



Local Plan for the Broads

Statement of Common Ground

Between the Broads Authority & Essex and Suffolk Water (Savills)

In relation to comments made as part of the first Regulation 19 consultation

January 2026

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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?	If not meet tests of soundness, which test?	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 PUBDM25: Utilities infrastructure development	Yes	No	Not justified, effective or consistent with National Policy	<p>Policy PUBDM25: Utilities infrastructure development states at point 1 that: “Proposals for utilities infrastructure and associated development will only be permitted where: a) The proposal has an essential role in the provision of a regional and national network”.</p> <p>The requirement within this policy for any utilities infrastructure proposal to play an essential role in the provision of a regional or national network is deemed somewhat restrictive. Paragraph 77 of the NPPF (December 2024; as amended February 2025) sets out that the supply of new homes needs to be supported by necessary infrastructure. There is no requirement within national policy for utilities infrastructure to be delivered as part of a wider network, and indeed, many of Essex & Suffolk Water’s essential capital projects are not delivered as part of wider regional or national networks. However, these projects are essential to ensuring the provision and maintenance of a consistent water supply to homes across the county.</p> <p>It is therefore important that local policy continues to support the provision of much-needed utilities infrastructure, in line with national policy, and should therefore avoid restrictive wording.</p>	It is proposed that Policy PUBDM25: Utilities infrastructure development be amended to remove reference to regional and national networks.	Agree.	a) <u>The need for the infrastructure being located in the Broads is fully justified and there are no suitable alternative locations outside the Broads protected landscape; The proposal has an essential role in the provision of a regional and national network</u>
Policy PUBDM7: Water efficiency and re-use	Yes	No	Not effective	<p>It is recognised that the Broads Local Plan is at an advanced stage in its preparation and includes the higher optional standards for water efficiency in areas of serious water stress (110 l/p/d). However, it is considered that Policy PUBDM7 is not effective as it does not impose tighter water efficiency standards than Building Regulations and therefore does not encourage sustainable growth. Essex & Suffolk Water would like to work with The Broads Authority both within this plan’s timeframe and in a future iteration of their Local Plan, to introduce tighter water efficiency standards that can help make development in The Broads more water efficient and allow sustainable growth, whilst longer term water supply solutions are being developed/implemented. As well as managing risks to the environment, tighter water efficiency measures may also reduce the need for water companies to restrict supply for non-domestic growth, alongside other initiatives. The Shared Standards for Water Efficiency in Local Plans was published in June 2025. These Shared Standards set out a collaborative and collective approach by Anglian Water, Cambridge Water, Essex & Suffolk Water, Affinity Water, the Environment Agency and Natural England, with the full endorsement of Water Resources East (WRE) as part of strengthening the Regional Water Resources Plan for Eastern England. It recommends that Local Planning Authorities (LPAs) include tighter water efficiency standards in Local Plan policies to support a clean and sustainable supply of water - essential for growth and nature recovery.</p>	It is considered that a modification to Policy PUBDM7 can help make development in The Broads more water efficient and allow sustainable growth, whilst longer term water supply solutions are being developed and implemented. As well as managing risks to the environment, tighter water efficiency measures may also reduce the need for water companies to restrict supply for non-domestic growth, alongside other initiatives. It is recommended that Policy PUBDM7 is modified to reflect the recommendations in the Shared Standards. Whilst the overall level of development in The Broads is low, it is considered the evidence set out in the Shared Standards is clear that tighter water efficiency standards are necessary for sustainable growth and nature recovery, which supports the National Park purpose of conserving and enhancing the natural beauty, wildlife and cultural	See response to detailed comments below.	See response to detailed comments below.

