

Mattishall Neighbourhood Plan Review – Regulation 14 Consultation – 08 November 2023 to 08 January 2024

STATUTORY CONSULTEES COMMENTS

Organisation	Section	Comments	Action Agreed by Mattishall Parish Council
Sport England		It is essential that the neighbourhood plan reflects and complies with national planning policy for sport as set out in the NPPF with particular reference to Pars 98 and 99. It is also important to be aware of Sport England’s statutory consultee role in protecting playing fields and the presumption against the loss of playing field land. Sport England’s playing fields policy is set out in our Playing Fields Policy and Guidance document.	Noted. It is considered that the NP is compliant with NPPF policy relating to sport and playing field land.
National Highways		No comment	Noted
Historic England		Thank you for inviting Historic England to comment upon the ongoing Mattishall Pre-Submission draft Neighbourhood Plan. We do not wish to comment in detail at this stage and have attached our response for your records.	Noted
Breckland DC – Strategic Housing Team	HOU1	It would be helpful if HOU1 specifically included exception sites as a reason to develop outside the settlement boundary.	Accepted. MNP HOU1- A spatial strategy for Mattishall . Paragraph 3 to be modified to include "exception sites" as a reason to develop outside the settlement boundary.
Breckland DC – Strategic Housing Team	HOU2	Point 3 of HOU2 is a useful inclusion and is supported.	Noted
Breckland DC Planning Policy		We have no further comments that have been submitted to us.	Noted
Environment Agency	ENV	Based on the environmental constraints within the area, we have no detailed comments to make in relation to your Plan at this stage.	Noted
Norfolk Wildlife Trust	ENV3	Trees and hedgerows are natural solutions to tackle the climate crisis as they sequester carbon. They are important in providing a safe habitat for wildlife, increasing biodiversity, preventing soil	Accepted. MNP ENV3: Trees, hedgerows and boundaries to be modified. Paragraph 3 to include as additional wording:

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		<p>erosion and form valuable green corridors for wildlife, reducing fragmentation of habitats. We support Policy ENV3, however, to ensure that beneficial tree cover is enhanced, we recommend additional policy wording as below (or similar):</p> <p>3. 'At least 2 trees should be planted, in suitable locations and as appropriate, up to an optimum level, to replace every tree that is removed. (Not suitable for ancient woodland or veteran trees as these are irreplaceable.)'</p> <p>The following clause has been removed from Policy ENV3: 'Where adjacent to the countryside, new development site boundaries should be soft, using native trees and hedgerow species to give a rural edge and to ensure connectivity to existing wildlife corridors. See comment below – ENV5</p>	<p>3. 'At least 2 trees should be planted, in suitable locations and as appropriate, up to an optimum level, to replace every tree that is removed. (Not suitable for ancient woodland or veteran trees as these are irreplaceable.)'</p>
Norfolk Wildlife Trust	ENV5	<p>See comment above – ENV3. Policy ENV5 includes some wording in paragraph 6 to address the above. However, we recommend additional policy wording to encourage continuity of cover along hedgerows and trees, therefore reducing habitat fragmentation and providing enhanced connectivity: 'Development should provide opportunities to improve continuity along hedgerows and between trees. This should be achieved by appropriate planting in gaps to create safe corridors of movement with good continuity and cover for wildlife moving through the landscape and reducing fragmentation of habitats.'</p>	<p>Accepted</p> <p>Policy ENV7 to be amended to include: Development should provide opportunities to improve continuity along hedgerows and between trees. This should be achieved by appropriate planting in gaps to create safe corridors of movement with good continuity and cover for wildlife moving through the landscape and reducing fragmentation of habitats.'</p> <p>Policy ENV5 will include a reference to this amendment.</p>
Norfolk Wildlife Trust	Vision	We fully support the amended wording.	Noted
Norfolk Wildlife Trust	Aim 2	With the climate emergency and the need to tackle climate change, we fully support the amended wording in Aim 2.	Noted
Norfolk Wildlife Trust	Objective 4	This objective is designed to reduce the reliance on cars and will help to reduce carbon emissions which will be important in helping to tackle climate change. We therefore fully support this amended objective.	Noted
Norfolk Wildlife Trust	ENV 4	We fully support the eight new designated Green Spaces.	Noted.
Norfolk Wildlife Trust	ENV 6	Due to the known adverse impacts on nocturnal wildlife from light pollution, we are pleased that limiting light pollution from any future development is important to residents. We support Policy ENV6 with its broad aim to limit external lighting. However, we recommend	Policy to be amended to include new paragraph 4: Development proposals should demonstrate compliance with best practice guidance for avoiding artificial lighting impacts on bats:

