



**GREATER NORWICH LOCAL PLAN – PRE-SUBMISSION
DRAFT PLAN (REGULATION 19) CONSULTATION, MARCH
2021**

East of Shelfanger Road and West of Heywood Road, Diss

Site References: GNLP0291 and GNLP0342

Prepared by Strutt & Parker on behalf of M Scott Properties Ltd

March 2021

Site Name:	East of Shelfanger Road and West of Heywood Road, Diss
Client Name:	M Scott Properties Ltd
Type of Report:	Greater Norwich Local Plan – Pre-Submission Draft Plan (Regulation 19) Consultation, March 2021
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1. INTRODUCTION

- 1.1 This representation has been prepared on behalf of our clients, M Scott Properties Ltd (Scott Properties) in response to the publication of the Pre-Submission Draft of the Greater Norwich Local Plan (Regulation 19) Consultation. This response is made in respect of land West East of Shelfanger Road and East West of Heywood Road, Diss (Site References: GNLP0291 & GNLP0342) (the Site), as shown edged red on the accompanying Site Location Plan. The Site was proposed as part of an allocation in the Regulation 18C consultation on Draft Local Plan – Part 2 Site Allocations Document, Section 4, Main Towns, Diss but has since been omitted from the Plan.
- 1.2 The previously proposed allocation included the Site, in addition to sites GNLP0250 and GNLP0119. Scott Properties has had previous discussions with the Landowners of site GNLP0119. This is a residential dwelling which was purchased relatively recently in August 2019, and the owner was not aware of it having been submitted to the Call for Sites or indeed being a proposed allocation. This parcel is not needed to facilitate access to the proposed allocation and an appraisal based on the value paid for the property shows that it will not be viable for inclusion as development land on an equalised basis. As such it is considered that the appropriate allocation area would include sites GNLP0291, GNLP0342 and GNLP0250 only (“the Allocation Site”). These sites are shown edged green on the Site Location Plan accompanying this representation.
- 1.3 Discussions have also taken place with the Landowners of site GNLP0250, in order to bring forward the allocation and fully realise the aspirations of the previously proposed policy. Through the Masterplan prepared in respect of the Site, Scott Properties has ensured that the link road between Shelfanger Road and Heywood Road can be facilitated in accordance with the policy requirements, as part of a phased development of the Allocation Site.
- 1.4 There is no sound reason or evidence to justify why the decision has now been taken to exclude the Site from the Plan at this stage. Appendix B – Unallocated Sites reasons for rejection, to the Site Assessments Booklets for Diss, in relation to the Site (and all other sites assessed within Diss, except site GNLP0102), states:

“The combined site is not allocated as decisions over carried forward and new allocations are deferred to the neighbourhood plan process.”

- 1.5 However, one new allocation within Diss remains within the Plan, GNLP0102 (Frontier Agriculture Site, Sandy Lane). We do not consider there is evidence to justify the inclusion of this site, to the exclusion to all others and particularly the Allocation Site, previously included as an allocation within the Plan. As set out in paragraph 4.22 of the Plan, there is a strategic requirement for 400 new homes within Diss. The proposed approach seeks to defer the responsibility for meeting almost 63% of this housing requirement to the Neighbourhood Plan. This approach has not been applied to any other Designated Neighbourhood Plan Area, including Redenhall with Harleston, where the full housing requirement is met within the Plan. The Site (GNLP0291 & GNLP0342) is deliverable, suitable, and achievable and will deliver much-needed new market and affordable housing in a sustainable location in Diss, as well as facilitating the desired link road to alleviate

traffic within Diss. Accordingly, Scott Properties objects to the removal of this previously preferred site allocation.

The Representation

- 1.6 Scott Properties objects to the failure of the Pre-Submission Draft Local Plan (the Plan) to allocate sites in Diss and the amended strategy to devolve the majority of new allocations to the Neighbourhood Plan. This strategy is not consistent with other settlements where Neighbourhood Plans are also being prepared, such as Redenhall with Harleston where the full housing trajectory requirement has been allocated. There is no justification for the alternative approach being followed for Diss, or the decision to allocate one new site and not any others. For the reasons set out in more detail below, we consider the Pre-Submission Draft Plan to be unsound in respect of the lack of new allocations in Diss, and as such, it cannot be considered positively prepared, justified, effective or consistent with national policy.

