

Planning Committee

27 May 2022

Agenda item number 9

Consultation responses- May 2022

Report by Planning Policy Officer

Summary

This report informs the Committee of the officer's proposed response to planning policy consultations received recently, and invites members' comments and guidance.

Recommendation

To note the report and endorse the nature of the proposed response.

1. Introduction

- 1.1. Appendix 1 shows selected planning policy consultation documents received by the Authority since the last Planning Committee meeting, together with the officer's proposed response.
- 1.2. The Committee's comments, guidance and endorsement are invited.

Author: Natalie Beal

Date of report: 11 May 2022

Appendix 1 – Planning Policy consultations received

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Bungay Town Council

Document: Bungay Neighbourhood Plan, REG16 [Bungay neighbourhood area » East Suffolk Council](#)

Due date: 06 June 2022

Status: Regulation 16

Proposed level: Planning Committee endorsed

Notes

This document is the Bungay Neighbourhood Development Plan for the period 2020 to 2036. Waveney District Council¹ and the Broads Authority designated a Neighbourhood Area for Bungay in March 2016 (Figure 1) to enable Bungay Town Council to prepare a NDP. The Plan has been prepared by the Bungay Neighbourhood Development Plan (BNDP) Steering Group composed of volunteers from the community. The policy proposals presented in the document are derived from the views expressed by the wider community through an extensive consultation process undertaken between December 2016 and January 2018, and further consultations on potential sites to allocate for housing in February 2020

Proposed response

Summary of response

Officers from the Broads Authority and East Suffolk Council have had conversations with the consultants who prepared the Bungay NP. The plan has taken on board most of our comments and the following are fairly minor in detail.

Details response

Figure 1 needs to show the Broads to provide adequate context. The map in the Environment Report at Figure 1 is ideal.

Para 49 says that the design guide does not apply to the Broads. That is supported. But it also says that policy H1 does not apply to the Broads. The policy can apply to the Broads as written in our opinion. See comments on H1.

H1

- Para 1, 2 and the criteria (a) to (n) can apply to the Broads. Also, last para sentences 1 and 2 of the past para. Last sentence is correct.
- Where you say 'navigation' in e, you might want to think of a different term as that means something quite different in the Broads and as set out in the plan, the water near Bungay is not navigable.

Para 61 needs to refer to the Broads' equivalent standard for M(4)2, for completeness.

Para 64 – the Local Plan for the Broads also covers rural exception sites.

H3 – might be worth saying that First Home Exception Sites are not permitted in the Broads:
[First Homes - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/first-homes)

Figure 5

- The legend does not match what is on the map.
- Did you also want to show the site allocated in the Waveney LP for context?

Para 87, does not read well: 'A new community facility could provide much **needed facilities centre and other** opportunities to create greater capacity in this area would be supported'.
Delete the word 'centre'?

Para 144 – 'The Local Plans **contained** open space standards which set out the requirements for new housing development' – 'contain' a better word?

ENV3

- should these areas be mapped? Otherwise it is not clear to what area the policy applies.
- what about the Broads in general, given that the NPPF protects the Broads and its setting?
- what is an acceptable impact on these areas?

ENV5 – uses the term 'natural' – not all SUDs are natural I don't think. Like permeable driveways are not natural.

Carlton Colville Town Council

Document: Carlton Colville Neighbourhood Plan, REG14 [Neighbourhood Plan \(carltoncolvilletowncouncil.gov.uk\)](https://www.carltoncolvilletowncouncil.gov.uk)

Due date: 21 May 2022

We have an extension to cover the date of this meeting

Status: Regulation 14

Proposed level: Planning Committee endorsed

Notes

Carlton Colville Town Council for the last two and a half years have been working to develop a Neighbourhood Plan. This plan will shape our Parish for the period to 2036. We have worked with the community, independent agencies and Town Planning experts to develop our Vision and Policies. Once our Neighbourhood Plan has been adopted by East Suffolk Council (by way of a referendum with the residents), it will influence planning applications and help shape how Carlton Colville develops. The vision of the Neighbourhood Plan seeks in particular to improve the quality of life and sense of community in the whole of Carlton Colville; to have the right housing to meet needs; to sustain its economy by improving movement; to increase and enhance the opportunity for active lifestyles by providing walk and cycle routes linking all areas; to better utilise the amenities that presently exist; to protect and enhance the existing historic assets; to safely link all developments with each other and with the surrounding natural environment and to have measures in place to minimise impact on the environment.

Proposed response

Summary of response

Generally, the Plan seems to be focussed on the two allocations, which can be confusing at times. There is also the issue of adequate referencing of the Broads Authority and making it clear which Local Plan the plan is talking about. Finally, the Design Guide does not mention the Broads and therefore, like others, cannot apply to the Broads and the Neighbourhood Plan needs to be amended to reflect that.