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		<p>additional text to ensure robust protection for wildlife. We recommend the following policy wording, or similar: 'Development proposals should demonstrate compliance with best practice guidance for avoiding artificial lighting impacts on bats: (https://theilp.org.uk/publication/guidance-note-8-bats-and-artificial-lighting/). Where lighting cannot be avoided altogether in proposals then it must be designed to avoid light spill onto wildlife roosts, foraging habitat, and commuting routes for bats, birds, and other species.'</p>	<p>(https://theilp.org.uk/publication/guidance-note-8-bats-and-artificial-lighting/). Where lighting cannot be avoided altogether in proposals then it must be designed to avoid light spill onto wildlife roosts, foraging habitat, and commuting routes for bats, birds, and other species.</p>
Norfolk Wildlife Trust	ENV 7	<p>Policy ENV7 will be important in providing protection and enhancement for the important habitats and species which it supports. The Neighbourhood Plan area includes priority habitats and priority species. We note the two SSSIs with rare habitat and the botanically rich County Wildlife Site (CWS). Given the pressures facing biodiversity, we recommend a greater ambition of 20% Biodiversity Net Gain should be encouraged to provide greater confidence in genuine gains for biodiversity and ensure the successful recovery of nature in Norfolk. We recommend including this as additional text to the following: '...in accordance with national policy provide at least a 10% increase net gain in biodiversity....' We support the amended policy title for Policy ENV7. We support the inclusion of the additional, more detailed policy wording, for example, encouraging the creation and restoration of ponds, benefiting great crested newts, safeguarding priority habitats etc. To provide more robust protection for the County Wildlife Site (CWS), we recommend further policy wording to incorporate 'buffer zones' which are designed to protect sensitive landscape patches and areas of high biodiversity from the impacts of development. For example: 5. 'Any existing buffer zones should be protected and new zones created around designated and sensitive wildlife sites, including the County Wildlife Site, as appropriate, to minimise development impacts on these sites.' To increase biodiversity and enhance existing green infrastructure, we also recommend the following: 3. Opportunities should be sought to: 'Add green roofs and/or green walls to new buildings, where possible and as appropriate.'</p>	<p>Policy ENV7 to be amended to Paragraph 1: Proposals should seek to retain and enhance features of existing biodiversity value, ecological networks and habitat connectivity (see Maps 11, 12 and 13) In accordance with national policy provide at least a 10% increase net gain, but to ensure successful recovery of nature in Norfolk aim to achieve a 20% net gain, in biodiversity. Proposals which result in a net loss of biodiversity will not be permitted.</p> <p>Paragraph 3 to be amended to: When development occurs, Opportunities should be sought to improve habitats (including the creation/restoration of ponds given Mattishall falls within the Great Crested Newts Strategic Opportunity Area) and their networks (see Maps 11, 12 and 13); This includes,</p> <ul style="list-style-type: none"> a) improving continuity along hedgerows and between trees – this should be achieved by appropriate planting in gaps to create safe corridors of movement with good continuity and cover for wildlife moving through the landscape and reducing fragmentation of habitats;

