



Local Plan for the Broads
Statement of Common Ground
Between the Broads Authority and Norfolk Wildlife Trust
In relation to comments made as part of the first Regulation 19
consultation
November 2025

Contents

1. Introduction	1
2. Areas of agreement.....	2
3. Areas of disagreement	4
4. Signed.....	4
5. Appendix 1 – further comments relating to BNG.	5

1. Introduction

The first Regulation 19 consultation on the Local Plan for the Broads was held over the summer in 2025. This is one of a series of Statements of Common Ground that relate to comments made as part of that consultation. The comments are included, as well as response from the Broads Authority. If a change is proposed, that is also included.

There is a section relating to areas of agreement and areas of disagreement.

2. Areas of agreement

Part of Local Plan	Meets the legal and procedural requirements?	Met the tests of soundness?	Why you consider this part of the Plan is not legally compliant or sound/comment	What change(s) you consider necessary to make the Plan legally compliant or sound.	Broads Authority response to comment	Proposed change to Local Plan.
Policy PUBDM9: Surface water run-off	Yes	Yes	We support this policy, and the Reasoned Justification, particularly the text around the use of SUDS and their potential to reduce phosphorous in surface water run-off.	Not seeking changes	Support noted.	No change proposed.
Policy PUBSP2: Strategic flood risk policy	Yes	Yes	We support this policy and the requirement for new development to incorporate Sustainable Urban Drainage SUDS measures. This is in line with paragraph 164 of the NPPF which states that "New development should be planned for in ways that: a) avoid increased vulnerability to the range of impacts arising from climate change. When new development is brought forward in areas which are vulnerable, care should be taken to ensure that risks can be managed through suitable adaptation measures, including through incorporating green infrastructure and sustainable drainage systems;"	Not seeking changes	Support noted.	No change proposed.
Policy PUBDM7: Water efficiency and re-use	Yes	Yes	We support this policy which requires new dwellings to meet the tighter Building Regulations optional requirement of 110 litres/person/day. The design of new developments should optimise the inclusion of water efficiency and consumption measures, such as rainwater/ or greywater recycling, low flow taps and showers, low flush toilets, rain gardens and water butts and Sustainable Urban Drainage Systems (SUDS) in the construction of new buildings. We recommend that all major non-residential development should incorporate water conservation measures to achieve full credits for category Wat 01 of BREEAM and recommend that non-domestic buildings referred to in section 4 of the policy are given an appropriate efficiency target for clarity for developers and monitoring policy delivery. We support the reasons given in the Reasoned Justification text	Not seeking changes	Support noted.	No change proposed.
Policy PUBDM2: Embodied Carbon	Yes	Yes	We support the inclusion of additional text around the issue of embodied carbon. Embodied carbon makes up a significant portion of the built environment's total emissions, therefore, to meet the UK's net-zero by 2050 target, a holistic approach that includes addressing embodied carbon is crucial.	Not seeking changes	Support noted.	No change proposed.
Policy PUBDM20: Energy demand and performance of new buildings (including extensions)	Yes	Yes	We support general intention of this policy to reduce the energy demand of buildings, in line with the weight afforded to the measures in the updated NPPF (Paragraph 164): In determining planning applications, local planning authorities should give significant weight to the need to support energy efficiency and low carbon heating improvements to existing buildings, both domestic and non-domestic (including through installation of heat pumps and solar panels where these do not already benefit from permitted development rights).	Not seeking changes	Support noted.	No change proposed.

