policy SS 1 specifically refers to capacity constraints in terms of education provision in the town, from which it could be concluded that there is every reason to assume that the schools will be retained, especially as the town continues to grow. The County Council fear that the exclusion of such sites from the boundary could restrict their expansion or improvement. However, a number of CS policies, for example CP 14, DC 11 and DC 18, all encourage the retention and, where appropriate the enhancement, of local community facilities and services and there is no reason to doubt that Breckland Council would support such improvements, even outside the settlement boundary.
75. The inclusion of the school sites within the boundary, where there is a presumption in favour of development, may increase the pressure for them to be considered for alternative uses, for example residential. This would be contrary to the objectives of Breckland Council and therefore a precautionary approach is appropriate. In the unlikely event that a school site does become available for redevelopment the Council has confirmed that it would trigger a review of the settlement boundary, with the potential for a positive allocation.
76. Further justification for the proposed boundary is provided by the setting of the three schools. The Junior School only has development on two sides (Lineside and Gilpins Ride) and is in a comparatively peripheral location adjoining land within the Dereham Conservation Area which is characterised by riverside meadows. Similarly the buildings at Neatherd High School only have development on two sides (Pavilion Way/Keepers Close and Norwich Road) and its playing fields extend significantly beyond the identifiable urban area.

¹⁷ Library document SS.20.

¹⁸ Library document ED.50A

77. Northgate High School has the cemetery to the south and Slough Plantation to the north-east. There is only scattered development to the west, so effectively the school has significant development on only two sides of the site. The proposed boundary change also results in the exclusion of the cemetery and the back gardens of three properties in Sandy Lane. Although not a determining factor the school playing fields lie within the Dereham Conservation Area and this adds weight to the need to afford protection to the character of this part of the town.
78. In respect of the exclusion of all three schools from the settlement boundary, it can be concluded that the Council's approach is justified and appropriate, in order that the character of those three areas can be satisfactorily protected from inappropriate development.
79. I have concluded that there is currently no requirement for further land at Dereham to be allocated for housing. Nevertheless there is concern that Hillside Nurseries, which has been considered by the Council for inclusion within the settlement boundary in the past, is to remain outside the settlement boundary.
80. I have placed significant weight on the fact that the Nursery site is at the entrance to the town, that it is currently occupied by glasshouses and that its redevelopment could result in a significant visual improvement. However, the site, when referred to as D6¹⁹, had the potential for over 130 dwellings and even the smaller site that was referred to at the hearing session could accommodate about 50 units. The criteria for the review of the settlement boundaries made it clear that only brownfield sites that could accommodate up to 5 dwellings would be considered for inclusion within the boundary. This site does not meet that criterion. I have already concluded that there is no need to identify additional residential allocations in Dereham and similarly there is currently no justification for making such a significant amendment to the settlement boundary in the vicinity of Hillside Nurseries. These conclusions outweigh the potential benefits that redevelopment may bring.
81. Two amendments to the settlement boundary are suggested in the south-west corner of Dereham Golf Club. However, the land is shown on the Proposals Map as open space and CS policy DC 11 presumes against the loss of such areas unless certain criteria are met. In this case those criteria would not be met. In addition the larger area (Area 2) would relate poorly to the existing settlement pattern and in any event neither site has been subject to public consultation or sustainability appraisal and therefore can not be fairly considered against other allocations. There is no satisfactory justification for amending the settlement boundary in the vicinity of the golf club.
82. Land in the area of Humbletoft Cottage, including the adjacent yard, has been excluded from the settlement boundary. This is a peripheral, relatively unsustainable location with scattered development, which lies within the Dereham Conservation Area. The intensification of development in a location such as this would not meet the Council's objective of delineating tighter boundaries where this would preclude inappropriate development.

¹⁹ In PSC document

83. The settlement boundary at Dereham as proposed by the Council is sound.

Garboldisham

84. It is clear that the Parish Council may support the allocation of a site for a maximum of five dwellings in order to accommodate the small scale future growth of the village. However, the suggested site opposite Thomas Bole Close currently has no defined boundaries on the ground; it is detached from other development on this side of the road; and any development would appear incongruous in this setting. The opportunity to reconsider the evolution of Garboldisham should be taken in the forthcoming CS review but there is currently insufficient justification for amending the Council's proposed settlement boundary which is sound.

Gooderstone

85. CS policy SS 1 states that the Council would not promote any development within a 1,500m zone from the boundaries of the Breckland SPA with Stone Curlew. Gooderstone lies completely within the 1,500m zone. CS policy CP 10 advises that one of the considerations in assessing the acceptability of a proposal for development is whether or not the proposed development would be completely masked from the SPA by existing development. Development within the suggested extension to the settlement boundary at Crow Hall Farm would not be sufficiently screened from the Breckland SPA.

86. There would be benefits from the redevelopment of this area, including the removal of visually incongruous buildings and areas of hardstanding. However, this does not outweigh the need to safeguard the habitat of Stone Curlews, which enjoys international protection. In any event the proposed boundary has not been subject to the same level of public consultation or sustainability appraisal as other proposed allocations and settlement boundary changes and it is likely that an Appropriate Assessment would be required to determine the potential impact of any development. It is recognised that the request is for the area to be included within the settlement boundary and not for it to be specifically allocated for development but the implication of such a change would be that, in principle, the redevelopment of the site would be considered favourably. On the information available this way forward could not currently be endorsed and a precautionary approach is required. On that basis the settlement boundary at Gooderstone as proposed by the Council is sound.