- 1.7 This representation suggests that the Plan should be modified to include new allocations in Diss to meet the Plan's housing needs, and in particular the allocation of the land East of Shelfanger Road and West of Heywood Road to meet the District's Objectively Assessed Housing Needs (Site References: GNLP0291, GNLP0342 & GNLP0250). This representation should be considered in conjunction with the following supporting information:
 - Regulation 19 publication representation form;
 - Site Location Plan
 - Pre-application document

2. BACKGROUND POLICY CONTEXT

- 2.1 The “presumption in favour of sustainable development” is at the heart of the National Planning Policy Framework 2019 (NPPF). The Planning and Compulsory Purchase Act 2004 (Section 39(2)) establishes a legal requirement for Plans to be prepared with the objective of contributing to the achievement of sustainable development.
- 2.2 Paragraph 16 of the NPPF requires plans to be prepared positively in a way that is aspirational but deliverable (emphasis added). Paragraph 59 reminds Local Planning Authorities that the Government’s objective is to significantly boost the supply of homes (emphasis added) and that it is therefore important that a sufficient amount and variety of land comes forward where it is needed.
- 2.3 Planning Policies are required to identify a supply of specific, deliverable sites for the first 5 years of the plan period and specific, developable sites (or locations for growth) for the next 5 to 10 years. Paragraph 68 recognises the important contribution that small and medium sized sites can make to meeting the housing requirement of an area as they can be built out relatively quickly.
- 2.4 The Plan has been prepared to provide a framework to guide development and facilitate growth in the combined plan areas of Broadland District, Norwich City Council and South Norfolk Council over the period from 2018 to 2038.
- 2.5 The Plan has been published to allow representations to be made before it is submitted for examination. As set out in the Planning and Compulsory Purchase Act 2004 (as amended) the purpose of examination is to consider whether the Plan complies with the relevant legal requirements, including the duty to cooperate, and is sound. This representation has been prepared to object to the Plan’s failure to include sufficient new allocations in Diss, including the Land West East of Shelfanger Road and East West of Heywood Road (Site References: GNLP0291, GNLP0342 & GNLP0250) (the Allocation Site) and adopt a strategy of partial allocation (one new site) towards meeting the identified strategic new housing requirement and deferral of the remaining allocations to the emerging Neighbourhood Plan. This strategy has not been followed for other settlements and as such is an inconsistent and an unjustified approach which has only just been introduced at the Regulation 19 Stage without any consultation.
- 2.6 As set out at Paragraph 35 of the NPPF for plans to be “sound” they need to be:
- a) **Positively prepared** – providing a strategy which, as a minimum, seeks to meet the area’s objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
 - b) **Justified** – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;

- c) **Effective** – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
- d) **Consistent with national policy** – enabling the delivery of sustainable development in accordance with the policies in this Framework.

2.7 These tests need to be applied in a proportionate way to ensure they are consistent with strategic relevant policies for the area. It is not considered that the strategy for Diss, including the lack of new allocations and deferral to the Neighbourhood Plan, is consistent with the tests of soundness and as such this part of the Plan must be considered unsound. However, in order to remedy this situation, if the Plan were modified to include sufficient new allocations, including the re-inclusion and allocation of the Land East of Shelfanger Road and West of Heywood Road (Site References: GNLP0291, GNLP0342 & GNLP0250), it is considered that the Plan could then be found sound.

