

BRECKLAND DRAFT LOCAL PLAN FULL UPDATE PREFERRED OPTIONS

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1.0 Introduction

- 1.1 This Representation has been prepared by Bidwells LLP on behalf of Flagship Group, in response to Breckland Council's Draft Local Plan, Full Update, Preferred Options (June 2024).
- 1.2 Flagship Group has a proven track record of delivering high quality developments in Breckland and the wider Norfolk area.

Missing Evidence Base

- 1.3 Flagship Group have, where possible, referred to the Council's Evidence Base in making these Representations. However, Flagship Group would like to note that the majority of the Council's Evidence Base was only made available to view less than three weeks prior to the expiry of the consultation period on the 15th July 2024, giving limited opportunity for a detailed review of the available evidence to be undertaken. In addition, it should be noted that the Integrated Assessment of the Local Plan Preferred Options, which is critical to understanding why sites have been identified as Preferred Options, is still not available. We would request that, once the evidence is available, including the outcome of discussions with key stakeholders such as Norfolk County Council Highways, that the consultation is extended to allow interested parties to comment on the Integrated Assessment once it is published or another consultation is undertaken.
- 1.4 Paragraph 35 of the NPPF states that local plans and spatial development strategies are examined to assess whether they have been prepared in accordance with legal and procedural requirements, and whether they are sound. This representation seeks to assist the Council to ensure the Local Plan is positively prepared, justified, effective, and consistent with national policy, and therefore can be found sound.

2.0 Comments On Regulation 18 Preferred Options Draft Local Plan Policies

GEN01: General Development Principles

- 2.1 Our clients support the intent of this policy in ensuring that developments are of a good design. However, it is noted that this draft policy generally seems to repeat the provisions made later on in the draft plan in relation to design (draft policies DES 03 and DES 05).
- 2.2 The requirements for the provision of a Health Impact Assessment based on a trigger of 10 / 500 dwellings conflicts with the provisions set out in draft Policy COM 02.

HOU 05: Large Housing Site Development Principles

This draft policy is unsound as it has not been justified.

- 2.3 This draft policy seeks to put in place specific provision for the delivery of large sites in the authority area.
- 2.4 Our client query the terminology used in paragraph 4 of this draft policy. Specifically, '*clearly evidence the support of all significant landowners*'. This wording does not capture the range of stakeholders that can be involved in the delivery of strategic sites and need to be in agreement on key design and layout parameters associated with a masterplan/design code e.g. housebuilders, developers, extra care providers (as part of joint ventures), etc. Further, there is no clear definition of 'significant' offered.
- 2.5 Paragraph 4 as currently drafted infers that large development proposals will only come forward as outline planning applications. Whilst it is understandable the Council are seeking to ensure that outline planning applications which reserve details for supplementary applications are supported by key documentation (Masterplan and Design Code), the current wording fails to recognise that there are instances in which large development proposal are brought forward through a full planning application or a hybrid planning application.
- 2.6 Our client objects to inclusion of a requirement for 5% self/custom build. Please see comments in relation to HOU 13 for a detailed explanation on this point.
- 2.7 Our client objects to the inclusion of a requirement that 5% of new dwellings on development sites comprise bungalows.
- 2.8 Having reviewed the HEDNA, there is no clear basis for a specific figure of 5%, with the conclusion on this matter in the HEDNA reading: '*there is potentially a demand for bungalows, although realistically significant delivery of this type of accommodation may be unlikely. It is however possible that delivery of some bungalows might be particularly attractive to older person households downsizing and may help to release larger (family-sized) accommodation back into family use.*'

- 2.9 Until the evidence underpinning the inclusion of a 5% figure has been provided, including what the implication would be on the viability of development proposals, this policy conflicts with the provisions of paragraph 35b of the NPPF and is unsound.
- 2.10 This draft policy appropriately seeks to tie the housing mix delivered on sites to Breckland's 'latest assessment of housing needs' in attempt to tie housing requirements to the most up to date evidence. However, this wording could be improved and should be amended to state 'most up to date' evidence on housing need at the time of submission.