Part of Local Plan	Meets the legal and procedural requirements?	Met the tests of soundness?	Why you consider this part of the Plan is not legally compliant or sound/comment	What change(s) you consider necessary to make the Plan legally compliant or sound.	Broads Authority response to comment	Proposed change to Local Plan.
Policy PUBDM19: Trees, woodlands, hedges, scrub and shrubs and development	Yes	Yes	We support this policy. We suggest adding words requiring after care/management of new trees to ensure that they survive and replacement planting for any that die.	We suggest adding words requiring after care/management of new trees to ensure that they survive and replacement planting for any that die.	Agree.	5. Details of appropriate measures for the establishment and long-term maintenance of new tree planting will need to be provided. <u>It is expected that planting will follow current best practice, including BS 8545:2014 and other relevant British Standard guidance. Where new tree planting is proposed, an Aftercare and Maintenance Plan will need to be submitted covering a minimum of 5 years, including watering, mulching, staking and replacement of failed specimens. Where trees are lost within the establishment period, they must be replaced on a like-for-like basis in the next planting season.</u>
Policy PUBDM16: Biodiversity Net Gain	Yes	Yes	Given the scale of the global biodiversity crisis, and the need to make clear and tangible progress on nature's recovery, Norfolk Wildlife Trust strongly supports the requirement for 20% set in this policy. Having greater than 10% would contribute to the delivery of the National Park purposes and the enhanced biodiversity duty. See Appendix 1 for supporting information.	Not seeking changes	Support noted.	No change proposed.
Policy PUBDM15: Natural Environment	Yes	Yes	We support this policy which aims to protect, restore and enhance biodiversity and habitats and welcome the additional text around compliance with the mitigation hierarchy.	Not seeking changes	Support noted.	No change proposed.
Policy PUBSP5: Biodiversity	Yes	Yes	We support this policy which aims to prevent development having an adverse impact on internationally, nationally, and locally designated sites and are pleased to see that County Wildlife Sites and Section 41 Priority Habitats are referred to in this policy. However, we recommend that additional text is added to cover the functionally linked habitats of these sites. We also recommend additional policy text regarding a requirement for developments to submit full Ecological Impact Assessments in order that the potential impacts on biodiversity can be reviewed. We support the addition of a clause stating that new development will include beneficial features biodiversity. This will help comply with the Council's duty to have regard to the conservation and enhancement of biodiversity under the 2006 NERC Act and its amendment under the 2021 Environment Act.	We recommend that additional text is added to cover the functionally linked habitats of these sites. We also recommend additional policy text regarding a requirement for developments to submit full Ecological Impact Assessments in order that the potential impacts on biodiversity can be reviewed.	Agree regarding functionally linked habitats. In terms of Ecological Impact Assessment, terminology is important – EIA is only for projects expected to have serious impact on the surrounding environment & include consideration of social, ecological, health & economic impacts, e.g. roads, urban etc. EcIA is what we think is being referred to (Ecological Impact Assessment) which focus on ecological impact and may also include mitigation and compensation measures. Our current approach – we may ask for a Preliminary Ecological Appraisal (PEA) which in effect is the very first stage of an EcIA. It is where the habitats and potential constraints on a site are identified. This may then recommend the need for further surveys for specific habitats and/or species. This could all be tied together into an EcIA whereby the scoping (PEA) and the mitigation, compensation, enhancements are all in one document. In effect, many PEAs do this. Not all developments will require the same level of detail or attention, depending on size, location and significance of effects.	2a) protect the value and integrity of nature conservation interest and objectives of international, national and local (such as County Wildlife Sites and Local Nature Reserves) <u>sites designated for nature conservation. nature conservation designations. Functionally linked land, i.e. land outside of designated site boundaries, but integral to their function, will also be protected.</u> Biodiversity Net Gain (BNG) sites shall also be protected. Amend PUBDM15 part 2 as follows: 2. Depending on the nature and location of the scheme, the applicant may be required to assess the impact of proposals on the natural environment. <u>Applicants may be required to undertake and submit a Preliminary Ecological Appraisal (PEA)/Ecological Impact Assessment (EcIA) to provide information regarding the habitats and species present on site, to consider the potential impacts of the development and recommend appropriate mitigation measures.</u>

Part of Local Plan	Meets the legal and procedural requirements?	Met the tests of soundness?	Why you consider this part of the Plan is not legally compliant or sound/comment	What change(s) you consider necessary to make the Plan legally compliant or sound.	Broads Authority response to comment	Proposed change to Local Plan.
Policy PUBDM53: Source of heating	Yes	Yes	We support this policy, in particular the statement that oil heating of new builds and replacement dwellings will not be supported. This will help meet our commitments to reducing carbon emissions.	Not seeking changes	Support noted.	No change proposed.
Policy PUBDM21: Renewable and low carbon energy	Yes	No	Whilst we support the development of renewables to help meet our Net Zero requirements, it must be ensured that proposals for renewable infrastructure are nature positive in line with the Biodiversity Duty.	We recommend including the following text in relation to solar farms, as well as wind farms “The potential for impacts on birds and bats, and other wildlife, must be fully assessed and avoided and mitigated”. We also recommend including the clause below for solar farms (currently applied to wind farms only) “Information relating to the vehicle routing associated with construction activities for solar farms must be provided. The proposed site access arrangements and access routes will be suitable for the construction phase, including the delivery of turbine components and construction materials, the operational phase, and the decommissioning of the proposed solar farm”. We suggest that the text in 10 is strengthened to state that proposals for turbines or access routes located on peat soils Will Not be supported.	Agree to some extent.	<p>Move 12 c) first sentence to become part 8 of general principles.</p> <p>Amend part 12 c) second sentence so 'this' is replaced with 'and'.</p> <p>Move 12 d) to become part 9 of general principles and make it generic about renewable energy rather than just referred to turbines.</p> <p>Checking numbering of criteria - there are two number 10s.</p> <p>Amend part 10 (peat) to refer to the peat policy.</p>

3. Areas of disagreement

None.

