

Dereham Town Council

Response to Breckland Council Regulation 19 Consultation.

September 2026.

Open Space.

Para 8.90 – Should this be the 2025 study rather than the 2015 study?

ENV 16: Existing Open Space.

Existing 'designated' open space is protected by this policy. 'Designated' open space is identified on a policy map, but at the time of writing the policy map was not easy to see which open spaces are designated.

Open Space is clearly defined in paragraph 8.85, the Policy would be more robust if reworded to state that *"Development that would result in the loss of existing designated open space or open space as defined in paragraph 8.85"*.

The rewording will ensure that any open space inadvertently missed from the designation map will be protected.

Outdoor Play and sport area

Para 8.95. This seems like a disappointing start to the policy. The priority of the Council should be to ensure that the deficit in outdoor playing space does not increase and that developers provide 40sqm of outdoor playing space per person [as per the policy].

There are options for developers to reduce the amount of provision in later paragraphs.

The 0.8ha per 1000 figure is different to the figure for play in the policy ENV17 which states 0.55ha per 1000 people for play.

[the policy would be easier to read if the units were either ha/1000 people or sqm/person, rather than using both]

Para 8.96: This seems to contradict the policy which states that "all new residential development of 10 or more dwellings will be expected to provide a contribution towards outdoor playing space equivalent to 4.00 ha per 1000 population...."

The paragraph should reflect the policy to avoid confusion. The 25 house point is picked up in later paragraphs.

Paragraph 8.97 – insert "in exceptional circumstances" between 'that' and 'there' in the first line.

The policy seems to be allowing developments of less than 25 dwellings to opt-out of onsite provision. There is no supporting evidence to justify why developments of less than 25 dwellings should be treated differently to larger developments.

The 25 dwelling figure, was not assessed as part of the Open Space Assessment 2025 but has followed through with no evidence or reasoned justification. The 25 dwellings figure seems to follow through in every Breckland Local Plan (LDF) without any reasoned justification. The only justification for the 25 house figure is contained within the Breckland Council 1999 adopted plan. In the 1999 Local Plan it states:

“(i) for proposals of less than 25 dwellings; whilst housing schemes for less than 25 dwellings will create a demand for open space, such space provided in accordance with the formula referred to above would result in areas of limited size which would be uneconomic to maintain”

The Town Council does not accept that developments of less than 25 dwellings will not provide a meaningful amount of outdoor playing space. The play area below, is within Dereham, provides a meaningful equipped play area along with green space for active play and ball games. This size of open space would be delivered with a development of 11x 3 bedroom dwellings (11 x 2.5 people x 40sqm = 1,100 sqm) . The context of the development is important and whether there is sufficient playing space within reasonable walking distance of the development.



Para 8.98: states that *“contributions in lieu of onsite provision for site of 25 or more dwellings will be the exception....”*

This sentence suggests that contributions in lieu of onsite provision would be routine, yet there is no justification for this, so should be omitted.

Paras 8.98 and 8.99 talk about off-site contributions in lieu of onsite contributions – If in exceptional circumstances developers provide off-site contributions, then there needs to be a clear and well understood mechanism for calculating the off-site contributions, such calculations so that there is not a financial advantage to providing off-site contributions as opposed to onsite provision, i.e. off-site contributions should include land values. If land values are not included, there will always be an incentive for developers to try and reduce open space contributions.

Para 8.97 – The last sentence, which allows for a different split of open space types than is detailed in the policy, should be given more prominence in the policy as often it is the Parish/Town Council that better understands local needs.

ENV 17: New Open Space, Sport & Recreation Provision.

The first paragraph states that developments of 10 or more dwellings provides a contribution towards the equivalent of 40sqm of “outdoor playing space” per person. But in the second paragraph, only part of the 40sqm per person is allocated to outdoor playing space.

The first two paragraphs are contradicting each other which could cause confusion. Wording needs to be revised.

Breckland Council are relying on their Open Space Assessment (2025) to support this policy. The problem with the assessment is that it was carried out along side a Playing Pitch Strategy. The Playing Pitch Strategy only looked at formal playing pitch provision (match Pitches) it did not include informal sports provision. The Open space assessment did not include informal sports provision either.

While the FiT definition for Amenity Green Space can include provision informal recreation, and obviously sport can be recreation but recreation is not always sport.