Great Ellingham

87. One of the criteria for the review of the settlement boundaries, as set out in CS policy CP 14, is to protect the form and character of settlements from inappropriate proposals, including backland development. This approach is strengthened by the fact that garden land is no longer classified as previously developed land²⁰. There are many examples throughout the plan area where the gardens of properties have been excluded from the settlement boundary and there is no satisfactory justification for taking a different approach in Great Ellingham with regard to land to the rear of Penhill Road/Long Street.

²⁰ PPS3: Housing

88. CS policy CP 14 advises that the review of the settlement boundaries in locations such as this will only address the inclusion of small-scale sites within the boundary (up to 5 units). The site requested for inclusion within the boundary (off Glebe Meadow) could accommodate more than 5 dwellings and would therefore not meet the requirements of the CS. The Council's proposed settlement boundary at Great Ellingham is sound.

Gressenhall

89. The area of over 3 acres, to the north east of the village adjacent to 'White Ladies', which is requested for inclusion within the settlement boundary, would accommodate significantly more than 5 dwellings and would therefore be contrary to the advice in CS policy CP 14. The smaller parcel of land in this location, which is requested as an alternative, would result in an intensification of development on the edge of the village for which no substantive justification has been given and if which supported could lead to pressure for the 'allocation' of similar sites elsewhere, potentially to the detriment of the character of the area. The proposed settlement boundary at Gressenhall as proposed by the Council is sound.

Hockering

90. The suggested change to the settlement boundary to the east of Mattishall Road would result in the creation of a site which is detached from the settlement and lies within the valley landscape of the River Tud. At about 4ha in size the site could accommodate a significant number of dwellings and such development would appear incongruous in this countryside setting and because of the distance to services and facilities it would not be sufficiently sustainable. The Council's proposed settlement boundary at Hockering is sound.

Hockham

91. Two sites requested for inclusion within the settlement boundary have been subject to recent planning approvals. However, in both cases the permissions were granted for exceptional reasons, namely to retain a village facility and to enable the provision of tourist accommodation. There is no justification for amending the boundary to include these sites, which in other circumstances would have remained undeveloped. It is clear that the Parish Council is keen to ensure that facilities in the village are retained and may support the provision of some low cost housing. In these circumstances it would not be appropriate to amend the boundary but the Council intends to review the settlement boundaries on a three to five year basis and therefore there will be the opportunity to reconsider the issues relating to Hockham at that time.

Necton

92. The requested amendment to the settlement boundary in School Road would result in the inclusion of land that could accommodate more than 5 dwellings and it would therefore not meet the CS requirements in policy CP 14. In addition the site lies on a largely undeveloped frontage adjacent to the conservation area. The Council's proposed settlement boundary at Necton is sound.

Shropham

93. A minor amendment to the settlement boundary has been suggested in order to ensure that satisfactory vehicular access can be achieved to land to the north of the playing field. The Council has confirmed that such a change would be negligible and I agree. Therefore in the interests of certainty of delivery and clarity I recommend that the settlement boundary of Shropham be amended as shown on Plan A in Appendix C **(IC.1)**. With this amendment the proposed settlement boundary at Shropham is sound.

Swaffham

94. Land at The Antinghams is currently identified as proposed open space and it is clear that the area, which is currently privately owned, is valued by local people. Access to the area is via public footpaths and whilst the Town Council has expressed a wish to have more control over the area, no evidence was submitted to demonstrate that there is any threat to the continued public enjoyment of the area.
95. The suggested amendment to the settlement boundary would accommodate a small number of dwellings. There would also be improved car parking for the community Centre and wider public access to the open space. However, the site is within the Swaffham Conservation Area and it has not been satisfactorily demonstrated that the loss of part of The Antinghams would either preserve or enhance the character or appearance of the conservation area. There is also no evidence that a satisfactory vehicular access on to White Cross Road could be achieved.
96. Whilst the ambitions of the Town Council may be laudable it is clear that the present landowners wish, in general terms, to ensure that the open nature of the land is retained. It can be concluded that there is no threat to the open space (especially as it is so designated on the Proposals Map) and that there is insufficient justification to amend the settlement boundary to the south of The Antinghams. The Council's proposed settlement boundary at Swaffham is sound.

Swanton Morley

97. To the east side of Gooseberry Hill, in the vicinity of Kesmark House, the settlement boundary has been drawn tightly to the rear of existing buildings, with back garden areas excluded. This is an approach adopted elsewhere and is in accordance with CS policy CP 14 which advises that boundaries will be drawn to protect the form and character of a settlement from inappropriate proposals including backland development. The inclusion of land at Kesmark House within the boundary may result in backland development for which no satisfactory justification has been given and which would be contrary to the objectives of the Council.
98. With regard to land at Freshfields, Harkers Lane, the land suggested for inclusion within the settlement boundary could accommodate a small number of dwellings. However, the Highway Authority has concerns regarding the ability to achieve a suitable access to serve residential development. Although it may not currently be the intention to develop the land, its inclusion within the settlement boundary would make such a situation more likely. In these

circumstances it would not be appropriate to amend the boundary but the Council intends to review the settlement boundaries on a three to five year basis and therefore there will be the opportunity to reconsider the issues relating to Freshfields at that time.

