



**Local Plan for the Broads  
New NPPF assessment  
August 2018**

1. Introduction

- 1.1. Whilst the Local Plan for the Broads was produced under the 2012 NPPF and will be examined mainly with that version of the NPPF in mind, it is prudent to check the references to the NPPF in the Local Plan in the interest of future proofing the Local Plan.
- 1.2. This note identifies areas where changes to the Local Plan are required now the 2018 NPPF has been released.
- 1.3. The proposed changes below are expressed in the form of a red ~~strikethrough~~ for deletions and blue underlining for additions of text.
- 1.4. The page numbers and paragraph numbering below refer to the publication local plan as published, and do not take account of the deletion or addition of text.
- 1.5. For the avoidance of doubt, these changes will only come into force, if indeed they are supported through the examination of the Local Plan, on adoption of the final Local Plan.
- 1.6. The NPPF has also been checked to see if there are any changes that affect the Local Plan more generally. Other than the issues raised in the following table, no other changes to the NPPF have been identified that conflict with the approach of the Local Plan for the Broads.
- 1.7. Of relevance, the Broads continues to be given the highest status of protection (172) and remains an area that is not necessarily suitable for major development (172). The Broads, according to the NPPF, is still in the category of affordable housing contributions being able to be sought from schemes of more than ten in size (63). The Broads is exempt from the Housing Delivery Test.

2. Proposed changes to the Local Plan

Ref.	Page No. (From Broads Local Plan Pre- Submission)	Policy/ Para. No. (From Broads Local Plan Pre- Submission)	Proposed Change
A	16	5.2	<p><i>To explain that a new NPPF is in place</i></p> <p>5.2 National Planning Policy Framework (NPPF) <del>(2012)</del><sup>1</sup>            The National Planning Policy Framework acts as guidance for local planning authorities and decision-makers, both in drawing up plans and determining planning applications, and is a material consideration in decision-making. Throughout this Local Plan, we refer to relevant parts of the NPPF.</p> <p><u>Part way through the examination of the Local Plan for the Broads, the 2012 version of the NPPF was replaced by a 2018 version. The Local Plan was examined mainly under the 2012 version of the NPPF however in some instances, the 2018 version of the NPPF is referenced.</u></p>
B	16	Footnote 9	<p><i>To provide links to the two NPPFs</i></p> <p>Footnote: <u>NPPF 2012:</u>  <a href="https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/6077/2116950.pdf">https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/6077/2116950.pdf</a> and <u>NPPF 2018:</u>  <a href="https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/728643/Revised_NPPF_2018.pdf">https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/728643/Revised_NPPF_2018.pdf</a></p>
C	42	PUBDM7 supporting text	<p><i>Whilst the new NPPF does not say this, consider this reference superfluous anyway.</i></p> <p><del>It goes on to say (paragraph 114) that ‘Local planning authorities should (inter alia) set out a strategic approach in their Local Plans, planning positively for the creation, protection, enhancement and management of networks of biodiversity and green infrastructure’.</del></p>

<sup>1</sup> NPPF: [www.gov.uk/government/publications/national-planning-policy-framework--2](http://www.gov.uk/government/publications/national-planning-policy-framework--2)

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D	47	PUBSP4 supporting text	The NPPF <del>(at paragraph 109 and 143)</del> seeks the protection and enhancement of soils, <del>as well as preventing development from contributing to unacceptable levels of soil erosion.</del> The NPPF also <u>says at footnote 53, 'Where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality'</u> . <del>seeks the safeguarding of the best and most versatile agricultural land.</del>
E	49	PUBDM9	The NPPF <del>(paragraphs 143 and 144)</del> and NPPG only mention peat soils in relation to its excavation as a mineral resource, rather than the issue in the Broads relating to impact due to groundworks from development and inappropriate land management.
F	57/58	PUBDM12	Proposals on previously developed/brownfield land may require surveys to determine if the site has open mosaic habitat of intrinsic biodiversity value. <del>If the assessment concludes that the site is of high environmental value, this habitat is found on the site,</del> the design of the scheme is required to protect and enhance these areas and/or to design appropriate compensation and off site mitigation measures in order to secure a net gain for biodiversity.
G	60	PUBDM12 supporting text	<del>The NPPF says at paragraph 111: 'Planning policies and decisions should encourage the effective use of land by re-using land that has been previously developed (brownfield land), provided that it is not of high environmental value.' The NPPG expands on this by saying 'This means that planning needs to take account of issues such as the biodiversity value which may be present on a brownfield site before decisions are taken.'</del>  <del>The Wildlife and Countryside Link defines 'high environmental value' in biodiversity terms as: • 'It contains priority habitat(s) listed under section 41 Natural Environment and Rural Communities Act 2006' • 'The site holds a nature conservation designation such as Site of Special Scientific Interest, or is defined as a Local Wildlife Site (or equivalent) in local planning policy.'</del>
H	72	PUBDM20 supporting text	<del>The NPPF says, at Paragraph 17 '...always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings'</del> <u>The NPPF seeks high standards of amenity for existing and future users</u>
I	73	PUBDM21	The NPPF <u>says that Local Plans Paragraph 125 says</u> <del>'by encouraging good design, planning policies and decisions</del> <u>'should limit the impact of light pollution from artificial light on local amenity, intrinsically dark</u>

