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1 INTRODUCTION

1.1 Context

1.1.1 Gladman specialise in the promotion of strategic land for residential development and associated community infrastructure. From this experience, we understand the need for the planning system to deliver the homes, jobs and thriving local places that the country needs. These representations provide Gladman’s response to the current consultation on the submission version of the Poringland Neighbourhood Plan (PNP) under Regulation 16 of the Neighbourhood Planning (General) Regulations 2012.

1.1.2 Gladman is promoting land in the neighbourhood area, land off Burgate Lane, Poringland for residential development and associated community infrastructure. We have submitted an outline planning application (2019/1593) on this site for the erection of up to 98 dwellings including 5 live/work units, structural planting and landscaping and a sustainable drainage system (SuDs).

1.1.3 Gladman believe that the site offers a real opportunity to the residents of the local community and the wider area to assist in meeting the identified housing needs and could deliver significant improvements to the public realm, including the provision of land for community uses. Whilst we note that the PNP is not proposing to allocate sites for residential development we submit that the policy framework of the neighbourhood plan should not be seeking to restrict this site from coming forward for residential development.

1.1.4 Through these representations, Gladman provides an analysis of the PNP and the policy decisions promoted within the submission draft of the Plan. Comments made by Gladman through these representations are provided in consideration of the PNP’s suite of policies and its ability to fulfil the Neighbourhood Plan Basic Conditions as established by paragraph 8(2) of Schedule 4b of the Town and Country Planning Act 1990 (as amended) and supported by the Neighbourhood Plan chapter of the PPG1.

1.1.5 We currently have significant concerns about the plan’s ability to meet the basic conditions as drafted, which will be detailed below through the following matters:

- Legal compliance;

- National Planning Policy and Guidance;

- Neighbourhood plan policies; and

- Site submission.

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1 Section ID: 41
2 LEGAL REQUIREMENTS, NATIONAL POLICY & GUIDANCE

2.1 Legal Requirements

2.1.1 Before a neighbourhood plan can proceed to referendum it must be tested against a set of basic conditions, set out in paragraph 8(2) of Schedule 4b of the Town and Country Planning Act 1990 (as amended). The Basic Conditions that the PNP must meet are as follows:

a) Having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the neighbourhood plan;
b) Having special regard to the desirability of preserving any listed building or its setting or any features of special architectural or historic interest that it possesses, it is appropriate to make the order;
c) Having regard to the desirability of preserving or enhancing the character or appearance of any conservation area, it is appropriate to make the order;
d) The making of the neighbourhood plan contributes to the achievement of sustainable development;
e) The making of the neighbourhood plan is in general conformity with the strategic policies contained within the development plan for the area of the authority; and
f) The making of the neighbourhood plan does not breach, and is otherwise compatible with, EU obligations.
g) The making of the neighbourhood plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.

2.2 National Planning Policy Framework, & Planning Practice Guidance

National Planning Policy Framework

2.2.1 On 24th July 2018, the Ministry of Housing, Communities and Local Government (MHCLG) published the Revised National Planning Policy Framework (NPPF2018). This publication forms the first revision of the Framework since 2012 and implements changes that have been informed through the Housing White Paper, The Planning for the Right Homes in the Right Places consultation and the draft NPPF (2018) consultation. This version was itself superseded on the 19th February 2019, when MHCLG published a further revision to the NPPF (2019) which implements further changes to national policy, relating to the Government’s approach for Appropriate Assessment as set out in Paragraph 177, clarification to footnote 37 and amendments to the definition of ‘deliverable’ in Annex 2.

2.2.2 The NPPF (2019) sets out the Government’s planning policies for England and how these are expected to be applied. In doing so it sets out the requirements for the preparation of neighbourhood plans within which locally prepared plans for housing and other development can
be produced. Crucially, the changes to national policy reaffirms the Government’s commitment to ensuring up to date plans are in place which provide a positive vision for the areas which they are responsible for to address the housing, economic, social and environmental priorities to help shape future local communities for future generations. In particular, paragraph 13 states that:

“The application of the presumption has implications for the way communities engage in neighbourhood planning. Neighbourhood plans should support the delivery of strategic policies contained in local plans or spatial development strategies; and should shape and direct development that is outside of these strategic policies.”

2.2.3 Paragraph 14 further states that:

“In situations where the presumption (at paragraph 11d) applies to applications involving the provision of housing, the adverse impact of allowing development that conflicts with the neighbourhood plan is likely to significantly and demonstrably outweigh the benefits, provided all of the following apply:

a. The neighbourhood plan became part of the development plan two years or less before the date on which the decision is made;

b. The neighbourhood plan contains policies and allocations to meet its identified housing requirement;

c. The local planning authority has at least a three-year supply of deliverable housing sites (against its five-year supply requirement, including the appropriate buffer as set out in paragraph 73); and

d. The local planning authority’s housing delivery was at least 45% of that required over the previous three years.”