99. It is suggested by the representor that only one or two single storey dwellings would be accommodated on the site off Elsing Road - (098)002²¹. However, the land would be capable of accommodating more than 5 dwellings, which would be contrary to CS policy CP 14. There is insufficient justification to amend the settlement boundary in this location.
100. The settlement boundary at Swanton Morley as proposed by the Council is sound.

Watton

101. CS policy CP 14 refers to the review of settlement boundaries for rural communities and explains the matters to be addressed. Watton, however, is categorised as a market town and therefore the policy is not directly applicable. Nevertheless the appropriateness of the proposed boundary must be considered and the Council proposes to exclude the school site at Westfield from the settlement boundary and retain the Wayland High School site outside the boundary.
102. The circumstances at Watton are similar to those at Dereham, including a reference in CS policy SS 1 to limited school capacity in the town. The commentary and conclusions that I draw in paragraphs 74 and 75 in relation to Dereham are equally applicable to Watton. In the interests of brevity they are not repeated here. Suffice to say that the Council's approach is justified and consistent and there is insufficient evidence to conclude otherwise. The settlement boundary at Watton as proposed by the Council is sound.

Yaxham

103. Yaxham is not identified as a Local Service Centre within the CS and therefore the settlement boundary has been defined using the criteria in CS policy CP 14, which includes the potential for the boundary to encompass small-scale sites of up to 5 dwellings. However, an amendment of the boundary between Fieldings Drive and the railway line, as requested, may increase the pressure to accommodate more dwellings on the site, which would be contrary to the aforementioned policy. In any event the proposal has not been subject to the same level of public consultation or sustainability appraisal as other allocations or boundary changes proposed by the Council and therefore its inclusion can not be recommended.
104. The Council has suggested a minor modification with regards to the settlement boundary at Yaxham (MM54), which now includes all the sites that have been granted planning permission in the vicinity of Fieldings Drive and on that basis the proposed settlement boundary at Yaxham is sound.

²¹ Library document SS.5

Conclusion on the Third Issue

105. With the small amendment recommended at Shropham, the proposed settlement boundaries are sound, being appropriate, justified and consistent with national policy.

Issue 4 – Monitoring and Flexibility

106. The DPD contains a monitoring and implementation framework, including targets which will be assessed through the Annual Monitoring Report (AMR). The AMR will play a key role in assessing the performance and effectiveness of the DPD. Although the indications for delivery are in general good, current economic circumstances may impede delivery and therefore expectations may need to be adjusted.

107. Regarding lack of flexibility in terms of housing provision, most of the housing allocations are scheduled for completion within the next five years. PPS3: Housing advises that sites for years 6 to 10 (and if possible years 11 to 15) should be identified. However, the imminent CS review; the Council's commitment to review this DPD and the settlement boundaries every three years; and the information gathered for the Annual Monitoring Report (AMR), will all contribute to the re-assessment of the housing requirement for the whole District. Once the up-dated CS has been adopted details of additional housing provision can be addressed, increased flexibility can be accommodated and a robust long-term strategy put forward.

108. With regard to 'reserve' sites, there are four factors which weigh against their identification. Firstly no evidence has been submitted to demonstrate that there are any significant impediments to the delivery of any of the allocated sites; secondly the CS requirements would be met; thirdly the Council has identified through the DPD process a significant number of alternative options which, should the need arise, could be brought forward; and fourthly work on a review of the CS is scheduled to start later this year and there is no reason to doubt that the review can be prepared expeditiously. On this basis the identification of reserve sites at this time is not justified.

109. Taking into account the forthcoming opportunity for the Council to re-assess longer-term housing provision in the District I am satisfied that, in these circumstances, the Council's approach to monitoring and flexibility is justified and appropriate.

Legal Requirements

110. My examination of the compliance of the Site Specific Policies and Proposals DPD with the legal requirements is summarised in the table overleaf. I conclude that the DPD meets them all.

LEGAL REQUIREMENTS	
Local Development Scheme (LDS)	The DPD is identified within the approved LDS December 2009 which sets out an expected adoption date of November 2011. The DPD's content and timing are compliant with the LDS.
Statement of Community Involvement (SCI) and relevant regulations	The SCI was adopted in May 2006 and consultation has been compliant with the requirements therein, including the consultation on the post-submission proposed change (CC.1).
Sustainability Appraisal (SA)	SA has been carried out and is satisfactory.
Appropriate Assessment (AA)	Habitats Regulations Appropriate Assessment Reports have been prepared at Preferred Options, Pre-Submission and Submission stages and are adequate.
National Policy	The DPD complies with national policy.
Regional Strategy (RS)	The DPD is in general conformity with the RS.
Sustainable Community Strategy (SCS)	Satisfactory regard has been paid to the SCS for Breckland.
2004 Act and Regulations (as amended)	The DPD complies with the Act and the Regulations.