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				<p>The Shared Standards recommend that LPAs include Local Plan Policies that:</p> <ul style="list-style-type: none"> • Require new homes to be built to more stringent standards for water efficiency than the optional Building Regulations (part G) standard of 110 litres per person per day (l/p/d). Evidence indicates that a design standard of up to 85 litres/person/day (l/p/d) for residential developments is feasible. • Require new, extended or redeveloped non-domestic¹ development to aim to achieve full credits in the BREEAM water calculator. • Require new major non-domestic developments to include water saving measures and water reuse in their design. <p>These standards provide guidance and local evidence to help LPAs make a case that more stringent water efficiency policies are justified, feasible and viable as part of Water Cycle Studies and Integrated Water Management Plans that effectively manage a range of challenges across the water environment and aid nature recovery. Local Plans have a significant role in helping to deliver the sustainable use of water resources and address shorter-term water scarcity issues. LPAs can help ensure the risk of harm to habitats and deterioration to water bodies due to water scarcity is minimised by setting more ambitious, tighter water efficiency standards for new residential and non-domestic developments in local planning policy.</p> <p>Tighter water efficiency standards that can be justified by evidence are set out in the annexes supporting Shared Standards. The evidence is extensive and demonstrates, inter alia, that:</p> <ul style="list-style-type: none"> • The Water Resource Management Plans (WRMPs), prepared by water companies, in the Shared Standards area demonstrate that there are significant challenges in meeting predicted domestic and non-domestic growth in water demand whilst also meeting statutory environmental obligations (i.e. there are non-domestic water restrictions in both Anglian Water and Essex & Suffolk Water areas which are referenced in the supporting text to Policy PUBDM7). • Water efficiency is needed for protected sites and wider nature recovery. Of the 239 SSSIs in the Shared Standards area, 96 at time of writing, have water abstraction identified as an active pressure. Many have measures in place to address these pressures linked in many cases to the plan-led approach. The Shared Standards complement or support the delivery of those measures. The Norwich and the Broads water resource zone (WRZ) is identified as one of the WRZs with deterioration risk as a result of abstraction pressures. • At present it is feasible to achieve a total consumption of 85 l/p/d by taking a fittings-based approach using product types outlined in the Shared Standards Annex C - Section C2, which can be achieved at relatively low cost. In addition, water companies offer incentives to developers to build water efficient homes. These are tied into 	<p>heritage of the Parks, and the long term vision and fundamental principles for the Broads National Park in the Broads Plan 2022-2027.</p>		

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				water company Business Plans that are published every five years, with the latest being published in 2025 alongside WRMPs. These incentives can support the viability of delivering water efficiency measures.			
Policy PUBDM7: Water efficiency and re-use	Yes	No	Not effective	See related detailed comment.	1. All new/replacement/converted dwellings (including holiday/visitor accommodation and residential ancillary accommodation) will be designed to have a water demand equivalent to 110 90 litres per head per day of mains supplied potable water, or any tighter water efficiency higher standard subsequently established nationally through Building Regulations Part G or locally. Measures to reduce water demand further will be encouraged and supported.	Comment noted. Prior to the publication of the REG19 version of the Local Plan, working with Anglian Water, Environment Agency and Essex & Suffolk Water, on receiving the 'Shared Standards', the Authority tried to amend the draft policy to 90l/h/d. Following research, it was found that there was no guaranteed way of checking the delivery of this policy. This is beyond the optional building regulations and so it would not be checked by building regulations. As such, it was agreed to not include the standard but if the organisations above wished to raise it as part of their response to the Local Plan, it could be considered through the Examination. We also note that there is a consultation out relating to the building regulations: https://consult.defra.gov.uk/water-efficiency-demand/review-of-water-efficiency-standards/ . This public consultation includes an option to revise the minimum Water Efficiency Standard in new houses through fittings from 125 l/p/d to 105 l/p/d, and the optional technical standard from 110 l/p/d to 100 l/p/d. Does the organisation still want to pursue 90l/h/d?	The Authority would be content in amending the use to 90l/h/d, but as stated in the response, delivery cannot be monitored or guaranteed. Accept the other proposed changes or similar as proposed by other organisations.
Policy PUBDM7:	Yes	No	Not effective	See related detailed comment.	3. Washing up provision and toilets and showers associated with	Agree.	Amend policy as per comment.