FiT also recognises the *“There are many different types of public open space that sit within a wider network of green infrastructure. Defining and grouping open space typologies can be challenging as there can often be cross over with types,...”*¹

Because the typologies for different forms of open space are unclear, overlapping and not defined absolutely, it would be helpful for the policy to provide clear definitions of the types of open space the policy requires.

The policy lists types of open space, of which only 5.5sqm is “outdoor playing space” and only developments of over 200 dwellings are required to provide an area for sports, to be incorporated into the “park/amenity space” which is 14sqm per person. Sport provision is omitted because sport was not part of the Open Space Assessment 2025.

Page 90 of the Open Space Assessment 2025 sets out the recommendation that the policy requirements are based on the FiT Guidance 2024¹. Page 18 of the FiT guidance 2024 details the different typologies alongside recommended provision.

The Open Space Assessment 2025 (followed through in the Policy) has inaccurately interpreted the space requirements set by FiT.

Page 90 of the FiT Guidance¹ sets out the following typologies.

Main type of open space	Sub-type	Minimum recommended area
Open Space (total area 3.2ha/1000 people)	Parks and Gardens	0.80 ha/1000 people
	Amenity	0.60 ha/1000 people
	Natural and Semi-Natural	1.8 ha/1000 people

¹ [Fields in Trust Standards 2024](#)

Outdoor Sports (total 1.6 ha/1000 people)	Pitches, courts and greens, tracks and trails	1.6 ha/1000 people
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Play Space (total 0.55ha/1000 people.	Equipped Designated play areas	0.25 ha/1000 people
	Informal Play provision	0.3 ha/1000 people

The Open Space Assessment 2025 has not taken account of the FiT recommendations with regards to the provision of sport. However Allotments is included which is derived for NSALG recommendations. Where sport is included within the Policy, it is for developments of over 200 houses to provide an area for sport within the Park/Amenity Area.

FiT Guidance is based on carefully researched analysis, the Open Space Assessment which supports the Policy has produced recommendations, which has misinterpreted the FiT guidance, the evidence is therefore not robust due to misinterpretation of the FiT guidance.

While the FiT guidance would recommended space totalling 5.35 ha/1000 people adding allotments 0.25ha/1000 people brings the total to 5.60 ha/1000 people.

The policy has however been consulted on and no doubt the viability of the Plan based on 40ha/1000 people.

The Policy should provide all those areas recommended by FiT, and include areas for sport omitted currently omitted from the Policy.

It is felt that the policy would provide better quality outdoor playing space which better conforms with the FiT guidance if the following was adopted:

- 1.6 ha/1000 people of Outdoor Sports as per FiT
- 0.55 ha/ 1000 people of Play space as per FiT
- 1.85 ha/1000 people of park/amenity space, natural green space or allotments

The total is still 40sqm per person, but this provides a clearer requirement which would also be more beneficial for children and young people.

Final paragraph of the policy: should read: arrangements should be made to maintain the open space in perpetuity, and provide a 10 year maintenance contribution where it is to be adopted by the local authority.

Protecting soil: Include the provision that open spaces should be protected from compaction by plant and machinery during the construction phase. Open space soil should be well structured, aerated and well draining.

LAPs, LEAPs and NEAPs – It would be helpful if these were more clearly defined stipulating the number of play experiences required for each type. And that a LAP be set out for play and have play as its primary purpose. LAPs are often small grass areas which are unsuitable for play and uninviting for children to use for play. A clear definition would help. Likewise definitions for amenity areas and parks needs to be included.

Allotments.

It is unsure where the need for allotments has been identified. All of Breckland is Parished, Parish Councils have a duty to provide allotments and there are CPO powers and borrowing powers to provide allotments.

It seems odd that the threshold for providing outdoor sports is 200 dwellings but the threshold for providing allotments is 100 dwellings.

Using the figures in the policy; a development of 100 dwellings would deliver 625sqm of allotments. Once paths and access is taken out this, it would only deliver 2 x 10 rod plots, i.e. two families out of 100. These two plots will need to be fenced, have water, power and access – this does not seem like a very economic proposition, has it been factored into the viability assessment?

Part of the justification for providing allotments is to provide food security. If there ever becomes a situation where the country is reliant on people growing their own food for food security, the areas for sport can be cultivated.

By all means create an option of allotments to be provided as part of the overall 40sqm open space provision, but leave this to the respective parish council, as the allotment authority, to decide if this is something they require as part of the overall open space provision, rather than make this a policy requirement.

Green Infrastructure

Breckland Council has completed a Green Infrastructure study, but it is disappointing that Dereham was not included in that Study. While Dereham is not set to see the growth that other locations will see, there is still important habitats which require the connectivity between them, and to the wider countryside, to be maintained and enhanced.