2.2.4 The NPPF (2019) also sets out how neighbourhood planning provides local communities with the power to develop a shared vision for their area in order to shape, direct and help deliver sustainable development needed to meet identified housing needs. Neighbourhood plans should not promote less development than set out in Local Plans and should not seek to undermine those strategic policies. Where the strategic policy making authority identifies a housing requirement for a neighbourhood area, the neighbourhood plan should seek to meet this figure in full as a minimum. Where it is not possible for a housing requirement figure to be provided i.e. where a neighbourhood plan has progressed following the adoption of a Local Plan, then the neighbourhood planning body should request an indicative figure to plan taking into account the latest evidence of housing need, population of the neighbourhood area and the most recently available planning strategy of the local planning authority.

2.2.5 In order to proceed to referendum, the neighbourhood plan will need to be tested through independent examination in order to demonstrate that it is compliant with the basic conditions and
other legal requirements before it can come into force. If the Examiner identifies that the neighbourhood plan does not meet the basic conditions as submitted, the plan may not be able to proceed to referendum.

### 2.3 Planning Practice Guidance

2.3.1 Following the publication of the NPPF (2018), the Government published updates to its Planning Practice Guidance (PPG) on 13th September 2018 with further updates being made in the intervening period. The updated PPG provides further clarity on how specific elements of the Framework should be interpreted when preparing neighbourhood plans.

2.3.2 A draft neighbourhood plan must be in general conformity with the strategic policies of the development plan in force if it is to meet the basic condition. Although a draft neighbourhood plan is not tested against the policies in an emerging local plan the reasoning and evidence informing the emerging Local Plan is likely to be relevant to the consideration of the basic conditions against which a neighbourhood plan is tested against.

2.3.3 Where a neighbourhood plan is being brought forward before an up-to-date Local Plan is in place, the qualifying body and local planning authority should discuss and aim to agree the relationship between the policies in the emerging Neighbourhood Plan, the emerging Local Plan and the adopted Development Plan\(^2\). This should be undertaken through a positive and proactive approach working collaboratively and based on shared evidence in order to minimise any potential conflicts which can arise and ensure that policies contained in the neighbourhood plan are not ultimately overridden by a new Local Plan.

2.3.4 It is important that the neighbourhood plan sets out a positive approach to development in the area by working in partnership with local planning authorities, landowners and developers to identify their housing need figure and identifying sufficient land to meet this requirement. Furthermore, it is important that policies contained in the neighbourhood plan do not seek to prevent or stifle the ability of sustainable growth opportunities from coming forward. Indeed, the PPG emphasises that;

> “A wide range of settlements can play a role in delivering sustainable development in rural areas, so blanket policies restricting housing development in some types of settlements will need to be supported by robust evidence of their appropriateness.”

2.3.5 Accordingly, the PNP will need to ensure that it takes into account the latest guidance issued by the SoS so that it can be found to meet basic conditions (a) and (d).

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\(^2\) PPG Reference ID: 41-009-20160211
3 DEVELOPMENT PLAN

3.1 Adopted Development Plan

3.1.1 To meet the requirements of the Framework and the Neighbourhood Plan Basic Conditions, neighbourhood plans should be prepared to conform to the strategic policy requirements set out in the adopted Development Plan.

3.1.2 The adopted Development Plan relevant to the preparation of the Poringland Neighbourhood Plan, and the Development Plan which the PNP would currently be tested against, consists of the Broadland, Norwich and South Norfolk Joint Core Strategy (JCS) which was adopted by the respective Councils in March 2011. The JCS covers the period to 2026 and provides the overarching spatial strategy for the joint local authority areas including South Norfolk.

3.1.3 Poringland, with Framingham Earl, is identified as one of ten Key Service Centres with a good service offering capable of accommodating moderate housing growth. This is reflected through the housing target attributed to Poringland of 100 to 200 dwellings despite there being significant housing commitments not built at the time of plan production.