HOU 10: First Homes

Our client considers that draft Policy HOU 10 is unsound as per the provisions of paragraph 35b and 35d of the NPPF.

- 2.11 This draft policy will impose more restrictive requirements on developers in relation to First Homes than that set out in national guidance without sufficient evidence to justify this decision.
- 2.12 Clear qualifications as to what constitutes a "First Home" are set in national planning practice guidance. This includes (but is not limited to) that: First Homes should be discounted a minimum of 30% against the market value, constitute 25% of the affordable homes provision on a site and that first sales should be at a figure at no higher than £250,000 outside of London.
- 2.13 The First Homes Written Ministerial Statement does give local authorities and neighbourhood planning groups the discretion to require a higher minimum discount of either 40% or 50% if they can demonstrate a need for this.
- 2.14 Limb b of Draft Policy HOU 10 requires developers to demonstrate that products have regard to "local income and local house prices", with it clearly indicated that for a sale price of the product to be deemed 'affordable' it should be no more than £130,000. My client infers that a First Homes provision as part of a development proposal which does not include properties at this rate or below would be considered to fail against limb b of this policy on this basis.
- 2.15 Having reviewed the HEDNA, my client appreciates that the Council is in a difficult position given the mandated requirement for First Homes to comprise 25% of the total affordable housing provision and the conclusion reached at 8.93 of the HEDNA that *'the evidence for Breckland at this time indicates that there is no specific need for a First Homes product'*.
- 2.16 However, my client has to emphasise that at present, and as acknowledged in the HEDNA itself, there is no allowance in national guidance to reduce the level of provision of first homes from 25% of all affordable housing. Breckland's Local Plan cannot be at odds with this requirement. Therefore, any requirements in relation to the sale price of First Homes have to be considered in this context.
- 2.17 The Council are seeking a sale price of each First Home as £130,000 or less; based on a review of the HEDNA it is concluded that this figure is based solely on what the rent to buy gap is deemed to be in Breckland without any real consideration being given in reaching this conclusion to other factors, most notably house prices.

- 2.18 A figure of £130,000 is significantly less than anticipated market sale prices speculated in the HEDNA and the recommended maximum discount sale price (circa £215,000) indicated at 8.111 of the HEDNA. Further, no allowance is made for differences in house/unit types in stating a specific figure in the policy wording nor the location of such units within the authority area.
- 2.19 It is acknowledged in the Council's own evidence base at 8.109 that:
"a higher discount will make homes cheaper and therefore potentially open up additional households as being able to afford. However, providing a higher discount may have an impact on viability, meaning the Council will not be able to provide as many homes in other tenures (such as rented affordable housing which is likely to be needed by those with more acute needs and fewer choices in the housing market). The Council could therefore investigate higher discounts, but it is not recommended to seek a higher figure unless this can be proven to not impact on overall affordable delivery."
- 2.20 No evidence has been provided that proves that higher discounts would have no impact on overall affordable delivery. My client considers that there is therefore a very real risk, as stated in the Council's own evidence base, that development schemes could be rendered unviable as a result of the current policy wording and that there would need to be a reduction in the delivery of other tenures of affordable housing to facilitate this discount rate, which, as set out in the HEDNA, would have a significant impact on the Council's ability to meet the most acute housing needs of the authority area.
- 2.21 On the basis of the above, this draft policy should be amended to change the discount in the sale price of First Homes to 30% in line with national guidance or clear evidence should be provided by the Council which demonstrates that a larger discount will not have detrimental impacts on the provision of wider affordable housing provision in the authority.
- 2.22 Further, any attempt to link policy to evidence documents (i.e. the HEDNA) should include text that requires the person applying the policy to defer to this document or any future revisions of this document/replacement documents that supersede it, in order to ensure that the most up to date evidence is used to inform development proposals.