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			<ul style="list-style-type: none"> b) Improve the naturalness of greenspaces and access to them; c) Improve connectivity with and between green spaces-; d) Incorporating green roofs and/or green walls to buildings where appropriate and possible
Norfolk Wildlife Trust	ENV 9	We note that the parish experiences some flooding, even during periods of modest rainfall. Sustainable Urban Drainage Systems (SuDS) are extremely important in reducing flood risk, reducing pollution downstream and locally, increasing biodiversity and when used effectively can provide habitat connectivity. We therefore support Policy ENV9 but recommend more robust policy wording at the beginning of paragraph 3 for example: 'Sustainable Drainage Systems must be considered for all planning applications and where applicable should be multifunctional and incorporated into the landscaping and ecology scheme, delivering biodiversity improvements where at all possible'	Policy ENV9 reviewed. Accepted and addressed through changes made in response to the LLFA.
Natural England		Natural England does not have any specific comments on this draft neighbourhood plan.	Noted
Norfolk CC		The officer-level comments below are made without prejudice, the County Council reserves the right to make to any further comments the County Council may have on future iterations of the emerging Neighbourhood Plan	Noted. NCC comments received on 9.1.24 ie a day after to consultation closes. The Parish Council has, however, agreed to consider the comments submitted.
Norfolk CC		The County Council welcomes the opportunity to comment on the emerging Neighbourhood Plan and recognises the considerable amount of work and effort which has been put into developing the Plan to date.	Noted.
Norfolk CC	ENV4	<p>Children's Services</p> <p>Policy MNP ENV4 paragraph 95 states 'It is important that a sufficient choice of school places is available to meet the needs of existing and new communities.</p> <p>Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen</p>	Noted, presume this is a reference to paragraph 99 NPPF 2023.

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		choice in education. They should: a) give great weight to the need to create, expand or alter schools through the preparation of plans and decisions on application....'	
Norfolk CC		Policy MNP ENV4 paragraph 2 should be amended to the following: 'Development on these sites will not be acceptable other than in very special circumstances in line with national policy or the expansion of the Primary School for LGS Area 6, or where it will enhance the function of the space without compromising the principal function of the space as a Local Green Space.' To ensure that any future expansion of the school is not restricted if expansion is required.	The amendment proposed by NCC is not consistent with national policy. Site 6 should remain designated as a Local Green Space. The County Council has provided forecast pupil numbers for the school catchment area to 2033. These forecasts demonstrate that demand at the school will not exceed the capacity at the school for 210 pupils. There are no current proposals for expansion. However, should expansion of the school be necessary on the playing field, policy MNPENV4 would support the expansion of the school for a demonstrated educational need. Supporting text added for clarity.
Norfolk CC (children's services)		Should you have any queries with the above comments please contact Paul Harker at paul.harker@norfolk.gov.uk .	Noted
Norfolk CC (in its capacity as LLFA)		Lead Local Flood Authority The Lead Local Flood Authority (LLFA) comments are as follows:	
Norfolk CC (in its capacity as LLFA)	ENV4 ENV9 HOU5	The LLFA welcomes that the Mattishall Neighbourhood Plan Review Regulation 14 Document (Pre-Submission Version November 2023) and its proposed policies make references to flooding from various sources such as surface water and fluvial flooding and to the implications of climate change upon flood risk. It is however noted whilst reference is made within the document to groundwater flooding, no mapping has been provided. Of the 25 policies proposed, Policy MNP ENV4: Open and Local Green Spaces, Policy MNP 2 ENV9: Flood Risk and Drainage, Policy MNP HOU5: Sustainable Design and Construction and Maps 7, 8, 15 and 16 are of most relevance to matters for consideration by the LLFA.	Noted. Paragraph 7.51 to be amended to reference know information (SFRA), on groundwater flooding. www.breckland.gov.uk/media/7421/LP-E-6-Strategic-Flood-Risk-Assessment/pdf/LP_E_6_Strategic_Flood_Risk_Assessment.pdf
Norfolk CC	ENV9	The LLFA note and welcome the information contained within the document relating to surface water flood risk and climate change, and in particular within Proposed Policy MNP ENV9: Flood Risk and	Noted

