

BRECKLAND COUNCIL

LDF Task & Finish Group – 25th November 2009

Report of the Deputy Chief Executive

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Site Specific Policies & Proposals Development Plan Document 2001-2026

Review of Rural Settlement Boundaries – North-East Parishes

1. Purpose of Report

- 1.1 This report is the first of four reports that will present options for the review of rural settlement boundaries in Breckland as part of the Site Specific Policies & Proposals document. The purpose of the Report is to set out the preferred options for a new set of rural settlement boundaries. The purpose is also to obtain the views of this Group on whether there are other reasonable options that Cabinet should consider as part of agreeing a Preferred Options document for a further 6 week consultation in Spring 2010.

2. Recommendations

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

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

3. Information, Issues and Options

3.1 Information

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

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

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

3.2 **Background**

- 3.2.1 As stated above there are currently 83 rural settlement boundaries in Breckland. These were contained in the Breckland Local Plan (adopted 1999) and are rolled forward into the Proposals Map that accompanies the Core Strategy. The majority of these rural settlement boundaries were taken from maps of village guidelines prepared in the mid-1980s prepared in line with 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 (i.e. Westfield) and not replicated in the Local Plan.
- 3.2.2 Consultation was undertaken in 1994, 1996 and 1997 on settlement boundaries as part of the Local Plan. The next round of consultation on the Site Specifics document will present the first opportunity to comment on boundaries in 13 years. In this intervening period, rural settlement boundaries have provided an effective planning mechanism for controlling development. They provide a considerable degree of certainty for communities, landowners and developers as to where development will be acceptable and they have limited encroachment of development into the countryside.
- 3.2.3 However, in more recent times rural settlement boundaries have accommodated an increasing amount of development, against the backdrop of a national policy which encouraged intensification in the pursuit of protecting the countryside. The planning system has on occasion been applied too simplistically and local factors around the particular form and character of a rural settlement have not been used to resist backland developments or other harmful proposals. Since 2001 some 1,800 new homes have been built in rural communities in Breckland. As a result consultation with rural communities on the LDF has revealed considerable resistance to further development.
- 3.2.4 Despite the fact that some 1,800 new homes have been built in rural parishes in Breckland since 2001, there remains a decline in rural service provision with less than 44 rural parishes containing 2 or more key rural services as identified in the

Core Strategy. There remains little published evidence that supports a case that small-scale development will either protect or attract rural services. The Breckland Sustainable Community Strategy (2008-11) includes improving access to services as one of six priority areas. In addition Norfolk Ambition: the community strategy for Norfolk 2003-2023 sets out the Local Area Agreement for Norfolk. There are 35 targets linked to National Indicators, including NI175: Access to services and facilities by means other than the car. At present this indicator is not being monitored in Norfolk.

3.3 The Purpose of Settlement Boundaries

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

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

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

3.3.4 The emerging Core Strategy and Development Control Policies Document of the LDF confirms that Settlement Boundaries remain a valid policy response in Breckland to achieve the twin objectives of focussing the majority of development towards existing settlements whilst simultaneously protecting the surrounding countryside. Core Policy 14 of the document 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. Policy CP14 also commits Breckland to review Settlement Boundaries in the Site Specific Policies and Proposals Document. Policy CP14 requires amendments in the review to result in logical and defensible Settlement Boundaries.

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

facilities and their means of travel between them.