Overall Conclusion and Recommendation

111. I conclude that with the change proposed by the Council, set out in Appendix A, and the changes that I recommend, set out in Appendix C, the Breckland Site Specific Policies and Proposals DPD satisfies the requirements of s20(5) of the 2004 Act and meets the criteria for soundness in PPS12. Therefore I recommend that the plan be changed accordingly. And for the avoidance of doubt, I endorse the Council's proposed minor changes, set out in Appendix B.

David Hogger

Inspector

This report is accompanied by:

Appendix A (separate document) Council Change that goes to soundness

Appendix B (separate document) Council's Minor Changes

Appendix C (attached) Changes that the Inspector considers are needed to make the plan sound or factually correct

APPENDIX A

COUNCIL CHANGE THAT GOES TO SOUNDNESS

This change is proposed by the Council in response to points raised and suggestions discussed during the public examination and although it is of a technical nature it is required to make the plan sound.

INSERTION OF NEW POLICY RELATING TO SETTLEMENT BOUNDARIES

Policy SB.1

Settlement Boundaries

Settlement boundaries are identified on the Proposal Map for the following settlement areas:

Ashill	Longham
Banham	Lyng
Bawdeswell	Mattishall
Beeston	Mileham
Beetley	Mundford
Bintree	Narborough
Bradenham	Necton
Brisley	New Buckenham
Carbrooke	North Elmham
Caston	North Lopham
Cockley Cley	Noprth Pickenham
Colkirk	Old Buckenham
Croxton	Rocklands
Dereham	Saham Tony
East Tuddenham	Scarning
Foulden	Shipdham
Foxley	Shropham
Garboldisham	Sparham
Garvestone	Sporle
Gooderstone	Stanfield
Great Dunham	Stow Bedon
Great Ellingham	Swaffham
Gressenhall	Swanton Morley
Griston	Thompson
Guist	Tittleshall
Harling	Watton
Hockering	Weasenham
Hockham	Weeting
Ickburgh	Whissonsett
Kenninghall	Yaxham (Clint Green)
Litcham	Yaxham
Little Cressingham	

Decisions on the type and scale of development within and outside of settlement boundaries will be based on the policies contained within the adopted Breckland Core Strategy and Development and Control Policies DPD.

Reasoned Justification

The outgoing Breckland Local Plan (adopted 1999) contained 83 rural settlement boundaries and these were rolled forward into the Proposals Map that accompanied the adoption of the Core Strategy in 2009. The majority of these rural settlement boundaries were taken from maps of village guidelines prepared in the mid-1980s prepared in line with the then Norfolk County Structure Plan policy. In some cases the adopted Local Plan settlement boundary simply carried over the former village guideline. In other cases, the preparation of the Local Plan enabled the authority and landowners/developers the opportunity to present amended settlement boundaries. In a minority of cases, some village guidelines were removed and not replicated in the Local Plan.

The Core Strategy and Development Control Policies Development Plan Document confirm that Settlement Boundaries remain a valid policy response in Breckland to achieve the twin objectives of focusing the majority of development towards existing settlements whilst simultaneously protecting the surrounding countryside. Policy CP14 of the adopted Core Strategy sets out the strategic planning approach for sustainable rural communities in Breckland. This approach proposes that Settlement Boundaries will be defined for rural communities where there are at least two of the following key local services; food shop, post office, pub, doctor's surgery, primary school, and good public transport links or local employment opportunities.¹ Policy CP14 commits Breckland to review Settlement Boundaries in the Site Specific Policies and Proposals Document. Policy CP14 also requires amendments in the review to result in logical and defensible Settlement Boundaries.

Therefore, the settlement boundaries as identified on the Proposals Map have been prepared in accordance with the Core Strategy and spatially define where particular policies will be applied.

¹ See Inspector's Recommended Change IC4

APPENDIX B : Minor Modifications – Breckland Site Specific Policies and Proposals Development Plan Document (Submission document April 2011)

Minor mod ref.	Paragraph/ Policy Number/ table/ Appendix	Proposed change	Reason for change
MM01	Paragraphs 1.1 – 1.20	<p>Delete paragraphs 1.1 – 1.20 and replace with:</p> <p>INTRODUCTION</p> <p>WHAT IS THE SITE SPECIFICS POLICIES AND PROPOSALS DEVELOPMENT PLAN DOCUMENT?</p> <p>1.1 The Local Development Framework (LDF) for Breckland will replace the existing Local Plan which was adopted in September 1999. It is being prepared under the relevant legislation for development plans in England. The LDF comprises a number of Development Plan Documents (DPDs) that set out policies and proposals for the development and use of land in the district, the first DPDs cover the period to 2026. The adopted Breckland LDF Core Strategy (2009) includes a Spatial vision for the future of Breckland and objectives and targets, which developments must meet to secure that vision. The Site Specifics Policies and Proposals Development Plan Document has been prepared in accordance with this Core Strategy.</p> <p>1.2 The Site Specifics Policies and Proposals Document</p>	<p>To remove references and text relating to the pre-submission publication period from the submitted document for clarity.</p>