HOU 12: Specialist Housing and Accommodation Needs (2 or more dwellings)

Our client supports the provision of policy which addresses the need for specialist housing, but notes that the policy is not effective in its current form nor is it consistent with national policy.

- 2.23 Limbs b, c and d fail to recognise that proposals for specialist housing and accommodation can come forward as outline proposals. This policy fails to separate out in principle issues to matters which should be dealt with at detailed design stage e.g. highway/parking/servicing arrangements and the size/quality of garden space.
- 2.24 Limb f of Draft Policy HOU 12 includes the requirement for a sequential test where the proposed development site is located adjacent to settlement boundary of higher-level settlements for possible alternative sites for specialist housing within the boundaries of settlements which are ranked higher in the settlement hierarchy.

- 2.25 The requirement for the provision of such a test is onerous and is not consistent with national policy (as required under paragraph 35d of the NPPF). National policy is clear that Authorities should be planning to meet the needs of different users (paragraph 63); it does not make any provision in relation to sequential testing on the grounds of sustainability for specialist accommodation in the same way in which it is explicitly identified for flooding or retail. The current wording goes beyond the provisions set out in national policy.
- 2.26 Even if such a test is undertaken and sites are identified – it does not take account for whether sites identified are available, site-specific constraints, alternative uses for land identified (which would garner higher land values), viability, etc. Ultimately, a demonstrated need for specialist housing and accommodation in such settlements (particularly as the supporting text in the draft plan itself acknowledges that this housing can allow residents to live where they are familiar with their surroundings), combined with the requirements of limb e in terms of the scale of proposals, should be sufficient to justify such proposals in principle.
- 2.27 Draft Policy HOU 12 also ignores that specialist housing/accommodation is increasingly coming forward as part of joint ventures between providers and housebuilders/developers and fails to recognise the differences involved in the delivery of such sites compared to pure specialist housing/accommodation schemes.
- 2.28 The wording of the final paragraph of the draft Policy HOU 12 is poorly drafted as it does not clearly link to the previous text.
- 2.29 The policy as written is focused on the delivery of specialist accommodation, but fails to cover specific design considerations that can be associated with the provision of specialist accommodation.

HOU 13: Self and Custom Built Homes

Our client supports elements of this draft policy, however they consider that part 3 of the draft policy unsound as it has not been justified.

- 2.30 The Council's approach to distinguish between the different delivery methods for the provision of self and custom build homes i.e. individual plots, multiple plots and sites as part of wider development parcels in Policy HOU 13 is supported. This recognises the distinct challenges that are associated with each approach.
- 2.31 Part 3 of this policy focuses on the provision of self and custom build plots on large sites and is the main area of concern for our client.
- 2.32 In general, our client considers that this policy is overly complicated. There should be a requirement to provide self/custom-build housing where practical on large sites, except where it can be demonstrated that there is a lack of need for such plots or where plots have been marketed for 12 months and have not been sold.
- 2.33 The Council have failed to justify the need for the delivery of 5% of dwellings as self/custom build on sites of over 100 dwellings. The Council's self-build register indicates that on average there are

an additional 69 households that join the self/custom-build register each year. 59 permissions for such plots have also been identified annually. It can therefore be concluded that demand for self-build is largely being satisfied by plots coming forward on the open market without the need for the interventions being proposed in this policy. Further evidence used to justify this policy is limited to that of a national survey which is not specific to Breckland and is considered less useful than area-specific data on demand.