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Water efficiency and re-use					camping, caravanning and glamping sites are required to be designed to <u>include be-water efficient fittings.</u>		
Policy PUBDM7: Water efficiency and re-use	Yes	No	Not effective	See related detailed comment.	4. All new/replacement/converted non-domestic buildings are required to be designed to be water efficient and should aim to achieve full credits within the 4 water categories (WAT01, WAT02, WAT03, and WAT04) under the BREAAAM standard, with a minimum score of 3 credits within WAT01 Water Consumption.	Agree to some extent. Water standard of BREEAM cannot be used in isolation. As such, we have introduced a BREEAM standard (see policy Policy PUBDM55: Non-residential development and BREEAM) which refers to a requirement to meet credits in WAT01 and other WAT calculators. So to include reference to that would be repeating another policy. The wording as included is aimed at all non-domestic buildings, including those that are below the 250sqm threshold.	Clarify part 4 and cross refer to DM55. Then in supporting text, explain the criterion better and cross refer to DM55.
Policy PUBORM1: Ormesby waterworks	Yes	No	Not justified or effective.	Point 2 of Policy PUBORM1: Ormesby waterworks states (underline added by Savills for emphasis): “Development <u>reasonably required</u> for the operation of the water treatment works, and the operator’s statutory duties as a water supply undertaker, will be supported where: a) it is <u>designed to make a positive contribution</u> to the local landscape or to minimise any negative visual impact, particularly when viewed from Ormesby, Ormesby Little, and Rollesby Broads; b) the tree coverage of the site, which makes an important contribution to the character and appearance of the area, <u>is retained and also protected during construction works</u> ; c) it reduces and does not cause light pollution; d) it is appropriate considering the flood risk to the site; and e) it has no adverse effect on the adjacent Special Area of Conservation (SAC) and Site of Special Scientific Interest (SSSI)”. It is considered that the phraseology ‘reasonably required’ is unhelpful with regard to the operation of the Ormesby waterworks. Development is either required or not required for the continued effective operation of the water treatment works to ensure the provision and maintenance of a consistent water supply to homes across the area. The wording ‘reasonably’ is therefore deemed ambiguous and unnecessary. Further, in relation to point 2. a), whilst Essex & Suffolk Water will always endeavour to minimise negative visual and landscape impacts, it will not always be possible to make a positive contribution due to the nature of their capital projects premised on the delivery of much-needed essential water infrastructure. The requirement at point 2. b) for tree coverage to be retained and	it is proposed that Policy PUBORM1, point 2 reads as follows: “Development <u>reasonably required</u> for the operation of the water treatment works, and the operator’s statutory duties as a water supply undertaker, will be supported where...” This wording change would enable the continued effective operation of the water treatment works, and avoids any ambiguity regarding whether development is required or not required.	Agree with removing 'reasonably'.	“Development <u>reasonably</u> required for the operation of the water treatment works, and the operator’s statutory duties as a water supply undertaker, will be supported where...”

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				<p>protected during construction works is also considered somewhat restrictive in relation to the delivery of essential infrastructure projects. Essex & Suffolk Water has a number of operational sites with considerable tree coverage. Whilst trees will be retained wherever practicable, it must be recognised that this will not always be possible, and a degree of flexibility within policy is therefore required.</p> <p>Paragraph 190 of the NPPF does not contain a blanket restriction on tree removal but rather that any applications should include an assessment of any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.</p>			
Policy PUBORM1: Ormesby waterworks	Yes	No	Not justified or effective.	See related detailed comment.	<p>To enable flexibility for the delivery of essential water infrastructure, it is also requested that point 2. a) be amended from: “it is designed to make a positive contribution to the local landscape or to minimise any negative visual impact, particularly when viewed from Ormesby, Ormesby Little, and Rollesby Broads” To: “it is designed to make a positive contribution to avoid detrimental <u>impact</u> on the <u>character and quality of the local landscape</u> or to minimise any negative visual impact, particularly when viewed from Ormesby, Ormesby Little, and Rollesby Broads””.</p>	Agree.	<p>1. Ormesby water treatment works will be protected from development which adversely affects the proper functioning of the waterworks and its contribution to the landscape and visual amenity of the locality.</p> <p>2a) it is designed to make a positive contribution to avoid <u>detrimental impact</u> on the <u>character and quality of the local landscape</u> or to minimise any negative visual impact, particularly when viewed from Ormesby, Ormesby Little, and Rollesby Broads.</p>