4. Signed

For the Broads Authority: Natalie Beal, Planning Policy Officer, 11 November 2025

For Norfolk Wildlife Trust: Dr Sarah Eglington. 24/11/2025

5. Appendix 1 – further comments relating to BNG.

Nature is remarkable and is essential to our lives. It is responsible for the air we breathe, the water we drink, the soil we live on (and off) and the food we eat. It provides us with clothes to wear, materials to build with and medicines to cure. It provides us with a place for leisure, recreation and reflection and provides great joy and interest; as such it is inextricably linked to our mental health and wellbeing. Despite the importance of nature to our very existence, nature is facing a crisis – an ecological emergency. The Living Planet Report (2018) shows that wildlife populations have declined by over half in less than 50 years and that the variety of life on earth is disappearing fast. Furthermore, the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES) reports that globally one million animal and plant species are now threatened with extinction. Nationally, the 2023 State of Nature Report found that one in six of England's species are under threat of extinction, with wildlife, on average, declining by 19% since monitoring began in 1970. Because of the services and functions that biodiversity provides, this resource can also be described as our natural capital. Natural capital provides (food, raw material and growth), regulates (air, water, soil and climate) and supports us culturally with non-material benefits. It can simply be described as the elements of nature that directly or indirectly produce value to people.

Biodiversity is the “live” element of natural capital and many of the benefits that stem from natural capital are as a result of the interactions between biodiversity and non-living resources. By investing in these biodiversity assets, we are investing in our own future and wellbeing. The planning system is a critical place where the natural world regularly meets with the actions of government. With the need to build more homes for growing populations, biodiversity net gain offers a framework to promote sustainable growth. However, for the requirement for BNG to succeed, it must be applied ambitiously and with care and be effectively monitored and enforced. The Wildlife Trust has a policy position that in the context of the ecological crisis, developments should be required to go beyond 10% BNG and strive to deliver at least 20% to protect and enhance nature and support its recovery. Why is a 20% target needed in Norfolk? Norfolk has a wonderfully rich and varied biodiversity, but it is not in a safe or stable condition, and it remains under serious threat. Our wealth of varied habitat supports 2328 of species which are classified as ‘Species of Conservation Concern’, meaning they are rare, threatened or protected by law, with some of these nationally rare and special species only found in the UK in Norfolk. Almost 13% of Norfolk is made up of Priority Habitat and Norfolk is home to a high proportion of the UK's most wildlife-rich habitats, including chalk streams, reedbed, fens, dry acid grassland and coastal sand dunes. Norfolk is also a national stronghold for Priority Species including barbastelle bat, swallowtail butterfly, bittern and stone curlew. Norfolk has 163 SSSIs, covering an area of 121,223 ha, equating to 23% of the total area of the county. Of these, 30% of the SSSI features are in unfavourable (no change) unfavourable declining, or unknown condition. For County Wildlife Sites, the non-statutory network of sites important for wildlife at the county level, monitoring data shows that 66% are either in declining, unfavourable condition or unknown. This compares to a national average of 48% in favourable condition. Within Norfolk, there are pressures on land use, the biggest being significant and unprecedented levels of growth. The population of the Norfolk is projected to increase from 916,120 in 2021 to 1,029,249 by 2043, an increase of around 11%. In addition to these homes is the infrastructure needed to support this – transport, education, health and social care, utilities and community facilities. This all requires space (land) and resources. The changing climate puts Norfolk's wildlife at further risk; for example, with warming of 2°C, 72% of bumblebees in Norfolk could be lost, along with 75% of grasshoppers and bush crickets, and 68% of larger moths. The new climate, at this level of warming, potentially becomes unsuitable for 15 species of birds 7 species of mammal. The Swallowtail Butterfly, found in the UK only in the Norfolk Broads, and Red Admirals are among 11 species