3. REGULATION 19 PUBLICATION PRE-SUBMISSION DRAFT PLAN

- 3.1 At paragraph 155 of the Plan in respect of housing, the Delivery Statement indicates that the Plan promotes a proactive approach to delivery through only allocating sites where a reasonable prospect of delivery can be evidenced with the objective of ensuring that housing needs to 2038 will be fully met.
- 3.2 At paragraph 267 the Plan also acknowledges the Government's objective of significantly boosting the supply of homes.
- 3.3 Scott Properties supports the Plan's approach to housing growth and provision to be made for a minimum of 49,492 new homes set out under Policy 1: The Sustainable Growth Strategy. The inclusion of Diss as a main Town through the settlement hierarchy is also supported.
- 3.4 Scott Properties supports the inclusion of Diss as a Main Town in Policy 7.2: The Main Towns. The Policy's acknowledgement that the towns will continue to be developed with substantial levels of development expected to take place and the requirement for 400 homes within Diss (with part of Roydon) is also supported. The town has three main supermarkets, a wide range of local shops and services, and a full range of facilities including a secondary school, doctor's surgery, leisure centre, library, a variety of sports clubs and a strong local employment base. It is well served by public transport being located on the Great Eastern Mainline Railway between London and Norwich, making it a highly sustainable location for new development.
- 3.5 Of the main towns, at paragraph 355, the Plan indicates that Diss has the widest range of shops and services of the Main Towns and at paragraph 356 it states that its locational attributes and connectivity provide the potential for economic growth as an enhanced centre, serving a large hinterland in both South Norfolk and north Mid Suffolk. Again, these are factors which make it a sustainable location for the delivery of new homes to boost the supply in line with the Government's objective.
- 3.6 It is therefore of significant concern that the strategy only recently adopted at the Regulation 19 stage to defer the allocation of sites to meet almost 64% of the strategic new housing requirement in Diss to the Neighbourhood Plan, is now being pursued. There does not appear to be any compelling evidence or justification to support this strategy, or to confirm that sufficient sites will actually come forward through the Neighbourhood Plan.
- 3.7 Whilst the Plan's strategy for growth is to focus some 60% of new housing to the Norwich urban fringe, the Main Towns are expected to deliver 6,806 new homes, 14% of the total housing growth. Diss is identified to deliver a minimum of 765 new homes over the Plan period; an important strand of the Plan's overall delivery strategy. The Main Towns are sustainable locations for growth and, as set out above, Diss contains a full range of services and facilities, making it an ideal location for new housing to meet the rural housing needs of the Plan area, contributing to the mix of small and medium-sized sites necessary to provide choice and flexibility in the housing market.

- 3.8 To not include new allocations in Diss at this late stage in the Plan making process and devolve this to the Diss and District Neighbourhood Plan is considered to be inconsistent with stated objectives of Policy 7.2. This requires there to be new allocations for 400 homes (emphasis added) as part of the Plan's strategy for Growth set out in Policy 7, which in turn aims to provide details on the distribution of growth contained in Policy 1. Neither Policy 1, Policy 7 nor Policy 7.2 make any reference to devolving the majority of new allocations to Neighbourhood Plans nor do they make any contingency in the event that these deferred allocations are not forthcoming.
- 3.9 This approach could potentially lead to delays in housing delivery, and in particular the development of the Site, the subject of this representation, which is available now and could be brought forward for development through a planning application as soon as the site allocation is confirmed.
- 3.10 Whilst work on the Neighbourhood Plan has progressed already, for the two Plans to be consistent with each other it will be necessary for the Local Plan to be adopted before the Neighbourhood Plan can be submitted for Examination, after which it will still be necessary for it to be subject of a referendum. Whilst paragraph 4.20 indicates that the Neighbourhood Plan could come forward ahead of the Local Plan, it will still need to be consistent with the strategic policies of the Local Plan. Furthermore, the neighbourhood area is complex and includes parishes in Mid Suffolk so it will also need to be consistent with the Babergh and Mid Suffolk Joint Local Plan. It is therefore considered that there is no evidence of justification for devolving such a large proportion of the allocations (almost 63%) and in particular, those that are required to deliver early in the Plan period to the Neighbourhood Plan. Such an approach is not without risk and could represent a significant delay to housing delivery, even assuming the Neighbourhood Plan it is actually progressed as quickly as possible.
- 3.11 Finally, for the Local Plan to include one new allocation, the Frontier Agricultural site on Sandy Lane (GNLP0102) which the Plan at paragraph 4.21 acknowledges is unlikely to come forward until the end of the Plan period, seems a strange and poorly justified choice of allocation; especially, having regard to the housing trajectory, which actually dips in 2025 – 2026 when sites GNLP0291, GNLP0342 & GNLP0250 could be demonstrably delivering housing, if suitably allocated within the Plan.
- 3.12 In relation to site GNLP0102, Appendix A – Tables of Allocated Sites with reasons for allocation to the Site Assessment Booklets for the Main Towns states:
- “GNLP0102 is a unique site due to its brownfield status and proximity to the railway station. Should the site become vacant, as appears likely, its redevelopment would be automatic to make effective use of land. On this basis GNLP0102 should be included in the GNLP rather than deferred to the neighbourhood planning process.”*
- 3.13 In contrast, Appendix B – Tables of Sites of Unallocated Sites with reasons for rejection to the Site Assessment Booklets for the Main Towns, in relation to Site (References: GNLP0291, GNLP0342 & GNLP0250) states:
- “These sites combined were consulted on as a preferred option in the Regulation 18C consultation for 200 dwellings plus a road to link Heywood Road and Shelfanger Road.*

The combined site is not allocated as decisions over carried forward and new allocations are deferred to the neighbourhood plan process.”