3.1.4 Policy 4 of the JCS sets out that allocations will be made to ensure that at least 36,820 new homes will be delivered between 2008 and 2026, of which approximately 33,000 will be within the Norwich Policy Area (NPA). Policy 9 sets out how this need will be addressed with a minimum of 21,000 dwellings to be allocated across the NPA. Poringland lies within the NPA and is expected to contribute to the requirement from Policy 9 for 1,800 dwellings to be delivered in ‘South Norfolk smaller sites in the NPA and possible additions to named growth locations’, one such location is Poringland. Indeed the Inspectors Report for the Site Specific Allocations and Policies Document (SSAPD) acknowledges that Poringland is a reasonable level of services that can take a significant amount of growth:

69. …there are three Key Service Centres (third tier) and nine Service Villages (fourth tier). In terms of the third tier, Hethersett and Poringland/Framingham Earl are sizeable settlements with a reasonable level of services and so are capable of making a significant contribution to the float, even taking into account the 1,000 dwellings specifically allocated to Hethersett as a major growth location by JCS Policy 9.

3.1.5 The Inspector went on to justify allocating more dwellings to Poringland than allocated in the JCS, stating:

389. The amount of housing proposed significantly exceeds the figure stated in the JCS. However, JCS Policy 14 does allow for a higher number to help deliver the ‘floating 1,800’ and, therefore, the total housing requirement. In doing so, it
sets no ceiling on numbers. Furthermore, the settlement has a good range of services, including shops, GP surgeries, schools and other community facilities. It is also relatively close to Norwich which offers a wider range of services and employment opportunities. On this basis, the overall numbers are justified.

3.2 Emerging Development Plan

3.2.1 The Greater Norwich Local Plan (GNLP) is being produced by Broadland District Council, Norwich City Council and South Norfolk Council working together with Norfolk County Council through the Greater Norwich Development Partnership (GNDP).

3.2.2 The GNLP will cover the period to 2036 and set out a vision and strategy for growth in the Greater Norwich area. The plan is currently proposed to deliver about 42,900 homes in the plan period of which 35,700 homes are already identified in existing local plans or have planning permission. This means that the plan will be allocating sites for at least 7,200 additional homes.

3.2.3 It is anticipated that the formal regulation 19 stage of consultation for the GNLP will take place in 2020 ahead of the plan being submitted to the Secretary of State for Examination in Public by a Planning Inspector. As such, at this stage the plan is not sufficiently advanced and the PNP should ensure sufficient flexibility is drafted in to the policies to ensure conflicts are minimised whilst ensuring the longevity of the PNP’s policies, seeking to avoid policies being superseded under Section 38(5) of the Planning and Compulsory Purchase Act 2004.
4 PORINGLAND NEIGHBOURHOOD PLAN POLICIES

4.1 Context

4.1.1 These representations are made in response to the current consultation on the submission version of the PNP, under Regulation 16 of the Neighbourhood Planning (General) Regulations 2012. This chapter of the representation highlights the key points that Gladman raises with regard to the content of the PNP as currently proposed.

4.2 Neighbourhood Plan Policies

4.2.1 This section of the representations provides Gladman’s comments on the draft PNP policies. As currently proposed, Gladman believes that a number of the PNP’s policies require modification/amendment, before they can be considered consistent with the Neighbourhood Plan Basic Conditions.

Policy 1: Phasing residential growth

4.2.2 This policy seeks to delay any planned growth of the emerging Greater Norwich Local Plan in Poringland beyond the first five years of the GNLP plan period. This is effectively seeking to shape the emerging strategy of the GNLP. Paragraph 59 of the NPPF (2019) states:

‘To support the Government’s objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay’.

4.2.3 This approach would clearly be contrary to this Government objective. It is also not clear how this approach may affect the Council’s ability to maintain a rolling five-year housing land supply and housing delivery to meet the requirements of the Housing Delivery Test if ‘pausing’ growth in one of the Key Service Centres for the first five years of the GNLP.

4.2.4 Further, Paragraph 18 of the NPPF (2019) is clear that neighbourhood plans should only address non-strategic matters. Housing trajectories and any potential phasing of development are clearly strategic matters and ones which the PNP should not be seeking to determine ahead of the GNLP. As a result, this policy directly conflicts with a number of Paragraphs of the NPPF (2019) and should be deleted as it does not meet basic condition (a).

3 Paragraph: 041 Reference ID: 41-041-20140306
Policy 2: Housing – scale

4.2.5 This policy sets out support in principle for developments of 20 dwellings or fewer, supporting development above this scale only in limited circumstances.

4.2.6 This approach is in response to allocations in the adopted South Norfolk Plan all being large scale i.e. 250 dwellings and greater. Whilst we recognise that supporting development of a smaller scale is in accordance with the NPPF (2019) this should not be at the expense of development of a medium scale (between 20 and 150 dwellings). Sites of this scale whilst being able to be delivered in shorter timescales than the large strategic sites can offer a greater range of community benefits than just smaller sites that may not meet the ‘overriding community benefit’ test this policy is trying to set out.