of butterfly which could be affected. The continuous growth in development and urbanisation means the county now has a highly fragmented landscape with small pockets of habitat supporting rare and vulnerable species. The Lawton Report “Making Space for Nature” has emphasised the importance of networks and connectivity for biodiversity. Fragmentation impairs species movement and migration, meaning these isolated populations are less able to survive or adapt to changing climate conditions and are put at further risk. Norfolk is home to numerous declining priority and endangered species, including water vole, Natterjack Toad, hedgehog, Barbastelle Bat and Adder. Between 1995 and 2021, 27% of bird species reported on in the BTO Breeding Bird Survey showed a statistically significant decline in Norfolk. There is a lack of data on the number of species in other taxa declining within Norfolk but given the national declines and threats, a precautionary approach is required. Indeed, as a response, ecological emergencies have been declared across the county. With these exceptional pressures for the county, the scale of biodiversity losses require a 20% biodiversity net gain target in order to bring confidence that the ecological crisis in Norfolk is being tackled and that there is a strategic policy in place to ensure that net gain will be delivered that makes a measurable contribution to national targets for halting the decline in biodiversity and moving it towards recovery. How will biodiversity net gain affect development and is a 20% target achievable? There is sometimes a misconception that increasing BNG from 10% to 20% is doubling the amount of habitat to be delivered. This is not the case. The increase is only from 110% to 120% of pre-development biodiversity levels. The vast majority of the cost of BNG is on meeting the 110% statutory target, and the extra 10% is a small extra cost that does not impact on viability. A 10% minimum gain has been set by the Environment Act, as this is the lowest level that Defra consider would actually deliver biodiversity gains. But we consider that given the pressures facing the county’s biodiversity, a greater ambition of 20% should be set to provide greater confidence in genuine gains for biodiversity and ensure the successful recovery of nature in Norfolk. Relevant findings from Defra’s Impact Assessment document (21/11/2018) include (our emphases): “..In simple terms, [10%] is the lowest level of net gain that [Defra] could confidently expect to deliver genuine net gain, or at least no net loss, of biodiversity and thereby meet its policy objectives.” “..Advice from some Natural Capital Committee members suggests that a level of net gain at or above 10% is necessary to give reasonable confidence in halting biodiversity losses.” “..The department therefore favours as high a level of net gain as is feasible...The analysis undertaken in this Impact Assessment indicates that the level of requirement makes relatively little difference to the costs of mitigating and compensating for impacts.” Natural England’s biodiversity net gain study (Vivid Economics, June 2018) considered the impacts on the economics and viability of development and concluded that a biodiversity net gain requirement was not expected to affect the financial viability of housing developments (up to 20% biodiversity net gain scenario); it also suggests there is a strong case for greater ambition. The study found that for biodiversity net gain scenarios up to 20%:

- With careful design and early consideration, on site biodiversity net gain can be delivered at no or little cost.
- If it can be delivered on site, biodiversity net gain is usually cost-neutral – biodiversity on-site can attract customers, speed up sales and even increase values.
- If biodiversity net gain costs are significant, it is the landowner that will bear them rather than the developer through reduced land prices; however, according to the study most developers considered it unlikely to have a significant impact on land values.
- After a transition period, incidence of a biodiversity net gain requirement on developers was expected to be minimal or positive.

- Biodiversity net gain is not expected to reduce the number of affordable housing units.
- An increase in the biodiversity net gain requirement does not need to impact the number of dwellings, as some of net gain can be delivered off-site.
- Where there are higher costs associated with off-site delivery, these will be passed through to the landowner but represent less than a 1.5% uplift.

The Defra assessment similarly concluded that the additional costs would fall to the landowner. Their assessment states that when mandatory requirements that are transparent and clearly defined are imposed across all developers, developable land prices should fall to absorb the policy cost as developers 'pass through' the cost. Evidence from industry and academia supports this, showing that development costs are passed back through to land prices once the market has adjusted to the new policy. It states that house prices and developer profits appear inelastic with respect to extra costs, with land prices absorbing the change. The Defra impact assessment also found that the level of net gain requirement makes relatively modest difference to the costs of mitigating and compensating for impacts when assessed against the more significant costs of achieving no net loss and wider development policy objectives. It found that the majority of the costs associated with net gain are incurred to correct for the initial loss of biodiversity through development (i.e. achieving only 'no net loss'). For example, a 10% net gain is in fact a requirement to deliver approximately 110% of the total lost biodiversity; a 10% gain therefore represents a relatively small proportion of overall habitat creation/enhancement requirements. Furthermore, the additional investment required to move from 10% net gain to 20% does not mean twice the expense. As the Natural England assessment found, careful design and early consideration can see the achievement of significant biodiversity improvement with little or even no additional spend. Overall, Defra's analysis indicated that net gain delivery costs are likely to be low as a proportion of key variables such as build costs and land prices. In addition, they found it is unlikely to lead to a significant increase on existing average developers' contributions. We are encouraged to note that from other Local Authorities that 20% BNG is a realistic and deliverable policy goal. The following Local Planning Authorities that have already adopted a 20% requirement or target in their Local Plan: Maidstone, Guildford, Worthing, Greater Cambridge, Brighton and Hove. Other local planning authorities are working towards 20% or higher minimum biodiversity net gain requirements in emerging local plan policies: Richmond, Mid Sussex, Mole Valley, Birmingham, East Devon, Surrey Heath, Canterbury, Swale, Swindon, Kingston-upon-Thames (30% target), Tower Hamlets (30% target), Wiltshire. Conclusion: Therefore, given the evidence on the state of nature in Norfolk and the clear need for substantive action to ensure the ongoing decline in biodiversity is halted by 2030, we strongly recommend that the Broads Authority implement a policy to requiring 20% BNG. This stronger target would demonstrate a clear commitment to BA's Biodiversity Duty, without any significant effects on the delivery of the plan or viability of the developments affected.