- 3.14 This explanation does not provide sufficient justification to demonstrate that this site represents a more suitable site for allocation within the Plan than sites GNLP0291, GNLP0342 & GNLP0250. Owing in part to its brownfield status, as recognised in the Site Assessment Booklets, and its location within the settlement boundary, GNLP0102 could come forward for planning at any time in the Plan process, irrespective of an allocation. This is in contrast with sites GNLP0291, GNLP0342 & GNLP0250 which are currently outside the development boundary, and which would provide significant infrastructure and community benefits including new link road to alleviate existing traffic problems and provide land for the expansion of Diss Cemetery. Furthermore, the suggestion in Appendix A in respect of site 0102 that “...*should the site become vacant, as appears likely...*” seems inconsistent with the suggestion at paragraph 4.21 of the Plan that it is likely to come forward later in the plan period.
- 3.15 In their consultation response to the Regulation 18C (28th February 2020) Diss Town Council stated that they considered site GNLP0102 to be unsuitable for allocation for the following reasons:
- a) *This site is in the middle of an employment area and as such is best suited to employment, a fact confirmed by the Diss and District Neighbourhood Plan consultants AECOM when conducting their site assessments. We are also very concerned that with a minimum of 743 new homes planned over the next 18 years we need to retain and indeed expand our employment land otherwise we risk becoming a dormitory town with many more jobs being located outside of Diss.*
 - b) *The site is unsuitable for high density development. Diss housing density on new developments is usually around 30 homes/ha and in fact AECOM recommend a figure of 25 homes per ha in mainly rural settings such as Diss. This proposal would have a density of over 60 homes/ha, more than double that of any other location in Diss. The site is also isolated from other housing areas in Diss.*
 - c) *Residential development in this location would have major highway constraints. We estimate that at least 50% and up to 70% of road traffic would turn left and travel under the railway bridge and along Frenze Hall Lane to access schools, the town centre and supermarkets. In addition, almost all foot traffic and cycle movements would travel into Diss via Sandy Lane and Frenze Hall Lane (or Walcot Green).*
 - *In the first GNLP consultation, documents referencing other nearby sites it was acknowledged by the GNLP that they would not want to increase the traffic volumes significantly on Frenze Hall Lane and this proposal would most certainly do this. This was also confirmed by Highways on a past planning application.*
 - *Whilst we accept that the road can be improved to give a width of 5.5m plus a 2m wide footway adjacent to any proposed build, this does nothing to address the major pinch point that exists on Sandy Lane between the proposed development and the traffic light controlled single direction travel under the*

railway bridge. Sandy Lane is very narrow between the proposed site and the bridge bordered on one side by the fence to the railway line and on the other side by a drainage ditch and mature trees. After constructing a 2m footway all the way to the railway bridge we would end up with a road width of less than 4m in the 60 or 70m back from the railway bridge towards the proposed development would be unsafe and not allow two vehicles to pass each other. In our opinion, it is also very unlikely that Sandy Lane Road could be realigned to give sufficient width for two-way traffic together with adequate footway/cycleways.

- *Frenze Hall Lane is already very busy due to the near completion of the Harrier Way development, and with other planned developments, it is estimated there would be a further 500 to 700 traffic movements along Frenze Hall Lane daily particularly on school days, and that the road would need major improvements to*
- *aid increased traffic flow.*
- *There would also be a significant increase in traffic using the Sawmills Road/A1066 junction which would require road improvements to aid flow on/off Victoria Road.”*

3.16 In contrast, the Town Council’s comment in respect of Sites GNLP0250/0342/0119/0291 as previously proposed for allocation within the Plan was as follows:

“The GNLP said this combination of sites is preferred for allocation as they are well related in form and character terms to the existing built up area of Diss and would enable the provision of a link road to connect Heywood Road and Shelfanger Road, which may alleviate some existing traffic problems.