- 3.3.6 In conclusion the purpose of settlement boundaries is to draw a line around those areas within the District which are an established and coherent built-up area with some form of service provision which supports the sustainability of that community. Within settlement boundaries the principle of further development will be considered favourably subject to form and character, access, biodiversity and historic environment. As a consequence those areas outside of settlement boundaries will constitute “countryside” for the purposes of planning policy and in these areas development will be strictly controlled to that which is needed to specifically support the rural areas.
- 3.3.7 The sound Breckland Core Strategy contains a policy on sustainable rural communities at Core Policy CP14. This policy covers a number of rural issues, including the parameters for the review of rural settlement boundaries. This policy has been recently examined and the Inspectors have endorsed Core Policy 14 as being sound. The Inspectors considered representations that criticised the Council’s decision not to allocate more housing to those villages not identified as Local Service Centres. At paragraph 3.64 of their Report, the Inspectors recognised the dilemma faced in a very rural District like Breckland. However, they concluded that a strategy that directed more housing to smaller villages will provide no guarantee of supporting rural services and is more likely to reinforce unsustainable commuting patterns.
- 3.3.8 The review of settlement boundaries in line with Core Policy CP14 will allow for the following:
- (1) removal of settlement boundaries for small rural communities;
 - (2) retention of settlement boundaries as they are; and
 - (3) amended settlement boundaries to address anomalies, inconsistencies, the removal of backland and other inappropriate development opportunities and the inclusion of small scale sites (up to 5 units) on brownfield and other small sites adjacent to settlement boundaries.
- 3.3.9 In addition to the Core Policy CP14 on Sustainable Rural Communities, Members are reminded that Core Policy CP1 on Housing makes no specific allocation for housing in rural communities. However, the supporting text to Core Policy CP1 makes reference to an additional 3,000 dwellings coming forward through windfall schemes. This windfall figure will be delivered through a number of sources including conversion of rural buildings, rural exception sites for affordable housing and further developments within settlement boundaries. This has been taken into consideration when presenting the preferred options in Appendices A-D of this report.

3.4 Previous Consultation

- 3.4.1 In a district such as Breckland, the issue of how and where rural settlement boundaries are delineated is an important part of the LDF. Some 53% of the population live in the rural areas and the issues of protecting the countryside against the demands to meet local development need to be carefully balanced. To guide communities through the process and allay fears that the rural parts of the District will be overwhelmed by development previous consultations have sought to classify sites into three categories: Conforming, non-conforming or Unreasonable. Principally these categories were designed in a response to the concept of allocating the land, rather than amending the settlement boundary. However, the scale and location of some of the unreasonable sites remains valid when considering small-scale adjustments to rural settlement boundaries.
- 3.4.2 During the summer 2008 public consultation on sites, your officers attended some 30 Parish Council and other public meetings. Responses to both the Summer 2008 and Spring 2009 consultations have been considered in preparing this report. In particular the summer 2008 consultation included specific options around settlement

boundary reviews in Chapter 12 of the document and this is reproduced for information at Appendix E.

3.4.3 The Summer 2008 consultation was also accompanied by a Settlement Boundary Topic Paper that set out the rationale behind the delineation of the current settlement boundaries and the issues that a review of settlement boundaries needs to consider. This Topic Paper has been considered when preparing this Report and is available on-line on the LDF pages of the Breckland website along with the previous consultation material.

3.5 Rural North-East Breckland – Presentation of the Options

3.5.1 This paper is considering rural settlement boundaries in 8 rural wards. The presentation of this Report will be structured on a ward basis as follows:
Eynsford (Bawdeswell, Foxley, Lyng, Sparham)
Scarning and Springvale (Longham, Gressenhall, Scarning, Wendling)
Shipdham
Swanton Morley (Swanton Morley and Elsing)
Taverner (Beetley, Brisley and Mileham)
Two Rivers (East Tuddenham, Hockering, Mattishall, North Tuddenham)
Upper Wensum (Billingford, Bintree, Guist, North Elmham)
Upper Yare (Clint Green, Garvestone, Reymerston, Whinburgh, Yaxham)

3.5.2 The rural north-east of the District is typified by clay plateau farmland through which a number of distinctive open valleys and wooded tributaries form important landscape features. Of particular importance to this part of Breckland is the River Wensum to the north of Dereham. The river is a protected European habitat which provides significant amenity and recreational benefits. To the south of Dereham the River Tud and the River Yare flow eastwards from their watershed along the ridge from Dereham to Shipdham. Higher order service provision is focussed on Dereham although northerly parishes in this quadrant of Breckland will look to Fakenham for services. Reepham to the north-east provides High School and doctors for communities particularly in Eynsford ward. In this part of the District, Norwich exerts a considerable influence as a destination for work and services.

3.5.3 At a more local level a good range of services are provided in Mattishall, North Elmham, Shipdham and Swanton Morley. Transport links in the area are focussed on the A47 and A1067 corridors although villages such as Yaxham and Mattishall benefit from direct bus services between Norwich and Dereham. Elsewhere rural bus services between Dereham and Fakenham connect a number of rural parishes in this area. There are no programmed significant upgrades to infrastructure in this area, although Norfolk County Council are looking to implement highway improvements in the Hockering area to remove HGV traffic from the village.