4.2.7 In this regard, what constitutes an ‘overriding community benefit’ is ambiguous and unlikely to be applied consistently and with confidence by a decision maker. The PPG sets out how policies of a neighbourhood plan be drafted stating:

‘A policy in a neighbourhood plan should be clear and unambiguous. It should be drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications. It should be concise, precise and supported by appropriate evidence.’

4.2.8 Restricting development to a smaller scale, except in ambiguous circumstances does not accord with the NPPF (2019), nor the adopted JCS. To meet the basic conditions, this policy should be amended to support ‘development of sites that are proportionate to Poringland and its role within the settlement hierarchy as a Key Service Centre and proximity to Norwich, located within the NPA.’ This approach would then bring the policy into accordance with the adopted JCS which states in the supporting text of Policy 9, section 6.6, that:

‘the smaller sites allowance is intended to provide a balance between site sizes and locations to encourage flexibility and the shorter term delivery of new housing… and will reflect the scales of development provided for at each level of the settlement hierarchy described in policies 12-16.’

Policy 3 – Housing mix

4.2.9 This policy seeks for development of five or more dwellings to provide a minimum of 20% dwellings suitable, or easily adaptable, for older or less mobile residents. Whilst Gladman support the intentions of this policy we question why this is a requirement and not something that is to be encouraged as part of the housing mix.

4.2.10 This is effectively seeking to impose the optional Part M4(2) technical standard within the neighbourhood plan area contradicting with national policy. A Written Ministerial Statement
(WMS)\(^4\) explains that neighbourhood plans should not set out any additional local technical standards or requirements relating to construction, internal layout or performance of new dwellings. This is an issue that should be left to the Local Planning Authority to address through Local Plan Policy and whilst dwellings suitable for older or less mobile residents could be encouraged the requirement for 20% dwellings to do so should be deleted.

Policy 4 – Housing - location

4.2.11 This policy states that development will only be supported that does not result in a material increase in traffic through the village centre. This approach does not accord with the approach to traffic impacts from the NPPF (2019). Paragraph 108(c) allows for any significant impacts from development on the transport network or on highway safety to be mitigated to an acceptable degree. Paragraph 109 goes on to further state that:

*Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.*

4.2.12 ‘Any material impact’ clearly does not currently reflect this element of national policy and the policy should be amended accordingly.

4.2.13 Further, the policy goes on to state that to avoid extending the linear nature of the village proposals that result in the growth of the village southward will not generally be acceptable. This is not a justifiable reason not to support what would otherwise be sustainable development. Whilst the existing nature of the village would be a consideration when considering a development proposal this alone would not be a sufficient reason to refuse a development proposal. This element of the policy should be deleted.

Policy 6: Natural Environment

4.2.14 This policy is seeking for development, as a minimum, to result in demonstrable 10% ecological gain. Whilst the NPPF (2019) seeks for plans to ‘identify and pursue opportunities for securing measurable net gains for biodiversity’ it does not quantify what this gain should be. The Department for Environment Food & Rural Affairs (DEFRA) held a consultation between December 2018 and February 2019 about proposals for making biodiversity net gain necessary for new developments. It is expected that this will be introduced and formalised through the new Environment Bill currently in draft form, subject to change and with unknown timescales for implementation.

\(^4\) Written Ministerial Statement 25 March 2015
4.2.15 As such this policy is trying to pre-empt this requirement and at this time seeking an undue obligation from development in the interim. The figure quantifying what level of gain should be achieved should be removed from this policy.

Policy 8: Landscape

4.2.16 This policy seeks to designate an area to the south east of Poringland as a Valued Landscape. It is stated that any proposal within this area should be refused. Gladman are promoting land that lies within this proposed designation and as such we have commissioned consultants FPCR to assess this designation. This assessment is available as Appendix 1 and concludes:

- There does not appear to be any considered rationale behind the identified ‘Area of Landscape Value’, nor the boundary that defines it. The special attributes discussed above, and the reasons given for justifying the extent of the valued landscape area lack any objective assessment. Under the heading Landscape (18), the Poringland Neighbourhood Plan Evidence Base simply quotes the South Norfolk Landscape Character Assessment (2001) with no explanation as to how the conclusions within the NP were drawn.

4.2.17 Notwithstanding this comment the assessment goes on further to consider the land promoted by Gladman and states:

- The Burgate Lane site should be removed from the proposed area of landscape value as it is not subject to any national landscape designations, contains no demonstrably special, rare or notable landscape features, and therefore it is not considered to represent a ‘valued landscape’.