		<ul style="list-style-type: none"> • Takes account of national, regional and strategic planning policies; • Identifies sites for, and requirements of, major development to deliver the adopted Spatial Strategy and Core Strategy policy; • Provides the framework of policies for assessing planning applications on allocated sites; • Enables infrastructure and service providers to bring forward their services when needed by new development; • Enables the public to be fully involved in developing local policies and proposals; and • Is accompanied by an updated Proposals Map including revised settlement boundaries in accordance with the adopted Core Strategy <p>1.3 The Site Specifics Policies and Proposals DPD covers the whole of the District with the exception of Thetford and Attleborough and Snetterton Heath where two separate Area Action Plans are being prepared.</p> <p>COMMUNITY INVOLVEMENT</p> <p>1.4 The Site Specific Policies and Proposals DPD has been prepared following a programme of consultation and public participation. Consultation with the community on the Site Specifics in Breckland began in the Summer of 2008 with the publication of an Issues and Options document, following a formal call for sites in</p>	
--	--	--	--

		<p>March/April 2008. This Issues and Options consultation took place over a 12 week period. This was followed by a 6 week further Issues and Options consultation in Spring 2009 to publicise additional sites received during the first Issues and Options period. Following the adoption of the Core Strategy in December 2009 the Council proceeded in June/July 2010 to a consultation on a Preferred Options document which gave people the opportunity to comment on how the local planning authority should approach the final content of the document. The Preferred Option document focused on preferred sites and settlement boundaries together with the opportunity to comment on reasonable alternatives.</p> <p>1.5 The Pre-Submission document was published in January 2011 and was subject to a six-week long publication period, allowing people to make representations which were considered through the Examination process. A number of representations were received that sought the inclusion of additional, alternative or amended site allocations and settlement boundaries through the updated Proposals Map. The DPD was then submitted to the Secretary of State in April 2011. Further information on the plan preparation process can be found on the Council's website: www.breckland.gov.uk.</p> <p>1.6 A Glossary of Technical and Other Terms is to be found at the back of this document.</p>	
--	--	--	--

MM02	Para 1.21	First sentence - Delete 'will allocate' and replace with ' <i>allocates</i> '.	To reflect appropriate tense for the submission document.
MM03	Para 1.22	Final sentence – Delete sentence.	To aid the clarity and consistency of the document.
MM04	Para 1.23	Delete paragraph	To avoid unnecessary repetition.
MM05	Para 1.25	First sentence – replace 'will require' with ' <i>has required</i> '.	To reflect appropriate tense for the submission document.
MM06	Para 1.27	First sentence – replace 'will be available' with ' <i>has been made available</i> '.	To reflect appropriate tense for the submission document.
MM07	Para 2.1	Amend housing numbers in light of latest monitoring output. Please note this will be provided when latest outturns are available.	To provide factual update of the latest housing completions and permissions information.
MM08	Para 2.3	Final sentence – delete 'proposed'.	To reflect appropriate tense for the submission document.
MM09	Para 2.8	First sentence – delete 'at the waste water treatment works' and replace with ' <i>within the local waste water treatment network</i> '.	To reflect the latest position on the treatment of waste water resulting from new growth in Dereham.
MM10	Para 2.8	Third sentence – delete third sentence and replace with; <i>'The detailed Water Cycle Study (2010) identified that a manageable solution for waste water in Dereham could include a phased approach to housing delivery which reflects demographical changes within the existing urban area (decreasing average household occupation) and thus enables additional discharge to be accommodated.'</i>	To reflect the latest position on the treatment of waste water resulting from new growth in Dereham.
MM11	Para 2.8	Fourth sentence – insert ' <i>elsewhere</i> ' between 'accepted' and 'by'.	To provide further explanation for the approach.
MM12	Para 2.8	Fifth sentence – insert ' <i>up to</i> ' before '80 homes'.	To reflect the latest position on the

			treatment of waste water resulting from new growth in Dereham.
MM13	Para 2.8	Final sentence - Delete final sentence.	To reflect the latest position on the treatment of waste water resulting from new growth in Dereham.
MM14	New para.	<p>Insert new paragraph 2.9 as follows:</p> <p><i>Further options for Dereham’s waste water solution may identify earlier opportunities to bring development forward where there is agreement from Anglian Water and the Environment Agency and this will be negotiated on a case by case basis. Initial option work has identified that a deliverable solution to release capacity at Dereham WwTW is available by utilising an alternative Waste Water Treatment Works in a neighbouring catchment immediately to the east of the town that may be able to accommodate additional flows. Both the Environment Agency and Anglian Water are responsive to developing this option to support delivery of the allocations in this document.</i></p>	To reflect the latest position on the treatment of waste water resulting from new growth in Dereham.
MM15	Policy D1	Delete 'at Dereham Waste Water Treatment Works.' and replace with ' <i>at an appropriate Waste Water Treatment Works and suitable sewerage network.</i> '	To reflect the latest position on the treatment of waste water resulting from new growth in Dereham.
MM16	Policy D2	Delete 'at Dereham Waste Water Treatment Works.' and replace with ' <i>at an appropriate Waste Water Treatment Works and suitable sewerage network.</i> '	To reflect the latest position on the treatment of waste water resulting from new growth in Dereham.
MM17	Policy D3	Delete 'at Dereham Waste Water Treatment Works.' and replace with ' <i>at an appropriate Waste Water Treatment Works and suitable sewerage network.</i> '	To reflect the latest position on the treatment of waste water resulting from new growth in Dereham.