3.5.4 This part of the District contains two Local Service Centre villages for growth, Shipdham and Swanton Morley. The allocation of land to meet their identified housing requirement in the Core Strategy has already been considered at a previous meeting of this Group. This report deals with minor amendments to the settlement boundaries of these villages and in some instances this may lead to the occasional small-scale development, provided it is in accordance with the adopted Development Control policies. This part of the District also contains two Local Service Centre villages for service provision, Mattishall and North Elmham. Whilst these villages will not see an allocation of land for small-scale estate housing they will retain settlement boundaries and amendments to facilitate further occasional developments have been positively considered. This reflects the service provision and sustainability of these villages.

3.5.5 This Report does not go through each parish on a site-by-site basis as presented in previous consultations. A number of sites by virtue of location (i.e. removed from the existing settlement boundary) or scale (i.e. capable of accommodating more than 5

dwelling) are unreasonable options that have not been considered further. There remains a balance of smaller sites adjacent to existing settlement boundaries and where sites integrate with the form and character that have been considered as part of this process. Whilst individual recommendations have not been assigned to particular sites, Appendix C identifies where a change in a settlement boundary includes either a submitted site or part of a submitted site and the reasons for its inclusion.

3.6 Removal of Settlement Boundaries (Appendix A)

3.6.1 This section of the Report applies to the rural settlement boundaries for:

Old Beetley, Billingford, Brisley (adjacent Church), Elsing, Foxley, Guist, North Elmham (2 components), Reymerston, Sparham, Wendling, Whinburgh, Swanton Morley (Woodgate), East Tuddenham and North Tuddenham

3.6.2 Removing settlement boundaries as part of this Site Specifics document is not an option that has been considered lightly. A number of rural authorities have already used their LDF to review and remove settlement boundaries for small settlements (e.g. North Norfolk, Mid Suffolk) and there a number of reasons why this option should be the preferred option for a number of rural communities in Breckland. This authority has previously consulted on the option to remove settlement boundaries as part of the first Issues and Options consultation in Summer 2008.

3.6.3 When settlement boundaries were delineated in the mid-1990s during the drafting of the adopted Local Plan the emphasis was on defining the extent of coherent built-up areas and protecting the countryside from sporadic development. Since then the role of settlement boundaries has shifted at a national and regional level in terms of being a mechanism to secure sustainable development. Focusing new market housing development to locations with reasonable day-to-day facilities is seen as a key way in which the Planning System can help reduce contributions to climate change, protect the countryside and landscape and increase the proportion of homes which have access to services and facilities by means other than the private car.

3.6.4 The settlement boundaries proposed for removal are set out in Appendix A, together with a brief justification. When considering the removal of settlement boundaries Capita Symonds have had regard to the following factors:

- (1) the form and shape of the current settlement boundary: can it be logically extended without harm to the wider landscape?;
 - (2) the capacity within the current settlement boundary: can it accommodate further infill development that would be compatible with the form and character of the settlement?;
 - (3) the level of service provision: can the settlement sustain further development?;
- and
- (4) the impact of being designated countryside; can the countryside policies sufficiently address the development needs of the community?

3.6.5 In all cases, the settlement boundaries in Appendix A are those of small rural communities that have less than 2 key rural services or where there is either very limited or no capacity within that boundary for further development. Therefore the removal of their boundary will have a limited policy effect. Members are advised that the reasonable alternative option is to keep these rural settlement boundaries as they are currently defined.

3.7 Retain Existing Boundaries (Appendix B)

3.7.1 This section of the Report applies to the rural settlement boundaries for:

Beetley, Bintree, Brisley (Potthorpe), Garvestone, Scarning (village) and Yaxham (Clint Green)

3.7.2 In some cases retaining the existing settlement boundary as it is currently adopted is the preferred option. This is a reflection that there are no options to logically extend the settlement boundary in a way that would not harm the landscape or amenity or be detrimental to highway safety. Equally, this option acknowledges that there remains some limited scope for further development or that the community is of a sufficient size, shape and level of service provision that merits the retention of the existing settlement boundary. Additionally, it is considered there are no inconsistencies or anomalies that need to be resolved with these settlement boundaries. These settlement boundaries are set out in Appendix B to this report.