Comments by DTCNP sub-group members:

We agreed with the GNLP especially as this was an area they were already looking at. It was seen as an option that gives a west to east link road connecting Shelfanger Road to Heywood Road and that it would help alleviate traffic pressures in the north of the town especially on roads such as Sunnyside. We were also pleased to see the GNLP recognised our earlier submissions about the need to expand the cemetery.

Recommendation: *That Diss Town Council support this preferred GNLP option.”*

3.17 We therefore strongly question the decision to allocate site GNLP0102, to the exclusion of sites GNLP0291, GNLP0342 & GNLP0250, particularly given this is not likely to be available until the end of the Plan period. Paragraph 4.21 confirms the current use of this site premises for an established business, and the ambitions to relocate would likely be towards the end of the Plan period, to facilitate residential development of the site in accordance with the proposed allocation. As a result, the site lacks the delivery certainty required by the Plan’s Delivery Statement, and under the NPPF certainly cannot be considered a ‘deliverable’ site at the present time, and at best it is only in the developable category. For the Plan to be considered sound, it should as a minimum seek to allocate sufficient sites to meet the areas (in this case Diss) objectively assessed needs.

- 3.18 Development of the site would represent brownfield redevelopment and coupled with the site's location within the settlement confines, a planning application could be submitted at any time once it becomes available for residential use. This would contribute to housing delivery as windfall at that time, and this is considered a more realistic expectation for the site, than the proposed allocation.
- 3.19 On the contrary, the land East of Shelfanger Road and West of Heywood Road, Diss (References: GNLP0291, GNLP0342 & GNLP0250) is available now, and deliverable within the first five years of the Plan. As confirmed in the Site Assessment Booklet conclusion outlined above, the Site was previously allocated in part due to its unique ability to deliver a link road between Shelfanger Road and Heywood Road, to alleviate some existing traffic problems within the area. Further, the Site was also able to provide land for an extension to Diss Cemetery.
- 3.20 The NPPF confers a clear requirement for strategic policies to make sufficient provision for, inter alia, housing, infrastructure for transport and community facilities. Given the Site was previously allocated to provide a link road to alleviate existing traffic problems, as well as land for the cemetery expansion, it is considered that in accordance with national policy, the Plan is the appropriate method for the allocation of the Site. There is no certainty that this Site would be allocated within the Neighbourhood Plan if it remained an omission site from the Plan, nor that this link road would be delivered. The inclusion of this Site within the Plan would enable the delivery of infrastructure for which the Regulation 18C version of the Plan confirmed a requirement.
- 3.21 The decision to devolve allocations to the Neighbourhood Plan has been introduced into the Plan at a late stage; it was not included as part of the Regulation 18 consultations. Whilst some progress on the Neighbourhood Plan has been made, it is noted that there are other examples of Main Towns which are also preparing Neighbourhood Plans and this approach to devolve allocations has not been followed with these settlements, for example in Redenhall with Harleston. It is considered that this late change in approach is in conflict with Delivery Strategy and the Plan's Strategy for Growth set out in Policy 1, Policy 7 or Policy 7.2 which do not make any reference to devolving the majority of new allocations to Neighbourhood Plans nor do they make any contingency in the event that such deferred allocations are not forthcoming.

4. THE ALLOCATION SITE: LAND EAST OF SHELFANGER ROAD AND WEST OF HEYWOOD ROAD (SITE REFERENCES: GNLP0291, GNLP0342 & GNLP0250)

4.1 This site was identified as a preferred allocation in the Main Towns, Part 2 Site Allocations Draft Local Plan (Regulation 18C) version of the Plan. There is no sound reason or evidence to justify why it has now been excluded from the Plan at this stage. The site is deliverable, suitable, and achievable and will deliver much-needed new housing within Diss, as well as providing a link road between Shelfanger Road and Heywood Road, to alleviate existing traffic problems within the town, and land for the extension of Diss Cemetery.

4.2 The original policy was worded as follows:

POLICY GNLP0250/0342/0119/0291, land north of the Cemetery, West of Shelfanger Road and East of Heywood Road, Diss (approx. 8.91 ha) is allocated for residential development. The site is likely to accommodate at least 200 homes, 33% of which will be affordable.

4.3 More homes may be accommodated, subject to an acceptable design and layout being achieved and relevant infrastructure issues being addressed.