- 2.34 Further, the deliverability of self/custom-build plots on large sites is not always feasible due to the complexities surrounding the delivery of large sites. For example, there can be multiple contractors and large machinery operating on-site and the development of single plots by individuals operating alongside this construction activity can result in practical and/or health and safety concerns. Whilst on some sites it can be possible to locate self-build plots in locations that reduce these potential risks, this is not possible on all sites. Any policy wording should allow for consideration of such factors when determining the compliance of schemes against this draft policy.
- 2.35 Limb k of Part 3 requires an agreed design code/plot passport for self/custom-build plots. Whilst in principle the provision of such documentation is accepted, the timings/trigger for when this is required should be clarified.
- 2.36 Limb k combined with limbs l and m seek to set out provisions for if self-custom build plots remain unsold and what constitutes appropriate marketing of these units.
- 2.37 Firstly, there are some significant formatting/referencing issues which are present in this section which may have an impact on how the policy is interpreted.
- 2.38 Secondly, the provisions of limb m ii are concerning. This wording states that unsold self/custom build housing should be offered to the District Council, a housing association or the town/parish council for the delivery of affordable products should self/custom build plots remain unsold, before an alternative use for market housing be accepted. The change of these plots from self/custom build to affordable housing plots/units would have significant implications on the viability of the overall scheme being delivered on a site; this would likely be occurring at a later stage in the development process after which financial contributions, build costs, etc. are already established. Further, the provision of self/custom build housing is intended to be meeting a specific need as identified in national planning policy. There is no basis for requiring it to be replaced by affordable housing which addresses a different need and one which has been separately addressed as part of development proposals.
- 2.39 Finally, a 2-year marketing period is unjustified. A more appropriate time period would be 12 months.

HOU 16: Dwelling Annexes and Alterations

Our client supports the provision of policy, but notes that the policy is not effective in its current form.

- 2.40 Draft Policy HOU 16 partly (l-p) seeks to provide criteria for when alterations are made to existing residential properties. This policy does not correlate to the need, in some cases, for estate wide regeneration, including alterations to properties that remain on the estate, but require external and internal alterations to correlate with the new development implemented.

- 2.41 The policy should be amended to either acknowledge estate wide regeneration and alterations required to some properties to reflect new developments, not the existing dwelling itself. Alternatively, a separate policy should be drafted to acknowledge estate wide regeneration and the need to undertake external and internal alterations to existing properties within the vicinity to reflect the new development that has been undertaken surrounding the estate.

HOU 20: Technical Standards For New Dwellings

Our clients consider that this policy is unsound and requires amendments.

- 2.42 Policy HOU 20 seeks to introduce technical standards for new dwellings in terms of accessibility standards, water efficiency, water management, internal spaces and energy efficiency.
- 2.43 Our clients consider that accessibility standards and internal spaces should be respectively separated out into their own policies for ease of use of the Draft Plan in the future.
- 2.44 While our clients are supportive of the delivery of accessible and adaptable homes, no analysis has been undertaken as part of the evidence base to understand whether the delivery of M4(2) and M4(3) compliant properties in Breckland to the percentages identified in the draft policy is deliverable/viable, thereby raising potential conflict with Paragraph 35(b) of the NPPF.
- 2.45 Indeed, at 10.16 of the HEDNA it is stated that when it comes to the delivery of M4(2) units *‘the Council should ensure that the viability of doing so is also tested as part of drawing together its evidence base’*.
- 2.46 Further, at 10.40 of the HEDNA it is noted that it may not be possible for some schemes to be built to M4(3) standards *“due to built-form, topography, flooding etc. Furthermore, provision of this type of property may in some cases challenge the viability of delivery given the reasonably high build out costs”*.
- 2.47 However, the policy wording does not incorporate any flexibility to account such site-specific circumstances nor does the evidence base include a review of the viability of the chosen accessibility standards.
- 2.48 As noted at 10.45 of the HEDNA, Breckland Council only have the ability to request M4(3)(B) accessible compliance from dwellings that they have nomination rights for. They cannot request M4(3)(A) compliance from market dwellings. As such, the draft wording of Policy HOU 20 should reflect this distinction.
- 2.49 In relation to water efficiency, the Council have not provided justification to underpin the decision to adopt an optional, higher standard of 110 litres per day per person for water efficiency than that required under building regulations. Further, whilst the intention of the Council to encourage developments to deliver below policy requirements on water efficiency is admirable, it is recommended that a particular figure (i.e. 85l/p/d) is removed so as not to diminish the impression of the benefits associated with schemes which do not quite meet this level of reduction but still exceed expectations of policy.