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(in its capacity as LLFA)		Drainage which refers to there being a number of localities within the Parish of Mattishall where localised surface and fluvial water flooding occurs and, in some locations, this can frequently be during periods of modest rainfall, which in light of climate change is likely to increase. The LLFA further welcome the re-inclusion of Objective 3 in Section 7: Environment and Landscape previously included within MNP1 to ensure new developments do not create flood risk and problems with surface water drainage	
Norfolk CC (in its capacity as LLFA)	ENV9	The LLFA particularly welcome references made in Policy MNP ENV9: Flood Risk and Drainage to ensuring new developments gives adequate and proportional consideration to their likely effect on all sources of flooding and surface water drainage and encourages the incorporation of a range of sustainable drainage measures into new developments through the inclusion of features such as permeable surfaces, rainwater harvesting/storage and green roofs and walls. Whilst the LLFA note that the policy is similar to that contained within MNP1, with some enhancement made to the mapping and text of Policy ENV9 in MNP2, the LLFA considers that the policy and supporting text of Policy could be further enhanced by making direct reference to developments seeking to achieve the four pillars of SuDS, namely water quality, water quantity, amenity and biodiversity, with an explanation of what SuDS entails and the wider benefits of their provision, being included within the policy and / or glossary section of the document. This is considered particularly important by the LLFA given that the document has referenced known areas of the Parish of Mattishall being susceptible to localised surface water and fluvial flooding which may intensify in the future as a result of climate change	Supporting text has been added to explain SuDs, reference the Local Plan Policy and reworded Clause 3. Clause 3 is removed.
Norfolk CC (in its capacity as LLFA)		The LLFA would also welcome reference made in the document to the need for guidance available from relevant Agencies such as the Norfolk County Council LLFA, the Internal Drainage Board (if applicable) and the Environment Agency to be considered and adhered to in respect of flood risk management, drainage and flooding matters.	Noted. A link is included to the Norfolk LLFA Guidance document (October 2022).
Norfolk CC	ENV9	The LLFA also welcomes reference made to the Mattishall Neighbourhood Plan Document complimenting Strategic Policies included within the Breckland Local Plan and National Planning	Noted

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(in its capacity as LLFA)		Policy Framework (NPPF). The LLFA further welcome reference made within the supporting text for Policy MNP ENV9 to the Breckland Strategic Flood Risk Assessment (2017) which provides an assessment of the different sources of flood risk (flooding from rivers, surface water, groundwater, sewers, reservoirs, canals and other artificial sources). And shows that Mattishall is at particular risk of flooding from rivers (fluvial flooding) and surface water, with maps 15 showing areas at risk from fluvial flooding, with map 16 showing those at risk from Surface Water Flooding.	
Norfolk CC (in its capacity as LLFA)		The LLFA are aware of AW DG5 records within the Parish of Mattishall however, this will need to be confirmed with/by Anglian Water.	Noted. AW DG5 records have been requested from Anglian Water. To date no response has been received.
Norfolk CC (in its capacity as LLFA)		The LLFA recommend reference be made to the 'Norfolk County Council LLFA Statutory Consultee for Planning: Guidance Document Version 6.1' within the Neighbourhood Plan (or the relevant updated version depending on the timeframe for the preparation and adoption of the final Neighbourhood Plan document) regarding surface water risk and drainage for any allocated sites or areas of proposed development, available from the information for developers section of the Norfolk County Council website (weblink)	Noted. Reference has been made to the Norfolk County Council LLFA Statutory Consultee for Planning: Guidance Document Version 6.1'
Norfolk CC (in its capacity as LLFA)		According to LLFA datasets (extending from 2011 to present day) we have 2 no. records of internal flooding and 13 records of external/anecdotal flooding in the Parish of Mattishall. The LLFA highlight the importance of considering surface water, groundwater and flooding from ordinary watercourses within the Neighbourhood Plan in the best interest of further development in the area. We note that all external flood events are deemed anecdotal and have not been subject to an investigation by the LLFA	Noted.
Norfolk CC (in its capacity as LLFA)		We advise that Norfolk County Council as the LLFA for Norfolk, publish completed flood investigation reports here. (weblink)	Noted.
Norfolk CC (in its capacity as LLFA)		According to Environment Agency datasets, there are significant areas of localised surface water flooding (ponding) and surface water flowpaths present within the Parish of Mattishall	Noted. The Parish Council has asked the LLFA for access to the data sets referencing ponding and surface water flowpaths.