MM18	Policy D.5	First sentence – Replace ‘south’ with ‘east’.	To correct an error in the document.
MM19	Paragraph 2.48. Add third sentence.	"Any planning application submitted for the site will provide evidence that the proposal has been developed through close working with Anglian Water to ensure that water efficiency measures, as per the requirements of policy CP8 of the adopted Core Strategy, demonstrate that the development can proceed within available waste water capacity."	To address requirements of the Habitats Regulation Assessment which identifies that water efficiency measures are required in Swaffham to facilitate development within the available waste water capacity.
MM20	Policy SW2(c)	Delete current wording in criterion C and replace with the following: ‘Development will not commence until vacant, developable land in the existing Eco-Tech centre has been developed.’	To enhance the clarity of the policy and ensure appropriate phasing of development.
MM21	Policy SW3	Remove hyphen between west-acre.	To correct a grammatical error in the policy.
MM22	Policy W2(b)	Replace ‘principle’ with ‘ <i>principal</i> ’.	To correct a spelling mistake.
MM23	Policy W2	Delete ‘Downing Road’ and replace with ‘Dowding Road’	To correct a spelling mistake.
MM24	Policy W2(g)	Delete current wording of criterion g) and replace with ‘ <i>Principal access to the site will be provided from Norwich Road with a secondary access for emergency vehicles via Portal Avenue;</i> ’	Norfolk County Council have submitted a soundness representation in respect of access arrangements to site W2. Further dialogue with the developer during the pre-submission period has identified a suitable alternative point of access and it is anticipated that an amendment to the policy as drafted will overcome the soundness comment from the Local Highway Authority.
MM25	Para 2.74	Delete ‘Downing Road’ and replace with ‘Dowding Road’	To correct a spelling mistake.

MM26	Para 2.75	Delete 'W4'	To correct an error in the supporting text.
MM27	Para 2.76	Delete 'Teddar' and replace with 'Tedder'	To correct a spelling mistake.
MM28	Policy W3(b)	Delete 'are permitted along Watton Green' and replace with ' <i>will be permitted</i> '.	To aid the clarity and implementation of the policy.
MM29	Para 2.79	Second sentence – delete 'f' and replace with 'of'	To correct a spelling mistake.
MM30	Para 2.82	Delete third sentence – Replace with ' <i>Access from Norwich Road will include improvements to the existing highway to allow for improved walking and cycling to Watton Town Centre and local schools at a standard acceptable to the Local Transport Authority</i> '.	
MM31	Para 2.87	Fourth sentence – Delete 'being submitted'.	To reflect appropriate tense for the submission document.
MM32	Para 2.93	First sentence – Delete 'indicated' and replace with ' <i>indicate</i> '.	To correct a spelling mistake.
MM33	Para 2.93	Delete 'public house' from second sentence.	To reflect that the Public House has now changed to a restaurant.
MM34	Para 2.101	Fifth sentence – delete 'south east' and replace with 'north east'	To correct an error in the document
MM35	Policy SH1	Delete '80' and replace with '85'	To reflect more appropriate site capacity.
MM36	Para 2.109	Third sentence – change "the majority of the site is already" to "the site is partially"	To correct an error in the document.
MM37	Para 2.112	Fourth sentence – delete the word 'and' after Norwich.	To correct a spelling mistake.
MM38	Monitoring and Implementation Framework	Insert new table setting out 'Access and Bird Monitoring Implementation Framework' in relation to Habitats Regulation Assessment concerns regarding recreational concerns	To address requirements of the pre-submission HRA document and representations received from Natural England and RSPB.
MM39	Table 5.1 –	Delete row referencing Site D4 – land at Shipdham	To correct an error in the document.

	Monitoring and Implementation Framework	Road	
MM40	Appendix C	Insert new Appendix C listing the saved policies to be replaced by the DPD.	To correct an omission in the printed document

Minor Modifications – Submission Proposals Map (April 2011)

Minor mod ref.	Proposals Map name/ reference	Proposed change	Reason for change
MM41	District Map	Insert new 'District' scale Proposals Map which will illustrate where inset plans are used and designations beyond inset maps.	To correct an omission from the Proposals Map.
MM42	Legend	Include 'Sites with Planning Permission for Residential Development' into legend.	To correct an omission from the legend accompanying the Proposals Map.
MM43	District Map	Include 'Corridors of movement' on to relevant Inset and District maps	To correct an omission from the Proposals Map.
MM44		Include 'District Boundary' on to relevant Inset and District scale maps	To correct an omission from the Proposals Map.
MM45	Rocklands Inset Map	Remove the area of open space from the rear of the White Hart Public House	To correct an error on the Proposals Map.
MM46	Sporle Inset Map	Identify land off Priory Close as open space.	To correct an error on the Proposals Map.