Detailed response

Para 1.2 - East Suffolk Council **and the Broads Authority**

Para 1.3 - East Suffolk Council **and the Broads Authority**

Para 1.5 –needs to refer to the Local Plan for the Broads (2019)

Para 1.6 – the **Waveney (East Suffolk)** Local Plan

Para 1.7 – the **Waveney (East Suffolk)** Local Plan

Figure 1.1 and most other figures – you cannot read the OS copywrite

Para 1.8 – the **Waveney (East Suffolk)** Local Plan

Para 1.8 – when you say ‘the development’ do you mean that particular allocation, or all development?

Para 1.10 – the **Waveney (East Suffolk)** Local Plan x2

Para 1.11 – the **Waveney (East Suffolk)** Local Plan

Figure 1.2 – needs to show the Broads Authority Executive Area

Para 2.6 and table 2.1 – so are these proposed non-designated heritage assets? If so, the table title should say that. Also, what policy in the plan are these related to? Should this be here? Should it be with the policy section?

Para 2.7 – Broads Authority also holds a local list.

Para 2.8: Should the implications of this be made clear? Perhaps add something like, ‘Although this is not a formal designation, it should be noted that this is a site of historic interest to the local community the setting of which should be considered when planning new development’.

Para 2.9 – Figure 2.1 is not above – it is on the next page.

Para 2.12 – the **Waveney (East Suffolk)** Local Plan

Para 2.19 – are these bus services regular? In the peak hour? Maybe give some context.

Page 19 – the previous table was table 2.1.

Page 19 to 23 – is there a map to show these character areas? Is this better as evidence? I am not really too sure what it is actually telling me and what I am meant to do with it.

Para 3.1 – the **Waveney (East Suffolk)** Local Plan

Para 3.1 – you say ‘the local planning authority’ but there are two LPAs of relevance, although in this instance, you are referring to East Suffolk Council I believe, so maybe say East Suffolk Council.

Para 3.2:

- These seem to be more objectives than a vision.
- The last one regards climate change – I don’t think you want to contribute to climate change, rather reduce emissions and adapt and become more resilient to climate change.
- When you say ‘amenities’ I think you mean services and facilities which is a clearer term.
- If you want to continue to use bullet points as the vision (noting my comment above about them looking like objectives) then you may wish to separate out bullet 4 as it talks about heritage and amenities (services and facilities).

- Would it be prudent to mention the Broads as it is a protected landscape?

Para 3.3:

- Would it be prudent to mention the Broads as it is a protected landscape?
- Objective 1: what does 'links visually' actually mean? Do you mean development should not impact negatively on the things listed?
- Objective 2: anything about protecting biodiversity from development?
- Objective 3 – what you say 'the development' do you mean the allocations, or development in general. This is a Plan for the entire parish, so you may want to take care in focussing just on the two allocations.

Para 4.3 – Local Planning **Authorities**

Para 4.5 says 'The housing at the edge' and 'the development' – housing at the edge of what? Which development? Is this only about the allocations? This is a Plan for the entire parish, so you may want to take care in focussing just on the two allocations.

Para 4.6: I wonder if this should be reworded to say, 'The character of new developments should be shaped by their context' (rather than landscape). It could go on to say, 'By this we mean their scale and orientation should be sympathetic to their urban / suburban environment or should be positioned appropriately in their rural setting.'

I think that the importance of providing vistas in new development (where appropriate) and protecting identified views is perhaps a separate issue that should be considered in another paragraph or policy?

Para 4.8 – should the Broads Landscape Character Assessment be referred to here as well?

Para 4.9 – this is supporting text for policy CC1. This supporting text says that 'In all cases there is a requirement for development to achieve a net biodiversity gain.' But policy CC1 only refers to Biodiversity Net Gain at CC1 v.c. which is about extensions of properties. Policy CC5 talks about biodiversity gains. So para 4.9 is slightly misleading as written as that para relates to CC1 – perhaps a cross reference to CC5 is needed here.

Para 4.10 – just an observation, but the first sentence is very long. You may wish to break it up a bit.

Para 4.11 and Policy CC1 v.b. – when you say depth, I think you mean length. To me, depth is how deep you go.

Para 4.17 – the **Waveney (East Suffolk)** Local Plan.

Para 4.25 – please refer to the Broads having intrinsic dark skies.

Colour of policy boxes – you might want to make the simple black and white for accessibility reasons.

Design section and policy CC1 iv and Policy CC7 – Not in our area, and there may be a reason for saying this, or it might be a requirement in the Waveney Local Plan, but as an observation, you keep referring to high levels of activity being in the centre of the development. Did you want the developer to consider how the facilities of the new development can be related to the existing dwellings nearby, so they benefit the wider community? Is there an issue about making this new development look inwards only, rather than being part of the community and wider settlement? So for example, if the open space and facilities were near to the existing dwellings, that could result in residents mixing. You also say earlier in the document that developments in the past have been dropped into Carlton Colville... as I say, it is not in our area and there may be reasons, but this is an observation.

Policy CC1

- vi. – and the intrinsically dark skies of the Broads.
- A – seems prudent to refer to not impacting on the Broads or its setting, so the policy is in line with the NPPF.
- A i) Character rather than feel
- A ii) Perhaps ‘taking account of’ rather than ‘being shaped by’?
- B i) Rather than plaster, I would refer to it as render. I think there are other references to it as plaster elsewhere in the document that should also be changed.