- 2.50 Our clients would note that in relation to water management, the policy wording fails to recognise the viability implications should such measures be adopted.
- 2.51 On space standards, it is noted that these are optional requirements and should be justified by evidence as set out in footnote 52 of the NPPF and paragraph 127 of the National Design Guide. No evidence could be located to confirm that this has been done by the Council.
- 2.52 Further, any technical standards that have been drawn from adopted, technical guidance documents should be specifically referenced, and provision should be made in the draft policy wording to recognise any amendments to these standards or their replacement documents, in order to ensure that the most up to date standards are used to inform development proposals in the future.

HOU 21: Securing A Mix of Housing

- 2.53 Draft Policy HOU 21 seeks to ensure that a mixture of housing is delivered as part of development schemes and seeks to set out situations where this might not be possible in an effort to make this policy effective in practice.
- 2.54 A small tweak to the wording of paragraph 2 is required. As it stands, the wording implies that the only circumstances in which it is possible to deviate from the housing mix (set out in the most up to date HEDNA) are those set out in paragraphs a – e. However, paragraphs a - e should be treated as examples of where such an occurrence might be appropriate so as to allow for other appropriate reasons to be put forward if they exist.

HOU 24: Affordable Housing

Draft Policy HOU 24 (in combination with the overall housing requirement set out in draft policy HOU 01) fails to put in place provisions to ensure that the objectively assessed affordable housing needs of the authority are met based on up to date evidence. As such, this policy is unsound in its current form as it is not positively prepared or justified as per the requirements of paragraphs 35a and 35b of the NPPF

- 2.55 First draft policy HOU 24 includes the requirement for the delivery of 25% affordable housing on sites of over 10 units/over 0.5 hectares.
- 2.56 However, as acknowledged in the Council's own evidence base, this figure has not been arrived at based on the conclusions of any supporting viability or feasibility work. Paragraph 5.164 of the HEDNA states:
- "The specific amount of affordable housing that should be secured from private, market led development is typically informed by an assessment of the viability of development. In Breckland, at this stage in preparation of this new Local Plan the specific infrastructure costs for development have not yet been identified – and as such the overall viability of development and level of affordable housing that could reasonably be secured from market led schemes requires further analysis. Having said this, at this time the Council applies and is successful in securing a 25% affordable housing contribution from most eligible schemes..."*

- 2.57 On this basis, insufficient evidence has been provided to demonstrate that the delivery of 25% affordable housing is justified, and the draft policy therefore fails to meet the requirements of paragraph 35b of the NPPF.
- 2.58 Secondly, at paragraph 5.162 of the supporting text for Draft Policy HOU 24, the identified annual need for affordable housing is stated to be 413 dwellings per annum. This constitutes almost 60% of the District's total housing requirement (661 dwellings pa).
- 2.59 However, the HEDNA itself makes no reference to a figure of 413 dwellings, with the only discussion of affordable housing need being in relation to the need for 299 rented affordable rent homes pa (45% of the Local Housing Need). It is therefore unclear how exactly this 413 dwelling figure has been arrived at in the evidence base and this represents a serious concern for our clients.
- 2.60 Irrespective of whether the lower or higher affordable housing need figure set out above is adopted, the supply of affordable homes will be well below what is needed should a 25% requirement on qualifying development sites be adopted (which as already mentioned has not been demonstrated by the Council to even be viable).
- 2.61 Further, it would also be concerning for the Council to increase this requirement figure in line with identified levels of need. Most large housing developments would struggle to deliver 45-60% affordable housing simply by virtue of the amount of other infrastructure they are expected to also deliver. Furthermore, with social/affordable rent generating a far lower value to the developer compared to affordable home ownership, and evidenced in the HEDNA to comprise the majority element of the affordable housing need, the mix of tenures would exacerbate viability on sites.
- 2.62 In many local authorities there is some justification to argue that the private rent sector would include many households that would otherwise require affordable housing, but in the case of Breckland, the HEDNA is clear that very few would be able to even afford private rents.
- 2.63 On the basis of the above, our clients strongly recommend that the Council give thought to increasing overall housing numbers in order to ensure the delivery of objectively assessed needs for affordable housing in accordance with the PPG.