Minor Modifications – Sustainability Appraisal

Minor mod ref.	Paragraph Reference	Proposed change	Reason for change
MM47	Site D4 – Land at Shipdham Road	Include assessment of site D4 – Land at Shipdham Road Dereham as a reasonable alternative option for housing in the Sustainability Appraisal report.	To correct an omission in the Sustainability Appraisal.
MM48	Table 9.1	Inclusion of an indicator for SA objective 8 within the baseline of Appendix A to measure the numbers of conservation areas, scheduled monuments and historic parks & gardens and the number of each asset type "at risk" on the English Heritage "Heritage at Risk" register.	To reflect the impact upon the historic environment.
MM49	Table 12.35	Amendment of objective 8 assessment of site SH1 within the Sustainability Appraisal to (+/-).	To reflect the uncertainty of the development's impact.
MM50	Table 12.4	Amendment of objective 8 assessment of site D6 within the Sustainability Appraisal to (+/-).	To reflect the uncertainty of the development's impact.
MM51	Table 12.41	Amendment of objective 8 assessment of site SM1 within the Sustainability Appraisal to (+/-).	To reflect the uncertainty of the development's impact.
MM52	Table 12.56	Objective 1 – 70% should be changed to 40%	To correct an error within the document
MM53	Watton Proposals Map	The general employment areas were unfortunately not included on the map	Updated Information on drawing

Minor Modifications Proposed during Hearing Sessions

Minor mod ref.	Paragraph/ Policy Number/ table/ Appendix/ Proposals Map	Proposed change	Reason for change
MM54	Yaxham Settlement Boundary	Amend Yaxham Settlement Boundary to reflect the boundary of approved planning permission reference 3PL/2010/0261/F (See attached Map).	To aid the consistency of the document.
MM55	Monitoring and Implementation Framework – SW2	<p>Insert following Indicator and target:</p> <p>Key Indicator Timing of Employment Land Delivery</p> <p>Target Planning Permission granted prior to 2016 or review of this DPD whichever is the sooner.</p>	To provide an appropriate indicator to monitor the timing of delivery of the allocation.
MM56	Monitoring and Implementation Framework – SW3	<p>Insert following Indicator and target:</p> <p>Key Indicator Timing of Employment Land Delivery</p> <p>Target Planning Permission granted prior to 2016 or review of this DPD whichever is the sooner.</p>	To provide an appropriate indicator to monitor the timing of delivery of the allocation.
MM57	Monitoring and	Insert following Indicator and target:	To provide an appropriate indicator to

	Implementation Framework – D4	<p>Key Indicator Timing of Employment Land Delivery</p> <p>Target Planning Permission granted prior to 2016 or review of this DPD whichever is the sooner.</p>	monitor the timing of delivery of the allocation.
MM58	Monitoring and Implementation Framework – D5	<p>Insert following Indicator and target:</p> <p>Key Indicator Timing of Employment Land Delivery</p> <p>Target Planning Permission granted prior to 2016 or review of this DPD whichever is the sooner.</p>	To provide an appropriate indicator to monitor the timing of delivery of the allocation.
MM59	Policy D6	<p>Insert additional criterion as follows:</p> <p>f) Proposals provide appropriate enhancements to local public transport infrastructure.</p>	To reflect the potential for the site to contribute towards the general provision of public transport in the wider Dereham area.
MM60	Paragraph 2.64	<p>Replace second sentence of Paragraph 2.64 as follows:</p> <p>“The Core Strategy originally required that allocations are made for approximately 300 dwellings in Watton. This figure should be reduced to account for 61 dwellings that have been approved on sites outside of the existing settlement boundary for Watton prior to the adoption of this document. Therefore, the scale of housing allocation will be reduced. The capacity of the identified sites is 214 units which enables development</p>	To reflect the Council’s position on proposed housing numbers for Watton (see examination library ref. ED.39B).

		on these sites to come forward at a density in line with local character. Housing need within the town will be further met by extant Planning Permissions which total 497 homes within the existing settlement boundary as of 1 st April 2011.”	
--	--	--	--

Saved Policies to be Replaced

The Breckland District Local Plan was adopted in 1999. In 2007, Breckland Council made representations to the Secretary of State to save a number of policies from the adopted Breckland Local Plan (1999) beyond the transition period from the implementation of the Planning and Compulsory Purchase Act (2004). These policies were saved through the adopted Core Strategy and Development Control Policies DPD (2009).

The policies in the Site Specifics Policies and Proposals document can supersede saved policies from the Local Plan. Having assessed the remaining saved policies from the Local Plan, the Council wishes to replace the following policies through this document as set out in Table C.1 below.