There are SSSIs, and CWSs within and surrounding Dereham, there are also County Strategic Green corridors running through Dereham, these corridors along with local green corridors should be identified on a policy map to ensure the corridors are protected and where possible enhanced.

This is especially true with regards to the exception site policy which could permit up to 200 dwellings on the edge of Dereham.

With regards to the policy ENV02

It is unclear as to how this relates to ENV17 – Is this in addition, to ENV17? What is a 'dedicated dogs off leads area'? is it an area fenced off for just dogs? If it is an area for dogs, which cannot be controlled under normal circumstances, then can it be considered public open space within the meaning of the Open Spaces Act 1906 where general public do not have unrestricted access?

If an area is dedicated and signed as a 'dogs off leads area' it will need to ensure that it is safe for all dogs to be off a lead. Will it be for dogs with a poor recall, but generally friendly; dogs that are aggressive to other dogs; dogs that are aggressive to people?

All dog can be let of leads in all open spaces, unless there dog control orders put in place. A nice idea but has not been thought through.

Wildfires

Consideration should be given to wildfires and ensuring there is a sufficient 'low fuel' buffer between any natural/semi-natural habitat but particularly arable cropping areas and residential properties. Farmers are under no legal obligation to take reasonable precautions to prevent the spread of any fire, such precautions therefore need to be incorporated in the design of properties. Adapting to climate change should also include consideration of wildfires in addition to flooding.

Houses of Multiple Occupation and Sub-division of Dwellings.

Para 5.135 - Summarises the issues very well, however this is not only related to multiple occupation and subdivision of dwellings, it also relates to the conversion of retail and commercial premises into dwellings.

It is not only HMOs which have the potential to negatively impact an area, it also applies where there is an over concentration of single bed accommodation.

If this policy related to single bed accommodation as well as HMOs it would better protect town centres and residential areas.

It would be beneficial if the policy were supported by a study looking at changes in subdivisions and conversions over the last (say) 10 years, particularly town centre properties.

It may well be included, but if not the Council felt that

Transport and Sustainable Transport.

Para 11.10 the Local Cycling and Walking Infrastructure Plan (LCWIP) is mentioned and was published and adopted by Norfolk County Council. To be robust and for the plan to deliver significant improvements, the LCWIP should be more closely aligned with policy INF 01.

Developments should provide access to existing routes and future routes identified in the LCWIP. The Highways Authority should also be in a position to secure off-site contributions to improvements identified as being needed within the LCWIP.

Policy INF01 states that *"the Council will work in partnership with the local highway authority..... to promote a safe, efficient and convenient sustainable transport system.."*

This is future tense i.e. the LPA will be working in the future to deliver sustainable transport system. The NPPF states that:

TR1: Vision-led approach to planning for transport

1. Sustainable transport should be considered from the earliest stages of plan-making, so that it is reflected in the vision for the plan area and its specific proposals, and forms an integral part of a plan's strategy for creating well-designed, sustainable, inclusive and popular places.

Breckland Council should have already engaged with the Highway Authority and developed the LCWIP so that it is integral to the specific proposals within the Plan. the Plan is not compliant with the NPPF with regards to this policy.

A vision led approach might identify that congestion in Dereham is largely focused around school-run times, a vision which focused on making walking and cycling to school safe and convenient could divert significant traffic off the roads and result in more active and healthier young people. The LCWIP would identify routes and specific project where developers need to make off-site contributions to help deliver the outcome of children cycling to schools and reducing impact on the road network.

Dereham congestion.

The Council felt that insufficient consideration has been given to the level of congestion in Dereham. there is no supporting evidence to demonstrate that road network could support the level of growth proposed, particularly that the evidence in the current local plan identified key junctions which were over their design capacity.

Community Facilities

Para 10.20 refers to village halls and rural shops; then in 10.21 it refers to local shops and meeting places. The loss of local services will impact any community, but in slightly different ways. Within the market towns, people are less likely to own a car. People are more likely to move to market towns to be close to services as they become older or develop disabilities.

The supporting text to the policy should be re-worded so that it refers equally to towns and rural villages or does not specify either as it is in the NPPF.

Dereham site specific policies.

Dereham Town Council is very concerned with the pressure on existing infrastructure and the additional pressure and new development would create.

Highways Constraints.