Figure 4.16 – are there no other views that you want to protect anywhere else in the Town area?

Figure 5.1 – some text is hard to read.

Para 5.3 – the **Waveney (East Suffolk)** Local Plan

Para 5.4 – the **Waveney (East Suffolk)** Local Plan

Figure 5.3, para 5.9 – key – best to say ‘The Broads Authority Executive Area’ as for planning, we are not a National Park.

Figure 6.1 – suggest this shows the Broads Authority Executive Area.

Above para 6.6 the **Waveney (East Suffolk)** Local Plan allocations

Figure 6.2 – suggest this shows the Broads Authority Executive Area.

Para 6.16 – there is the SFRA for Waveney/The Broads which identified flood risk, as well as the Environment Agency flood maps.

Policy CC5

- A does not set a level for Biodiversity Net Gain and also the supporting text does not refer to Biodiversity Net Gain. Biodiversity Net Gain is set to come in as a national requirement in 2023 – what do you anticipate as the timelines for this plan? ‘Made’

before the national requirement comes in? If not, do you need to state the need for BNG or do you make a passing reference? Just a few things to think about.

- A says 'all development' – but what about replacement windows, new sheds, extensions – trying to ask what the threshold is that you wish to apply this requirement to.
- B – there are no instruction here, just saying that something is supported. If you require development to do this, you need to write it as an instruction.

Para 6.17 – as written, this implies that the CPRE work assessed the allocation in terms of impact on dark skies. I think what you are trying to say is that the CPRE work identifies the area of the allocation as having dark skies and that the development could impact the dark skies in the area.

Para 6.18 starts with 'this is also important' – what is? Protecting dark skies and minimising light pollution? You might want to be clearer.

Para 6.18 says 'and should be 10 metres in length either side of the commuting route' – not sure what you mean here – it is not clear.

Page 53 – this section needs to refer to the Broads being an area of intrinsically dark skies and refer to our dark skies evidence that shows how dark the areas of the Broads are.

Policy CC6 – suggest you look at our Dark Skies policy – the issue is about the right light for the task, when it is needed and at the intensity needed – it is about the design. I don't think your policy gets those principles across.

Para 6.19 - the **Waveney (East Suffolk)** Local Plan

Para 6.19 and 6.21 – does the Waveney Local Plan set a standard? There is no standard in the Local Plan for the Broads do you need to address that?

Para 6.19 Also, this section does not refer to the Government announcement of the building regulations changing to require EV charging points.

Para 6.20 – rainwater harvesting is not green energy – should this be in this section?

Para 6.23 – there is a policy in the Local Plan for the Broads that talks about renewable energy that needs to be referenced.

Para 7.2 - the **Waveney (East Suffolk)** Local Plan

Para 7.5 - the **Waveney (East Suffolk)** Local Plan

Para 7.13 - the **Waveney (East Suffolk)** Local Plan

Para 7.14 - the **Waveney (East Suffolk)** Local Plan

Policy CC7 A - the **Waveney (East Suffolk)** Local Plan x2

Para 7.15 - the **Waveney (East Suffolk)** Local Plan

Policy CC8 - the **Waveney (East Suffolk)** Local Plan

Design Code and references

The Design Code was completed by AECOM. We have had issues in the past whereby AECOM have failed to fully assess the context of the area and all relevant documents; they have not assessed the Broads and the related documents, which is a big issue considering we are a nationally protected landscape. We raised this issue with them in early August 2021 and they said they would improve their work accordingly.

The Carlton Colville Design Code was completed March 2020. A search for the term 'Broads' does not show any reference to the Broads.

Looking through the Design Guide, it seems it only actually relates to the Bell Farm development. I note above 1.5 on page 6, it says it has wider uses, but that is not obvious as the site is shown throughout.

Given the lack of assessment of the context of the area – namely lack of assessment of the Broads and related Broads Authority documents, the design code cannot apply to the part of Carlton Colville that is the Broads. Please note that this, unfortunately, has been the case for many Neighbourhood Plans, for example Bungay and Lound area.

As such, please make these amendments to the Neighbourhood Plan

- Para 4.2 – The Design Code should not apply to the Broads as it does not adequately assess the Broads and its documents.
- Policy CC1 A - The Design Code should not apply to the Broads as it does not adequately assess the Broads and its documents.
- Policy CC1 A – amend so the reference to the design code is first, including that it does not apply to the Broads. The rest of the criteria are generic and can be applied to development in the Broads. Suggest this:
- All development proposals, apart from those within the Broads Authority Executive Area, must demonstrate how they have sought to reflect the requirements of the Carlton Colville Design Codes.
- All development should demonstrate high quality design and layout which respects the local character of Carlton Colville. In particular this means:
- Para 6.7, 6.10 - The Design Code should not apply to the Broads as it does not adequately assess the Broads and its documents. But the principles set out in this section are appropriate to development all over the Town area.