Table C.1 – Breckland Local Plan policies to be saved or replaced

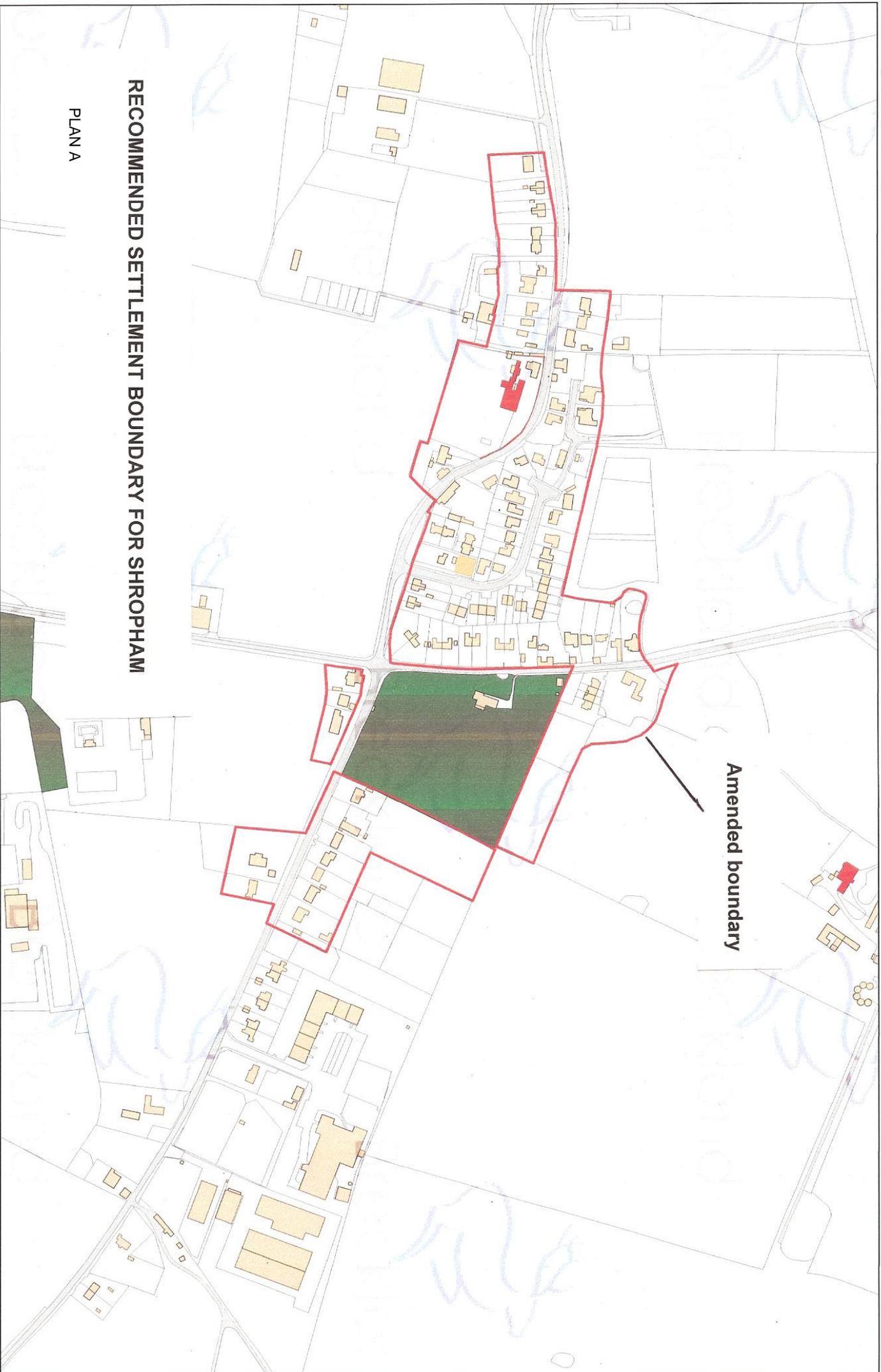
Saved Local Plan Policy	Local Plan Policies to be saved or replaced by Site Specific Policies and Proposals DPD
025(001) Land at Rash's Green, Dereham - Allocation of site E1 (Dereham) for general industrial development	To be replaced by Policy D4
104(013) Land south of Swaffham Road, Watton – Allocation of site OS.1 open Space	To be replaced by Policy W5

In addition to the contents of Table C.1 above, it should be noted that the Council no longer wishes to save or replace Breckland Local Plan Policy (107)001 – Identify land for Industrial Development at Weeting. This policy was presented to be saved in Appendix A of the Adopted Breckland Core Strategy (2009). However, Breckland Council, through preparing this document, has determined that such a policy would no longer be sound and should not be saved.

Appendix C – Changes that the Inspector considers are needed to make the plan sound or, in the case of IC2, factually correct

Inspector Change No.	Policy/Paragraph/Page	Change
IC1	Shropham Settlement Boundary	Amend settlement boundary of Shropham as shown on attached plan A.
IC2	Policy SB1 ²²	<p>Replace the third sentence of the second paragraph of the <i>reasoned justification</i> with:</p> <p>This approach proposes that settlement boundaries will be defined for rural communities where there are key local services.</p>

²² Library document ED.67



RECOMMENDED SETTLEMENT BOUNDARY FOR SHROPHAM

PLAN A

Amended boundary

Breckland Council
 Elizabeth House
 Walpole Loke
 Dereham
 NR19 1EE
 Tel: 01362 656870 - Fax: 01362 656297



**Shropham
 Proposals Map**



COPYRIGHT
 This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution. Ordnance Survey no. 10001 9535. Published 2005.