EC 05: Retail Development in Key Settlements

- 2.64 Our client supports this draft policy but seeks for an acknowledgement of the potential for retail development as part of the regeneration of the Abbey Estate in Thetford to support the expanded community. Our client proposes that '*and The Abbey Estate*' is added into the third line before '*...to serve the expanded communities*'.

ENV 01: Climate Responsive Design

- 2.65 Our clients support this draft policy and consider that it provides an appropriate level of detail on this matter to inform development proposals.

- 2.66 The paragraph discussing the need to consider retention, remodelling and refurbishment prior to demolition should acknowledge the possible role of factors such as wider estate regeneration initiatives, viability, density and operational commercial needs when considering the long-term options for existing buildings.

ENV 02: Retaining and Enhancing Green and Blue Infrastructure

- 2.67 Our clients support the inclusion of this policy and agree that the provision of appropriate green infrastructure is an important part of development proposals.
- 2.68 For the large part, the draft policy wording is considered effective for ensuring that the Council's aspirations are met.
- 2.69 Our clients would flag that in the final paragraph of draft Policy ENV 02 reference is made for the delivery of 'green space that is proportionate to its scale'. This wording is open to interpretation, and it is considered that the provision of proper standards that can be applied would be more appropriate.
- 2.70 It is also noted that Supplementary Design Guides and Documents do not constitute policy and so any standards should be incorporated into the adopted/emerging development plan.

ENV 03: Improving Biodiversity

- 2.71 This draft Policy is generally in keeping with statutory requirements and national policy/guidance.
- 2.72 Our clients recognise the important role that the Norfolk Local Nature Recovery Strategy will play in identifying sites for off-site net gain provision. However, the draft policy wording should be tweaked to better acknowledge that there may be other positive opportunities for off-site delivery within the authority area should on-site delivery not be possible.

ENV 05: Trees, Hedgerows and Development

- 2.73 Reference to 'long term survival would be compromised' should be removed from paragraph 1 of draft Policy ENV 05. The emphasis of this paragraph should be that some trees are of limited quality and/or can be compromised by their age, and that as a result there are circumstances where the loss of such trees is acceptable and present an opportunity for improved planting on development sites.

ENV 06: Designated Historic Assets

- 2.74 Our clients are generally in supportive of this Draft Policy. The current wording tends to repeat itself and could be streamlined/refined to improve the used experience.

ENV 07: Non-Designated Heritage Assets

- 2.75 This draft policy generally makes reference to the provisions of national policy and Historic England guidance on non-designated heritage assets.
- 2.76 Given the emphasis placed on previously unrecognised, non-designated heritage assets, the Council should prioritise preparing an up-to-date list of assets. The criteria used by the Council for identification of non-designated assets should be made publicly available and clear guidance should be prepared for how assets should be treated to supplement this policy.
- 2.77 As it stands, this policy seeks to place a lot of limitations on development and alterations in relation to specific examples, without clear parameters in place for identifying assets in advance. This text would be better placed in supporting guidance.

ENV 08: Archaeological Sites

- 2.78 Our clients generally support this policy which is largely in keeping national policy/guidance, although consider that the wording could be refined further. Reference should be made to best practice guidance documents and the need for work to be undertaken by qualified professionals.