4.4 The development will be expected to address the following specific matters:

- Four individual sites are included in this allocation and will need a coordinated approach to design, layout, landscaping, infrastructure provision and delivery. This may require a masterplan to demonstrate how this will be achieved.
- Provision of a road linking Shelfanger Road with Heywood Road, including frontage footways to connect with existing facilities and connection with/improvements to the existing public right of way.
- Submission of a Transport Assessment for the whole allocation and provision of any identified mitigation measures.
- At nil cost to the town council, safeguard land for an extension to the cemetery.
- Consider and mitigate surface water flood risk.
- The trees/hedgerows surrounding the site will be protected, enhanced and incorporated into the scheme.
- Design of development to take into account the presence of a high pressure pipeline located adjacent to the northern boundary of the site.
- Protection of the existing Public Rights of Ways (PROWs) located to the north and west of the site.

Notes GNLP0250/0342/0119/0291: This combination of sites is preferred for allocation as they are well related in form and character terms to the existing built up area of Diss and would enable the provision of a link road to connect Heywood Road and Shelfanger Road, which may alleviate some existing traffic problems. Development would need to be supported by a Transport Assessment.

(It should be noted that the policy description should more correctly describe the Allocation as **'East' of Shelfanger Road and 'West' of Heywood Road**)

- 4.5 For the viability reasons set out in the opening paragraphs of this representation, it is considered that site GNLP0119 should be omitted from any forthcoming allocation and the site area adjusted accordingly.
- 4.6 Scott Properties supported the originally proposed Site Allocation (subject to an adjustment to remove site GNLP0119) and now object to its removal from the Plan and the decision to devolve almost 63% of the total housing requirement within Diss to the Neighbourhood Plan, for which there appears to be no evidence or justification.
- 4.7 Scott Properties have prepared an initial Masterplan for the Allocation Site (GNLP0250/0342/0291) showing a co-ordinated approach across the three sites parcels, which was submitted to the Council as a pre-application inquiry in November 2020. While a Masterplan was provided for the Allocation Site, advice was more specifically sought in respect of the following Phase 1 development proposals, related more specifically to parcels GNLP0291 & GNLP0342 (the Site):

Outline planning application for up to 114 dwellings, public open space, an extension to Diss Cemetery, and associated infrastructure, with all matters reserved except for access.

- 4.8 Along with the Masterplan, an accompanying Pre-Application Document was submitted which provided a more detailed assessment and explanation of the proposals. A copy has been included with this representation. A pre-application meeting was held with Council Officers on 2nd February 2021 and further discussions are ongoing.
- 4.9 There is a definite need to ensure that the Site comes forward in a deliverable way and that the public benefits as required of the site's allocation within previous iterations of the Plan are realised. As set out in the accompanying Pre-Application Document, extensive technical background work has already been undertaken, which demonstrates the suitability of the Site for inclusion within the Plan.
- 4.10 The Masterplan demonstrates that all previous policy requires can be delivered. The proposals include an area of 1.4 acres for the expansion of Diss Cemetery, which would provide an additional c. 25 years supply of burial land (as per the Local Plan period) along the southern boundary of the Allocation Site. Additionally, through the pre-application advice process, highway and drainage consultants are also actively engaging with the County Council as both Highway Authority and Lead Local Flood Authority. The detailed guidance and advice provided will be incorporated into the emerging Masterplan for the Allocation Site and a full Transport Assessment will accompany a forthcoming planning application. The urban design advice which has been received from the Council is also being incorporated into a revised Masterplan to ensure that Site delivers a high quality and well-designed development.
- 4.11 As outlined within the National Planning Policy Framework 2019, to be considered 'deliverable', sites for housing should be 'available now, offer a suitable location for

development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years.' As set out on page 5 of the Pre-Application Document, the Site could be brought forward for development now and start delivering new homes on the Phase 1 element within three years. Its development could deliver much-needed affordable and family homes and, in accordance with Policy 5, include a proportion of housing suited to older people and, self and custom build plots.