4.2.18 As such, this policy designation would unjustifiably restrict development in this area and the extent of the designation raises questions about the achievement of sustainable development across the plan area. The designation does not meet the requirement for the landscape to be protected to be ‘special’ or out of the ordinary, confirmed through case law therefore conflicting with the requirements of the NPPF (2019).

4.2.19 Further, this policy again makes reference that development to the south, if reinforcing the linear pattern of the village, would not be supported. Gladman reiterate comments made in Paragraph 4.2.14 that this is not a justifiable reason to restrict development in this area.

4.2.20 For the reasons above, this policy does not meet basic conditions (a) and (d) and should be deleted from the neighbourhood plan.

Policy 9: Long views

4.2.21 This policy states that development proposals that will retain the remaining distant views towards Norwich, the Tas Valley and south of the village will be supported. The policy goes on to state that proposals that will result in an unacceptable harm to the important views shown on the Policies map 4 will not be supported. No such views are identified on this map.
4.2.22 Photo 52 on Page 58 shows the Long Views/Maps and viewpoints of Policy 9, with no explanation of what makes these views important. Page 28 also shows long views to the South and West of Poringland, again with no explanation of what makes these views important. This directly conflicts with the requirements of the NPPF (2019) Paragraph 31 for policies to be underpinned by relevant up-to-date evidence. This should be adequate and proportionate, focused tightly on supporting and justifying the policies concerned. As such, this policy does not meet basic condition (a).

4.2.23 Photo 21 shows the view across the land under Gladman’s promotion. The assessment of the Valued Landscape designation of Policy 8 by FPCR has analysed this view through this assessment. In considering whether this site constitutes a valued landscape the assessment states that:

- The view shown is a private view taken from within the field itself and so is not accessible to the public and it is not a long distant view to Brooke or Shotesham as is considered the reason this should be a valued landscape on page 14 of the Consultation Statement, it is a view of the wooded field boundary east of the site. Views towards Brooke and Shotesham and that considered to be “highly valued” are achieved from footpath FP7, located 130m south of the proposed development and will be unhindered with the development proposals.

4.2.24 This conclusion should equally apply to whether this site contains an important view southward. Whilst Gladman would agree that views should be a consideration of a development proposal, land off Burgate Lane does not contain a view that should be protected. If the policy is seeking to identify an important view southward in this area this should be clearly presented on the policies map as being from footpath FP7, located 130m south of the proposed development.

Policy 14: Character and Design

4.2.25 Gladman raise concerns with elements of this policy and how it is seeking to shape development proposals.

4.2.26 Part e) seeks for the retention of existing landscape features on site boundaries to be retained. However, it may be necessary in some development proposals for these features to be replaced for access purposes. In these scenarios, the NPPF (2019) would support this impact to be adequately mitigated and as a last resort compensated.

4.2.27 Part f) repeats the requirements of Policy 9 and notwithstanding our comments in relation to this policy this criterion should be deleted in line with the NPPF (2019 requirement of Paragraph 16(f) for plans to ‘serve a clear purpose, avoiding unnecessary duplication of policies that apply to a particular area.’

4.2.28 Finally, reference is made that planning permission will not be granted for development of poor design. Whilst we agree with the intentions of this statement, it is not within the remit of a neighbourhood plan to determine planning applications and this reference should be amended to state ‘will not be supported.’
5 SITE SUBMISSION

5.1 Land off Burgate Lane, Poringland

5.1.1 As the Parish and South Norfolk Council are aware, Gladman are promoting land off Burgate Lane, Poringland for residential development and associated community infrastructure. The site is subject to a current planning application (2019/1593) for the erection of up to 98 dwellings including 5 live/work units, structural planting and landscaping and a sustainable drainage system (SuDs).

5.1.2 Gladman believe that the site offers a real opportunity to the residents of the local community and the wider area to assist in meeting the identified housing needs and deliver significant improvements to the public realm, including the provision of land for community uses. A location plan is included as Appendix 2 alongside this representation.

5.1.3 The site is free from significant constraints. It is not subject to, nor especially sensitive in terms of, any built or natural protection designations and the proposed housing development will not result in significant harm in terms of acknowledged amenity, community, heritage, landscape, traffic, environmental, technical or other acknowledged public interests.

5.1.4 The site extends approximately 8.12 hectares and can be directly accessed off Burgate Lane which forms the sites northern boundary. The site is contained to the west by existing residential development. The eastern field boundary is bordered by interspersed hedgerows.

5.1.5 The development of this site represents a logical expansion of Poringland. The development of this site provides the following community benefits:

- Improvements to the local economy and increased footfall to the existing businesses of Poringland. The development of this site will help to maintain a thriving and vibrant community and will ensure the longevity of local services such as shops, community facilities and schools.