Paragraph 5.28 rightly recognises that there are significant highways constraints within Dereham and development should be limited until these constraints have been resolved. This issues were identified in the last Local Plan supported by a detailed transport study. This transport study identified that with the 2019 Local Plan allocation, the Tavern Lane junctions were already overcapacity (in 2017) and, 7 out of 9 other junctions would be over capacity by the 2036.

This is also echoed in paragraph 2.3 where it states that [Dereham] *“is well positioned to accommodate additional growth if the current challenges regarding transport and congestion can be addressed”*

No transport study has been completed for this Local Plan, so there is a question as to how the Plan is able to allocate additional housing without properly understanding the highways constraints.

Paragraph – 5.28 is incorrect, the principle of development for Dumpling Green has not been agreed no application has, as yet been submitted and considered nor has the TA been considered.

The Plan is proposing to allocate 700 new dwellings (240 Swanton Road, 360 Dumpling Green, 100 Scarning) plus 200 potential exception sites = 900 new dwellings.

If the 2019 Local Plan limited new allocations to 750 dwellings, due to the highways constraints, then this plan needs to be supported by evidence to demonstrate that an additional 900 (in addition to

the 750) would not result in a severe impact on the highway network and specifically those junctions identified as being critical.

The allocations for Dereham are therefore unsound.

Healthcare Facility

The Infrastructure Delivery Plan, to support the Regulation 19 Draft, identified the need for a new health care facility of 204 sqm. Such a facility has not been identified within any policies nor have any allocations been required to contribute towards such a facility.

The NHS has land within the local plan carried over from the 2019 Local Plan but this has been allocated for housing delivery rather than a healthcare Facility. The need for a healthcare facility, is probably more greatly needed in the south of Dereham where a GP surgery was closed a few years ago, but nothing has been allocated.

Swanton Road Developments

The two Swanton Road developments totalling 240 dwellings along with the site currently being built out will result in a significant accumulation of properties coming into Dereham over a level crossing onto Kings Road and Theatre Street.

It is concerning that there is no provision for a pedestrian and cycle facility on both sides of the level crossing. These are highly sustainable locations where there will be the strong desire to walk and cycle to the town centre and high schools. Safe access over the level crossing on both sides is essential.

Both these sites could be highly sustainable locations if safe and convenient walking and cycling facilities are created to the town centre and high schools. This is particularly important with Robertson Barracks potentially coming forward as a development site.

These developments will add additional pressure, through visitors, to Back Lane and the Countryside Park. Rather than contribute to GIRAMs these developments should mitigate their impact on the countryside park and county wildlife sites through improved surfacing on the PROWs.

Improvements should also be made to the other PROW adjacent to both sites.

Greater consideration should be given to neighbouring County Wildlife Sites, other habitats and corridors of wildlife movement between habitats, to ensure green corridors are protected and enhanced. If Dereham had been included in the GI Study, these would have been identified.

Where it is proposed to discharge any surface water into existing water courses, which cross the Neatherd, these should be surveyed and any rehabilitation work needed, carried out prior to occupation.

Land North of Dereham Road.

No recognition of the LCWIP - While the side is adjacent to National Cycle Rout 13, there will be a strong desire to follow a more direct route to the town centre and High schools.

Land at Dumpling Green.

No recognition of the LCWIP – Any cycle route will end at the level crossing on Yaxham Road. While pedestrian and cycle improvements are mentioned at (d), it is quite vague and only commits to a shared use facility along the front of the site and to local services and facilities. If an LCWIP had been

developed as part of the Local Plan it would have identified key points along specific routes where the developer needs to contribute to improvements. Enabling safe and convenient cycle links to high schools should be a minimum.

Improvements to FP11 and FP25 to the east and north of the site linking to the flyover over the A47. And linking to RB38 and RB41 linking to new employment at Moorfields.

Land at Moorfields

The Council is happy to see an employment site come forward, this seems like a good location provided the necessary mitigation is in place. No recognition of the LCWIP – no mention of improving cycle access to the site or linking to shared use cycle facility on Norwich Road.

There should be a cycle link created to connect with the shared use facility along Norwich Road and/or improvements to RB38, RB41 to improve connectivity for cycling to residential areas.

Robertson Barracks.

If this development comes forward, many of the services residents will need, such as supermarket shopping and high schools will be located in Dereham. The local plan has already identified that Dereham's highway network can not accommodate significant growth.

Without a Transport Assessment it is not possible to understand the potential impact this development could impose on Dereham. The Transport Assessment should also identify safe and convenient cycle routes between the site and Dereham High Schools, and other services.