3. Areas of disagreement

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Policy PUBDM16: Biodiversity Net Gain	Yes	No	Not justified or effective.	<p>Point 5 of Policy PUBDM16: Biodiversity Net Gain states (underline added by Savills for emphasis): “The <u>Biodiversity Net Gain will be provided on site</u> with habitats functionally linked to the wider habitat network creating coherent ecological networks”.</p> <p>It is considered unreasonable that the Local Planning Authority require Biodiversity Net Gain to always be delivered on site. On Essex & Suffolk Water’s capital projects, it is not always appropriate to provide Biodiversity Net Gain on site due to the nature of their projects whereby land is not always acquired to deliver essential infrastructure projects. As per Schedule 14 Part 1 Section 90A of the Town and Country Planning Act 1990, Biodiversity Net Gain can be achieved on-site, off-site, or via buying statutory biodiversity credits, and is therefore not restricted purely to on-site delivery. Flexibility within local policy is therefore required, and is not currently provided.</p>	<p>Current Policy PUBDM16: Biodiversity Net Gain point 5 reads: “The Biodiversity Net Gain will be provided on site with habitats functionally linked to the wider habitat network creating coherent ecological networks”.</p> <p>Policy PUBDM16 should be updated to read: “The Biodiversity Net Gain will be provided on site <u>should be provided on site where possible</u>, with habitats functionally linked to the wider habitat network creating coherent ecological networks. <u>Off-site provision or purchase of credits is also acceptable</u>”.</p> <p>This wording change would enable flexibility that still encourages the delivery of on-site Biodiversity Net Gain wherever possible, whilst ensuring that local policy is able to support and accommodate those schemes where on-site delivery is not possible due to the nature of the project, such as Essex & Suffolk Water’s capital infrastructure projects.</p> <p>It is also important to highlight that many of Essex & Suffolk Water’s schemes are delivered on operational land or on 3rd party land, and it will not always be appropriate or feasible to deliver Biodiversity Net Gain on operational land or land owned by 3rd parties. Ensuring flexibility within local policy will therefore enable the continued delivery and maintenance of essential infrastructure projects.</p>	The policy needs to be read as a whole. Part 6 then covers the proposed amendments.	Combine points 5 and 6.
Policy PUBDM15: Natural Environment	Yes	No	Not justified or effective.	<p>Policy PUBDM15: Natural Environment refers to the protection of biodiversity and enhancement of natural habitats. As mentioned in response to Policy PUBSP5: Biodiversity and Policy PUBSP16: Biodiversity Net Gain, on Essex & Suffolk Water’s capital projects, it is not always appropriate to provide Biodiversity Net Gain on site due to the nature of their projects. Flexibility within local policy is therefore required, and is not currently provided. Please see response to Policy PUBSP16 for more detailed comments. Point 8 of Policy PUBDM15 also states that (underline added by Savills for emphasis): “Development that would have an adverse impact on a Local Nature Reserve, County Wildlife Site, a section 41 priority habitat identified under the Natural Environment and Rural</p>	<p>Any policy wording relating to the delivery of Biodiversity Net Gain should be updated to provide greater flexibility to reflect that it is not always possible to achieve on-site Biodiversity Net Gain in every instance. Local policy should therefore state that on-site Biodiversity Net Gain should be provided wherever possible. On behalf of Essex & Suffolk Water, Savills (UK) Ltd also encourages the Council to define ‘exceptional circumstances’. The provision of essential infrastructure should be considered an ‘exceptional circumstance’.</p>	<p>We are not sure of the relevance of BNG to this comment. The BNG comment from Savills E&S Water is covered elsewhere.</p> <p>Turning to the comment on exceptional circumstances, the NPPF, at footnote 70, talks about this.</p>	No change proposed.