- Deliver a mix of housing types and sizes to meet strategic needs of the local housing market, including market and affordable housing. This will demonstrably support and secure the current and future vitality of the local area. New homes will enable people to access the housing market locally rather than being forced to move away due to a lack of available housing.

- Provision of an extensive area of Green Infrastructure much of which will be publicly accessible and which would link the footpath network both into the village and out to the countryside.

- Biodiversity of the site will be protected, diversified and improved through new hedgerow and tree planting and delivery of new garden spaces and formal and informal green spaces. Overall, the proposal will achieve a net gain in biodiversity.
The site is located in Flood Zone 1 in its entirety. The developable area is therefore in Flood Zone 1 – Very Low Risk – with an annual probability of flooding less than 0.1% (1 in 1000). The Flood Risk Assessment supporting the application has had due regard to the Millard Report and therefore accords with Policy 13: Flood Risk.

Enhanced permeability with the local area.

Alongside this submission we are promoting the site through the emerging GNLP. Through this process the site has been assessed as part of the HELAA Addendum, published in October 2018. Within the report, the site (GNLP2153) is recognised as being sustainably located, with access to bus services, employment, retail and Poringland Primary School. It is noted that development on the site would not impact on any designated ecological sites, sensitive landscapes or townscapes and that the site is considered suitable as part of the land availability assessment.

Gladman note that within the HELAA Addendum, the site assessment indicated that the Highways Authority consider the local road network to be constrained. Gladman have previously submitted a planning application (2017/2652) for up to 165 dwellings on a larger parcel of land which that incorporated the live application. Norfolk County Council (NCC) were consulted on application 2017/2652 and raised no objections regarding the capacity of the road network. Further, as part of the current application process a full transport assessment has been produced and submitted and finds that the proposal does not have a detrimental impact on the operational performance of the highway network. We have therefore queried the assessment’s conclusion that the proposed development of the site would result in highway capacity issues.

The HELAA assessment also raised queries over surface water flooding and foul drainage. As per NCC’s highways assessment of application 2017/2652, the Lead Local Flood Authority raised no objection to the proposal in relation to surface water flooding and drainage. Furthermore, a Foul Drainage Assessment demonstrates that foul water can also be disposed of from the site, which was not challenged by the Anglian Water. The constraints therefore identified in the Council’s assessment of the site, would not prevent this site from being delivered.

Gladman submit that the site is available and suitable for residential development and believe that the site could be allocated for residential development through the Poringland Neighbourhood Plan.
6 CONCLUSIONS

6.1 Assessment against Basic Conditions

6.1.1 Gladman recognises the Government’s ongoing commitment to neighbourhood planning and the role that such Plans have as a tool for local people to shape the development of their local community. However, it is clear from national guidance that the PNP must be consistent with national planning policy and the need to take account of the adopted development plan. If the plan is found not to meet the Basic Conditions at Examination, then the plan will be unable to progress to referendum.

6.1.2 As currently drafted, we submit that the PNP does not meet basic conditions (a) and (d) as such modifications will need to be made to the plan so that it is able to proceed to referendum.

6.1.3 We have objected to a number of policies in the plan including the proposal to designate land as a ‘valued landscape.’ We have commissioned consultants FPCR to consider this designation and appended the report to this representation. The conclusions of this report are as follows:

There does not appear to be any considered rationale behind the identified ‘Area of Landscape Value’, nor the boundary that defines it. The special attributes discussed above, and the reasons given for justifying the extent of the valued landscape area lack any objective assessment. Under the heading Landscape (18), the Poringland Neighbourhood Plan Evidence Base simply quotes the South Norfolk Landscape Character Assessment (2001) with no explanation as to how the conclusions within the NP were drawn.

6.1.4 Notwithstanding this comment the assessment goes on further to consider the land promoted by Gladman and states:

‘The Burgate Lane site should be removed from the proposed area of landscape value as it is not subject to any national landscape designations, contains no demonstrably special, rare or notable landscape features, and therefore it is not considered to represent a ‘valued landscape’.

6.1.5 Gladman have included a site submission within these representations for a site we are promoting through the emerging GNLP process. Whilst we note that the PNP is not proposing to allocate sites for residential development we submit that the policy framework of the neighbourhood plan should not be seeking to restrict this site from coming forward for residential development.