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Norfolk CC (in its capacity as LLFA)		<p>Whilst the LLFA note that some flood risk mapping has been included in the document, the LLFA recommend that mapping be provided for all sources of flooding, with any mapping covering the entirety of the Neighbourhood Plan Area. Information on this and associated tools/reference documents can be found at:</p> <ul style="list-style-type: none"> ▪ GOV.UK - Long Term Flood Information – Online EA Surface Water Flood Map ▪ Norfolk County Council (NCC) – Flood and Water Management Policies ▪ Norfolk County Council (NCC) – Lead Local Flood Authority (LLFA) Statutory Consultee for Planning: Guidance Document (weblinks) 	<p>Map 16 is already parish wide. Map 15 is not, although fluvial flood risk is easier to understand. Reference will be made to known information on groundwater flooding. The supporting text will be amended to include the links to where applicants can access information too.</p>
Norfolk CC (in its capacity as LLFA)		<p>Allocation of Sites We would expect that the Neighbourhood Planning Process provide a robust assessment of the risk of flooding, from all sources, when allocating sites. It is not evident to the LLFA that this has been undertaken in respect of any site 4 allocations (in this instance it is noted that no housing allocations form part of the Neighbourhood Plan). If a risk of flooding is identified then a sequential test, and exception test where required, should be undertaken. This would be in line with Planning Practice Guidance to ensure that new development is steered to the lowest areas of flood risk. However, any allocated sites will also still be required to provide a flood risk assessment and / or drainage strategy through the development management planning process.</p>	Noted.
Norfolk CC (in its capacity as LLFA)		<p>LLFA Review of Local Green Spaces (LGS) The document proposes 9 no. Local Green Spaces which are identified in Policy MNP ENV4: Open and Local Green Spaces and Map 7: Proposed Local Green Spaces. It is understood that designation of LGSs provides a level of protection against development. The LLFA do not normally comment in LGSs unless they are/are proposed to be part of a SuDS or contribute to current surface water management/land drainage. If it is believed that a designated LGS forms part of a SuDS or contributes to current surface water management/land drainage, this should be appropriately evidenced within the submitted Neighbourhood Plan.</p>	Noted.

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		The LLFA have no comments to make on the proposed LGSs in the plan.	
Norfolk CC		Should you have any queries with the above comments please contact the Lead Local Flood Authority at llfa@norfolk.gov.uk	Noted.
Norfolk CC (minerals and waste authority)		Minerals and Waste Norfolk County Council as the Minerals and Waste Planning Authority have no objection to the Mattishall Neighbourhood Plan Review (Regulation 14 Draft Version), but we have the following comments to make.	Noted
Norfolk CC	ENV4	Policy MNP ENV4: Open and Local Green Space 4.2. It should be noted that Local Green Spaces “Land off Back Lane” (approximately 2.9 hectares) and “Thynne’s Lane” (approximately 6.1 hectares) are partially underlain by sand and gravel resource (see map below). Since the allocation is for Local Green Space, it does not sterilise the mineral resource underlain. However, if a planning application was to be submitted for built development policy CS16 “safeguarding mineral and waste sites and mineral resources” (or any successor policy) of the Minerals and Waste Local Plan would apply, see figure 1 below (see map of safeguarded mineral sources on original document)	Amended to include a paragraph about the Minerals and Waste Plan in the Introduction and include the maps with link to the Minerals and Waste Plan in a new appendix to the NP.
Norfolk CC		Should you have any queries with the above comments please contact Caroline Jeffrey (Principal Planner, Minerals and Waste Policy) at caroline.jeffery@norfolk.gov.uk or call 01603 222193	Noted.