3.7.3 It should be noted however that whilst the settlement boundaries in this option have not been changed, they have been updated to address issues of Positional Accuracy Improvements (PAI). This is where up-to-date Ordnance Survey base mapping has adjusted slightly to reflect that original digital baseline mapping was inaccurate. In turn settlement boundaries have been similarly adjusted to fit the new baseline mapping. This does not fundamentally change the situation but will result in more accurate settlement boundaries. The reasonable alternative options for these settlement boundaries are to either remove them or amend them.

3.8 Amend Settlement Boundaries (Appendix C)

3.8.1 This section of the Report applies to the rural settlement boundaries for: Bawdeswell, Gressenhall, Hockering, Longham, Lyng, Mattishall, Mileham, North Elmham, Shipdham, Swanton Morley and Yaxham

3.8.2 The majority of rural settlement boundaries will be considered in this category as the preferred option for larger villages and those villages with 2 or more key rural services will be to retain a settlement boundary. The proposed amendments to these settlement boundaries are set out in Appendix C. Each proposed amendment has been given a unique reference together with a brief explanation of the amendment. As set out elsewhere in this Report changes to the settlement boundary reflect a number of circumstances:

- (1) the need to address anomalies and inconsistencies (i.e. settlement boundary cuts through existing properties)
- (2) the opportunity to present tighter boundaries where this would preclude backland or other inappropriate developments; and
- (3) the opportunity to include small-scale brownfield and other well-related sites within a settlement boundary (5 units)

3.8.3 Previous LDF consultation on the Core Strategy in 2005 revealed that only 14% of respondents supported the idea of significant levels of development in villages and the rural areas. Following up this consultation in 2007 the majority of respondents supported the retention of settlement boundaries in principle although it is clear from public consultation that there are two options available through the Local Development Framework when reviewing settlement boundaries. Some communities want to see tighter settlement boundaries which rule out the potential for back gardens, farm buildings and land on the edge of villages coming forward for market housing development. Other communities have a preference for looser settlement boundaries which could include larger gardens and buildings and land on the edge of villages in order to allow that community to grow, support existing facilities and avoid 'cramming' within tightly defined boundaries.

3.8.4 As with the retained settlement boundaries presented in Appendix B, the amended settlement boundaries in Appendix C have been adjusted to reflect the issues around positional accuracy with the digital base mapping. The broad reasonable alternative option for these settlement boundaries is to retain the current boundary.

3.9 Other Rural Communities (Appendix D)

3.9.1 This section of the Report applies to:

Cranworth
East Bilney
Fransham
Hardingham
Hoe
Westfield

- 3.9.2 There are a number of smaller rural parishes in this part of Breckland that do not have a defined settlement boundary because either the settlement is too small or the settlement pattern is too sporadic to define a coherent settlement boundary. Settlements in this category are discussed in Appendix D of the report. For the reasons presented in that Appendix it is proposed that new settlement boundaries are not defined for these communities. With the exception of Fransham it is recommended that there are no reasonable alternative options.

3.10 Summary Conclusion

- 3.10.1 The preferred options presented at Appendices A-D represent the professional advice of Capita Symonds' Breckland Planning Policy Team. The preferred options best reflect the evidence from previous consultations, consistency with existing policies and strategies and as such represent the most sustainable option going forward for further consultation. The preferred options document is intended to be a detailed and comprehensive document that enables communities, landowners and developers to understand what the map for their parish will look like. It is important in the context of the scale of land that has been submitted during previous consultations to be consistent and robust in determining the detail of revised rural settlement boundaries.

3.11 Next Steps

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

3.12 Options

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

3.13 Reason For Recommendation

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

4. Risk and Financial Implications

4.1 Risk

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

4.2 Financial

- 4.2.1 This report has no financial implications.

5. Legal Implications

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

6. Other Implications

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

7. Alignment to Council Priorities

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

- Building Safer and Stronger Communities
- Environment
- Prosperous Communities

8. Ward/Community Affected

- 8.1 This report directly affects the Wards of Eynsford, Scarning & Springvale, Shipdham, Swanton Morley, Taverner, Two Rivers, Upper Wensum and Upper Yare.

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Key Decision Status (Executive Decisions only):

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

Appendices attached to this report:

Appendix A – Settlement Boundaries proposed for removal

Appendix B – Settlement Boundaries proposed for retention as currently

Appendix C – Settlement Boundaries proposed for amendment

Appendix D – Rural settlements currently with no settlement boundary

Appendix E – Chapter 12 on Review Settlement Boundaries from Site Specifics consultation (Summer 2008).