6.1.6 Due to the nature and scale of these concerns we respectfully request the Examiner to open the examination up and hold a public hearing session as part of the examination to discuss these issues. Should the Examiner agree and hold a hearing session we request to be invited to participate at that session.
Appendices

Appendix 1 – FPCR Landscape Statement
Gladman Developments Ltd

Land off Burgate Lane, Poringland

LANDSCAPE STATEMENT

September 2019
FPCR RESPONSE TO THE DRAFT PORINGLAND NEIGHBOURHOOD PLAN (MAY 2019). IN SPECIFIC RELATION TO THE PROPOSAL TO ALLOCATE THE LAND OFF BURGATE LANE, EAST OF PORINGLAND AS A VALUED LANDSCAPE.

1.1 The following response relates to the proposed Valued Landscape (identified on the Policies Map appended to this document). The area set out as Valued Landscape covers a large area south east of Poringland village. The western edge is formed by the settlement edge of Poringland, the northern edge, partially by the settlement boundary and Burgate Lane, the eastern edge by arable farmland and the southern edge by more arable land and a small number of properties. The B1352/ Bungay Road runs through the area, south east to north west. No reasons are given within the Neighbourhood Plan for the location of boundaries or why certain landscape features have been left out. The boundary covers a wide sweep of land and bears no correlation to the landscape character areas defined in the South Norfolk Landscape Character Assessment (2001). Poringland and the area immediately around it are located within the character area, Poringland Settled Plateau Farmland, and though the area of landscape value is covered partly by this it also includes the Tas Tributary Farmland and the Chet Tributary Farmland character areas.

POLICY 8: LANDSCAPE AND ACCOMPANYING TEXT

1.2 On the matter of value the Neighbourhood Plan states, “Many areas of countryside are understandably valued by local residents, but to be considered “valued” in the context of NPPF, there needs to be something “special” or out of the ordinary that can be defined, some physical attribute or set of attributes that make it special.” The plan then lists what it considers to be special attributes and that they can be found on Policies Map 4, though they do not appear to be shown.

1.3 The following “special attributes” are listed on page 27 of the draft Neighbourhood Plan:

- The Chet Valley Linear Reserve;

1.4 It is unclear where this is as it is not highlighted on the neighbourhood plan map. On page 24 the Neighbourhood Plan states, “The parish council supports in principle the establishment of the Chet Valley Linear Reserve for,” and the sentence is not finished. It is likely to be referring to a proposed Chet Valley ‘B-line’, a wildflower pathway for insects (that is mentioned in Policy 6). This is in the early discussion phases, is a broad tract of land that stretches from the River Chet at Poringland and ends where the river joins the Yare near Reedham.

- The long open views from the plateau towards the south and south-east, with gentle rippling and valley forms. These are some of the few remaining long views from the plateau that are uninterrupted by development;

1.5 The South Norfolk Landscape Character Assessment discusses the visual sensitivities of the landscape surrounding Poringland, however, it is more concerned with the area north of the village, where one of the ‘Landscape Vulnerabilities’ is considered to be, “developments that intrude upon plateau edge views either from the plateau or visible from the surrounding countryside, particularly the visually sensitive area between the plateau and the city of Norwich.”

- The mature significant trees on Porch Farm giving it a parkland appearance (likely to be parkland associated with Poringland House), and other lines of mature trees such as along Wash Lane… As well as being important in their own right, these offer important landscape interest and provide perspective within the long open views. They also screen and soften the
hard edge of the Poringland southern boundary as seen looking towards the village from the south.

The mature trees associated with Porch Farm/Poringland House are located within green fields, contained by arable farmland in the east and west, Wash Lane bridleway and further arable fields to the south and the Poringland settlement edge to the north. This is not within a designated landscape and is isolated in character from its surroundings. The parkland character of this small area does not justify the extensive area set out as valued landscape shown on the current map. Lines of mature trees associated with Wash Lane are commonplace throughout the countryside.

- A number of Public Rights of Way criss-cross the landscape. These are reportedly well used and are, with the views they offer, valued for their important recreational opportunities;

1.6 There are a number of footpaths within this area that are used to access the surrounding countryside, though it is considered that these are commonplace throughout the countryside.

- The landscape is an important part of the setting of the village as seen from the south and the journey from Brooke and beyond.

This is a fairly broad statement and it is considered that features in the landscape are fairly commonplace, not special, and that the approach from the north is as equally important to the village, particularly when considering the sensitivities mentioned in the character assessment.

1.7 In summary, there does not appear to be any considered rationale behind the identified ‘Area of Landscape Value’, nor the boundary that defines it. The special attributes discussed above and the reasons given for justifying the extent of the valued landscape area lack any objective assessment. Under the heading Landscape (18), the Poringland Neighbourhood Plan Evidence Base simply quotes the South Norfolk Landscape Character Assessment (2001) with no explanation as to how the conclusions within the NP were drawn.