ENV 12: Open Space, Sport & Recreation

- 2.79 The supporting text of this draft policy acknowledges that a new Open Space Assessment and Playing Pitch Strategy is not yet available and that the basis for this draft policy is a 2015 report.
- 2.80 It is noted that in paragraph 8.122 that there is a focus on the quantitative deficits on open space, however no reference is made to the quality of open space and play provision i.e. qualitative considerations.
- 2.81 This draft policy identifies that play area provision requirements are based on a simplistic calculation of 0.8ha of children's play area per 1000 people. However, this makes no allowance for the demographic make-up of a development and how this will affect need requirements (which should ultimately underpin the level of provision required). For example, a scheme that comprises an extra care development will inherently result in less children living in a development than a scheme for a scheme comprising family homes, yet the two schemes could have similar population figures and be required to deliver the same amount of play area provision. Similar concerns are noted in relation for the methodology for calculating the overall open space provision.
- 2.82 Further, our client would note that open space on sites is not just restricted to sport and recreation uses. Open space on sites also include land designated for biodiversity improvements. Our client notes that the legislative requirement for new development to deliver a biodiversity net gain of 10% or more has placed a bigger onus on such uses and has had significant implications on the nature of open space being delivered on sites. Notably, this type of open space on sites may need to have restrictions put in place in terms of public access to ensure that the habitats being established are not degraded. This policy should be amended to acknowledge biodiversity considerations associated with public open space.

- 2.83 Flagship Group supports limbs b and c of the policy when referencing Open Space and circumstances where loss of designated Open Space is deemed acceptable, as long as the evidence base is robust. This would tie into any site specific policy to be drafted for The Abbey.

DES 02: Pre-Application Engagement and Advice

- 2.84 Limb b of draft Policy DES 02 fails to make a distinction between outline planning applications and detailed planning applications i.e. reserved matters applications. Not all of the information/documentation outlined in part b. would necessarily be required as part of an outline planning application and therefore would not necessarily be available for community engagement exercises, and this draft policy should reflect this.

DES 05: Distinctive Local Identity

- 2.85 Our client supports the intent of this policy in ensuring that developments are of a good design. However, it is noted that this draft policy generally seems to repeat the provisions made in earlier draft policies in this plan (draft policies GEN 01 and DES 03).
- 2.86 The level of detail that has been stated on design in Draft Policy DES 05 is usually included in a supporting Design Guide as opposed to forming part of the main Local Plan document. Our clients would suggest that this policy should be reduced to core principles and the extra details be included in a supporting Design Guide. Key design parameters in this policy should be set out in a clear precise way (e.g. numbered bullet points) for use ease.
- 2.87 The justification for the requirement for new dwellings to include air source heat pumps as standard has not been evidenced, particularly from a viability perspective.

COM 03: Protection of amenity

- 2.88 This policy is generally fit for purpose in its effort to protect the amenity of existing and future residents.
- 2.89 The wording of bullet 'a' should be reviewed as it is not clear in its current form what protections the Council are trying to afford the private amenity space of existing dwellings.

INF 03: Flood Risk & Surface Water Drainage

- 2.90 The draft policy wording is slightly repetitive in relation to Sustainable Drainage Systems, but is otherwise generally fit for purpose.
- 2.91 A small amendment should be made to the final paragraph of page 236. This wording should be amended to read '*All applications should, **where possible**, reflect best practice and the Lead Local Flood Authority (LLFA) guidance document April 2024'...*'. This will ensure that the policy allows for instances where a deviation from policy can be justified.

INF 01: Sustainable Transport

- 2.92 Our client considers that relevant references to Norfolk County Council standards should be added into this draft policy, but otherwise have no comments.

INF 06: Developer Contributions

This policy has not been justified and therefore fails against the requirements of paragraph 35b of the NPPF

- 2.93 Our client expresses concern that a new Infrastructure Development Plan has not yet been prepared to support this emerging Local Plan, and that as it stands a 2017 version is being utilised.
- 2.94 A development plan should be based on up-to-date evidence and the viability implications of infrastructure requirements should be a key consideration as part of the site allocation process and development of broader plan policies. This draft policy is therefore not compliant with Policy 35b of the NPPF.