Trees, Hedgerows and Development.

Where trees and hedges are retained or created they must be set out so that there is room for machinery to manage and maintain the hedges and trees. Developments should not be set out where mature trees are close to the boundary of properties or create significant shade to gardens.

Hedges other than slow growing hedges, such as yew, should not be located adjacent to footways parking areas or cycle ways. Native hedges can grow out too quickly and become a nuisance at a time when they cannot be trimmed due to nesting birds.

It is good that hedges and mature trees are given protection through the local plan due to the contribution they make to biodiversity and carbon sequestration. Consideration should also be given to the protection of topsoil. Topsoil is an important natural resource and also requires protection. According to Defra it takes 500 years to create 2cm of topsoil, it should be considered a finite resource. The biological activity and health of the topsoil contributes significantly to the sequestering of atmospheric carbon in its own right but can also increase the amount of atmospheric carbon captured by plants.

Defra has produced a [Construction Code of Practice for the Sustainable Use of Soils on Construction Sites](#) which details how soils can be managed on construction site.

Lancaster University in collaboration with Lancaster City Council and Cornwall Council have produced [Local Soils Model Policy and Guide, 2025](#) which provides model planning policies along with well researched justification for the inclusion of policies to protect top soils during construction.

Incorporating a policy to ensure top soils are protected on development sites could make a significant contribution to biodiversity and carbon sequestration into the future.

Exception sites

Exception Sites are sites which are not sites in the plan but an allowance is made for exception sites to come forward. With the proposed local plan allocations along with the exception sites provides an additional 20% of housing over and above what is required.

An allowance has been made for windfall sites in each settlement. Dereham's allocation of windfall sites is 200 dwellings, the same as the other market towns. For Dereham given the well recognised transport issues, as detailed in para 5.28 of the draft Local Plan, an additional 200 houses in Dereham feels excessive. There should be no windfall allocation for Dereham, without a transport study for demonstrating that the residual cumulative impact of the allocated housing along with the windfall allocation will not have a severe impact on the highway network.

Given that the plan overall has a 20% buffer the loss of 200 windfall sites in Dereham would only reduce this buffer to 19% which still provides an ample buffer but does not place unnecessary risk to the Dereham transport network.

The policy HOU 03 has two parts,

The first part relies heavily on the definition of what “**immediately adjacent to**” to the built up area. With reference to the Glossary, the following should be considered as amendments to the definition:

Settlement is not defined, there is a risk that Etling Green and Northall Green could be included as a settlement. Re-wording to read ‘main settlement within a parish’ would avoid such a risk.

The second part is more relaxed and permits development outside the settlement for specific housing types detailed in GEN 03. Some of these housing needs cause more concern than others notably sites for travellers and show people. HOU 21 includes the provision that [**emphasis added**]:

*“the Council will also **look favourably** on proposals to reconfigure, **regularise** or extend existing sites within the District*

Positive consideration to granting planning permission to unauthorised/tolerated sites where a satisfactory form of development can be established”

This feels like it is rewarding bad behaviour, Shouldn't Breckland be enforcing on unauthorised/tolerated sites rather than giving them positive consideration? Such a policy could encourage unauthorised sites being created.

A safer form of words would be:

*“the Council will also **look favourably** on proposals to reconfigure, ~~regularise~~ or extend existing sites within the District*

Positive consideration to granting planning permission to ~~unauthorised/tolerated~~ sites where a satisfactory form of development can be established”

HOU 08 Housing for the elderly - it is felt that two dwellings is a low threshold, this could be two bungalows for retired people. Exception sites for proper supported living accommodation, retirement complexes, nursing homes and the like seems reasonable and sensible, but allowing two properties could lead to a lot of exception sites coming forward, which could just be bungalows with a hand rail at the front door.

The recent Etling Green Development for 4 bungalows for elderly retired people was only turned down due to its impact on the setting of the listed building.

Gen 02: Built up area

The criteria (c) for the built up area feels unnecessary and creates a significant level of uncertainty. There will be plenty of options to have exception sites adjacent to buildings without its inclusion. May be better to word “predominantly surrounded by buildings” as per criteria (a).

Single Plot Exception Sites HOU 07

There are risks associated with such a policy, there are restrictions of numbers placed on open market exception sites. As this a new policy it would be wise to cap the number of properties in each parish.

Should the policy be limited to Market Towns and key service parishes to ensure there will be a range of services available within a reasonable walking distance?