2.0 THE LOCATION OF RESIDENTIAL DEVELOPMENT

2.1 Under the heading, ‘The location of residential Development’ (section 1.4) the plan states, “New housing developments have brought traffic onto the B1332 south of the village centre at, for example, Shotesham Road and Devlin Drive. The natural attraction of Norwich as a key destination for people, especially for commuting, has resulted in an increase in traffic through the village centre on the B1332. This would suggest that there should NOT be major development to the south of the existing village settlement.” This paragraph would suggest that traffic is actually the main driver for the landscape policy.

3.0 VALUED LANDSCAPE AREA DESIGNATION

3.1 The proposed Gladman development off Burgate Lane forms a very small part of the area considered to be valued and is located in the northern most compartment. As part of the outline application for this site, a Landscape and Visual Appraisal was conducted by FPCR which concluded that the site was of Medium value and so did not constitute a ‘valued’ landscape. This conclusion was based on an assessment of the site and its immediate context in terms of the range of local factors set out in the GLVIA3 (Box 5.1, page 84). This list includes Landscape Designations, Landscape Quality, Scenic Quality, Rarity, Representativeness, Conservation Interest, Recreational Value, Perceptual Aspects and Associations. These factors do not appear to have been taken in to consideration within the Neighbourhood Plan when ascertaining the value of the wider area of land.
3.2 The ‘special attributes’ used to justify the valued landscape designation in the Neighbourhood Plan have been assessed below in relation to the Burgate Lane site, in order to better understand its potential to be included as part of a valued landscape.

3.3 Bullet point one refers to the Chet Valley Linear Reserve and it is assumed this is the ‘B-Line’ discussed above. This covers an extremely large area of land of which the site is a very small part. Furthermore, development of the site from arable land would include considerable Green Infrastructure such as wildflower meadows and so has the potential to increase local biodiversity.

3.4 The second point considers, “The long open views from the plateau towards the south and southeast, with gentle rippling and valley forms…” There does not appear to be any rationale or evidence base within the Neighbourhood Plan to inform the locations of these “Important Views” other than that they are popular (stated in the Statement of Consultation). Three views are shown on page 28 of the NP which represent these views. One of these appears to be a view from the corner of the proposed site off Burgate Lane, looking in a southern direction. The view shown is a private view taken from within the field itself and so is not accessible to the public and it is not a long distant view to Brooke or Shotesham as is considered the reason this should be a valued landscape on page 14 of the Consultation Statement, it is a view of the wooded field boundary east of the site. Views towards Brooke and Shotesham and that considered to be “highly valued” are achieved from footpath FP7, located 130m south of the proposed development and will be unhindered with the development proposals.

3.5 Bullet point three discusses the fields considered to have, “mature significant trees on Porch Farm giving it a parkland appearance”. This area is entirely separated from the site by well established vegetation associated with bridleway BR6 whilst the vegetation associated with Wash Lane is located over 500m to the south.

3.6 On the matter of footpaths which are considered to be, “well used and are, with the views they offer, valued for their important recreational opportunities;” It is considered that development of the site would not affect any of the footpaths within this area or affect the views set out in in Policy 8: Landscape or Policy 9: Long Views and with the additional footpaths proposed would increase the permeability and access to the surrounding footpath network.

3.7 The final point says, “The landscape is an important part of the setting of the village as seen from the south and the journey from Brooke and beyond.” As previously stated, the landscape character assessment considers the landscape to the north of the village to be particularly important and this is substantiated by the inclusion of a ‘Viewing Cone’ (located north of Poringland) on the South Norfolk Policies Map (2015). Views from the south have been taken in to consideration when designing the proposals and a substantial landscape buffer has been included along the southern edge of the site to mitigate views and enhance the existing character.

3.8 On the matter of landscape value, the NPPF states, “Planning policies and decisions should contribute to and enhance the natural and local environment by:

a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan).

3.9 The South Norfolk Local Plan does not identify the site or Poringland to be within a designated landscape as set out in the Site Specific Policies and Allocations Development Plan Document.
(DPD) and Policies Map. For this reason and those outlined above it is considered that the Burgate Lane site should be removed from the proposed area of landscape value as it is not subject to any national landscape designations, contains no demonstrably special, rare or notable landscape features, and therefore it is not considered to represent a ‘valued landscape’.
Map 4: Village Centre and Valued Landscape Policies Map

(Poringland Neighbourhood Plan Reg 15 Submission Version 1.3 May 2019, p57)
Appendix 2 – Site Location Plan