- 4.12 However, without the Site being included as an allocation in the Plan, the submission of a planning application is likely to be significantly delayed and uncertain, pending further progress with the Neighbourhood Plan and reliant upon the allocation of the Site therein. This in turn will delay housing delivery. Accordingly, it is considered that the Plan should be modified to reintroduce this particular allocation to ensure that the benefits associated with the Site can be realised within the first five years of the Plan and contribute to the delivery of housing when the trajectory is most fragile (2025-2026). This is especially important given that the only allocation currently proposed is the Frontier Agricultural site on Sandy Lane (GNLP0102), which the Plan acknowledges will not be likely to come forward until late in the Plan period. It seems illogical for site GNLP0102 to have been identified for an allocation in favour of sites GNLP0250/0342/0291 which can demonstrably contribute to housing delivery when it is most needed. In addition, site GNLP0102 could come forward at any time notwithstanding an allocation, due to its location within the settlement boundary and its brownfield status. Furthermore, its development for housing is not supported locally, further undermining its allocation.

5. SUGGESTED MODIFICATION TO THE PLAN

- 5.1 In order for the Pre-Submission Draft Plan to be considered sound, we believe that it should be modified to include a new policy in the Part 2 Site Allocations Document, Section 4, Main Towns, Diss. We would suggest that the previously proposed allocation policy for the Allocation Site should be included within the Plan, with the following amendments to reflect the parcels suitable for allocation and allow for a phased delivery:

POLICY GNLP0250/0342/0291, Land North of the Cemetery, East of Shelfanger Road and West of Heywood Road, Diss (approx. 8.19 ha) is allocated for residential development. The site is likely to accommodate approximately 180 homes, 33% of which will be affordable.

- 5.2 More homes may be accommodated, subject to an acceptable design and layout being achieved and relevant infrastructure issues being addressed.

- 5.3 The development will be expected to address the following specific matters:

- Three individual sites are included in this allocation and will need a coordinated approach to design, layout, landscaping, infrastructure provision and delivery. A Masterplan to demonstrate how the respective sites can be delivered to achieve the overall policy objectives should be prepared. Phasing of the site to reflect the respective landownerships will be accepted provided the policy requirements are met in full.
- Provision of a road linking Shelfanger Road with Heywood Road, including frontage footways to connect with existing facilities and connection with/improvements to the existing public right of way.
- Submission of a Transport Assessment for the whole allocation and provision of any identified mitigation measures.
- At nil cost to the town council, safeguard 0.57 ha (1.4 acres) of land for an extension to the cemetery.
- Consider and mitigate surface water flood risk.
- The trees/hedgerows surrounding the site will be protected, enhanced and incorporated into the scheme.
- Design of development to take into account the presence of a high pressure pipeline located adjacent to the northern boundary of the site.
- Protection of the existing Public Rights of Ways (PROWs) located to the north and west of the site.

6 CONCLUSION

- 6.1 We consider that the land East of Shelfanger Road and West of Heywood Road, Diss (GNLP0250/0342/0291) should be reinstated as an allocation within the Plan, given it was a previously preferred allocation that there is no sound reason or evidence to justify its exclusion from the Plan at this stage. The Site is deliverable, suitable, and achievable and will deliver much needed new housing in a sustainable location in Diss, along with other associated community benefits including a new link road to address current traffic problems and land for the expansion of Diss Cemetery.
- 6.2 It is considered that the failure of the Plan to allocate sites in Diss, and the decision to follow an amended strategy to devolve new allocations to meet the majority of the strategic new housing requirement to the Neighbourhood Plan, cannot be considered sound. This strategy is not consistent with Policy 1, Policy 7 or Policy 7.2 of the Plan which do not make any reference to such an approach, nor do they make any contingency in the event that such deferred allocations are not forthcoming. This is not an approach being followed for other Designated Neighbourhood Plan Areas and there is no justification for the decision for site GNLP0102 to remain as an allocation within the Plan, to the exclusion of GNLP0250/0342/0291. This is particularly given site GNLP0102 has not been demonstrated to be deliverable, is not supported at the local level and could come forward irrespective of a receiving an allocation with the Plan, or Neighbourhood Plan. We therefore consider the Pre-Submission Draft Plan to be unsound in respect of the lack of new allocations in Diss, and as such, it cannot be considered positively prepared, justified, effective or consistent with national policy.
- 6.3 We consider that it is necessary to participate at the Oral part of the Examination in order to demonstrate to the Inspector the reasons and evidence which we consider show why the Pre-Submission Draft Plan fails to meet the necessary tests of soundness, as set out above. These are matters of significant importance to our client, and we wish to participate at the Oral part of the Examination in order that the Inspector can fully test the appropriateness of the Council's position in comparison to our client's evidence.