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		supporting text	<i>landscapes and nature conservation</i> '.
J	82	PUBDM24 supporting text	The NPPF <del>at Paragraph 28 says: 'Planning policies</del> says that Local Plans should support a prosperous rural economy. <del>economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development</del> '.
K	99	PUBSP15 supporting text	<del>The NPPF states at paragraph 47: 'to boost significantly the supply of housing, local planning authorities should (inter alia) use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area, as far as is consistent with the policies set out in this Framework, including identifying key sites which are critical to the delivery of the housing strategy over the plan period'. The 2012 NPPF required local planning authorities to meet housing need in the housing market areas. As such, the evidence base used to inform this policy as well as the policy itself were prepared in line with the 2012 NPPF's requirements.</del>
L	100	PUBSP15 supporting text	<p>The NPPF at Para 47 says Local Planning Authorities should meet the need <u>unless policies in the 2018 NPPF provide a strong reason for not doing so or adverse impacts significantly outweigh benefits when policies in the NPPF 2018 are considered.</u> <del>'as far as is consistent with the policies set out in this Framework</del>'. It is important to note that the <u>2018 NPPF</u> places great weight on the status of the Broads:</p> <ul style="list-style-type: none"> <li><del>• Paragraph 14: Local Plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change, unless... specific policies in this Framework indicate development should be restricted.</del></li> <li>• <u>Paragraph 11 b) 'strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas<sup>5</sup>, unless:</u> <ul style="list-style-type: none"> <li><u>i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area<sup>6</sup>;</u></li> </ul> </li> <li><del>• Footnote 9: For example, those policies relating to sites protected under the Birds and Habitats Directives (see paragraph 119) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural</del></li> </ul>

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			<del>Beauty, Heritage Coast or within a National Park (or the Broads Authority); designated heritage assets; and locations at risk of flooding or coastal erosion.</del> <i>Footnote 6: The policies referred to are those in this Framework (rather than those in development plans) relating to: habitats sites (and those sites listed in paragraph 176) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 63); and areas at risk of flooding or coastal change.</i>
M	105	PUBDM33	This is in keeping with the NPPF definition for rural exception sites 'small sites used for affordable housing in perpetuity where sites would not normally be used for housing. Rural exception sites seek to address the needs of the local community by accommodating households who are either current residents or have an existing family or employment connection. <u>A proportion of market homes may be allowed on the site at the local planning authority's discretion.</u> <del>Small numbers of market homes may be allowed at the local authority's discretion,</del> for example where essential to enable the delivery of affordable units without grant funding'.
N	137	Section 33	The underlying principle of development and flood risk is summarised in the <u>2018 NPPF (100 155)</u> : 'Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.' <del>but where development is necessary, making it safe without increasing flood risk elsewhere'.</del>
O	166	PUBHOV5	In addition to the NPPF requirements of impact thresholds (see <u>2018 NPPF paragraph 26 89</u> ), any impact assessment must include an assessment on locally important impacts such as, but not limited to, access to the river, traffic flows over the bridge, the safety of pedestrians crossing Norwich Road, and the impacts on the provision of surface car parking.
P	167	Footnote 114	A threshold of 2,500 sq.m gross is stated in the NPPF ( <u>2018 NPPF paragraph 26 89</u> ).
Q	167	PUBHOV5 supporting text	The <b>sequential test</b> for town centre uses outside of the town centre ( <u>2018 NPPF paragraph 24 86</u> ) needs to consider cross boundary policies and treat the town centre as a whole - and indeed Hoveton as a

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			whole, rather than limited to the area within the Broads Authority.
R	176	PUBOUL3	The <a href="#">2018</a> NPPF, at paragraph 23, says <del>'planning policies should be positive, promote competitive town centre environments and set out policies for the management and growth of centres over the plan period'</del> . <u>'planning policies and decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation'</u>
S	207	Policy PUBSSA47 supporting text	The Authority therefore expects that any adverse impact on the historic environment, either built, landscape or archaeological, is kept to an absolute minimum, and that any adverse impact resulting from change is fully assessed and can be justified in line with the tests set out in section <del>12</del> <a href="#">16</a> of the <a href="#">2018</a> NPPF.