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				<p>Communities (NERC) Act 2006, or a local site of geodiversity, including peat soils, <u>will only be permitted in exceptional circumstances</u>, having regard to the international, national, regional and local importance of the site in terms of its contribution to biodiversity, scientific and educational interest, geodiversity, visual amenity and recreational value". It is unclear from the wording of Policy PUBDM15 how the Council defines 'exceptional circumstances'. Whilst Essex & Suffolk Water's capital projects will have regard to Local Nature Reserves, County Wildlife Sites, priority habitats or local sites of geology wherever possible, there may be situations whereby some impact is unavoidable due to the necessity of essential infrastructure delivery. Greater clarity is therefore sought regarding the definition of 'exceptional circumstances', and the delivery of essential infrastructure projects should be considered 'exceptional circumstances'.</p>			
Policy PUBSP5: Biodiversity	Yes	No	Not justified or effective.	<p>Policy PUBSP5: Biodiversity is not considered to be justified or effective in relation to the development of essential water infrastructure. Part 2 c) of Policy PUBSP5: Biodiversity reads as follows (underline added by Savills for emphasis): "<u>Development will provide biodiversity net gains in line with local and / or national policy</u> and / or through providing biodiversity enhancements (particularly where net gain is not required), paying attention to habitats and species including the Broads core habitat within wider ecological networks and habitat corridors, especially linking fragmented habitats". Policy PUBDM16: Biodiversity Net Gain relates specifically to the delivery of Biodiversity Net Gain. As detailed in the response to Policy PUBDM16, on Essex & Suffolk Water's capital projects, it is not always appropriate to provide Biodiversity Net Gain on site due to the nature of their projects. Essex & Suffolk Water has a number of operational sites that are relatively small and the provision of biodiversity on such sites is not practical, particularly where further development might be necessary in the future. Essex & Suffolk Water also installs infrastructure on third party land and does not have the power to require those land owners to allow BNG to be delivered on that land. Provision of biodiversity enhancements off-site can be acceptable in certain circumstances. Flexibility within local policy is therefore required, and is not currently provided.</p>	<p>Any policy wording relating to the delivery of Biodiversity Net Gain should be updated to provide greater flexibility to reflect that it is not always possible to achieve on-site Biodiversity Net Gain in every instance. Local policy should therefore state that on-site Biodiversity Net Gain should be provided where possible.</p>	<p>This comment relates to PUBDM16 and not PUBSP5. See response to comment on PUBDM16.</p>	<p>No change proposed.</p>

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				Please see response to Policy PUBDM16 for more detailed comments.			
Policy PUBORM1: Ormesby waterworks	Yes	No	Not justified or effective.	See related detailed comment.	Similarly, it is requested that point 2. b) be amended from: “the tree coverage of the site, which makes an important contribution to the character and appearance of the area, is retained and also protected during construction works” To: “the tree coverage of the site, which makes an important contribution to the character and appearance of the area, is retained and also protected wherever possible and also protected during construction works <u>to avoid unnecessary loss</u> ”.	Disagree. Having discussed this proposed change with the Authority's Tree Consultant who is familiar with the site. Given the importance of the tree coverage with their proximity to the Broad, we will retain the existing wording as the proposed rewording does suggest that tree protection would become subservient to development	No change proposed.
Policy PUBDM39: Bank stabilisation	Yes	No	Not justified or effective.	Policy PUBDM39: Bank stabilisation refers to the piling of banks and sets out specifically at point 3. b) that: “Piling of banks will only be permitted where it takes account of criteria 1(a) to (i) and where piling / quay heading is part of the character of the area”. Given the nature of Essex & Suffolk Water’s capital projects and in particular pipeline schemes and associated infrastructure, piling may be required for the delivery of essential infrastructure on a regular basis. Our client cannot, therefore, be in a situation where piling is largely prohibited. Further, Policy PUBDM39 point 3. d) sets out that: “Piling of banks will only be permitted where it takes account of criteria 1(a) to (i) and the piling works are required for: i) Navigation purposes (including moorings, but see mooring policies that follow); ii) Compliance with the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017; iii) The prevention of diffuse pollution to the water environment; or iv) Flood defence” In addition to the circumstances identified at point 3. d) above, piling may also be required for the provision of essential infrastructure, yet it is not currently acknowledged in emerging policy.	It is proposed that the wording of Policy PUBDM39 is amended to read as follows: “Piling of banks will only be permitted where it takes account of criteria 1(a) to (i) and where piling / quay heading is part of the character of the area, <u>unless where it is required for the provision of essential infrastructure</u> ”. i) Navigation purposes (including moorings, but see mooring policies that follow); ii) Compliance with the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017; iii) The prevention of diffuse pollution to the water environment; or iv) Flood defence; or v) <u>The provision of essential infrastructure</u> ”	“Essential infrastructure” means one thing to Highways or the EA at a national or public interest level, but without explicit definition you could get riparian owners making a case that their plans are “essential” for their business/land protection etc. We asked Savills a couple of times to elaborate on their comment. If projects need piling because they are in areas of erosion, that is covered in the report. We asked if the need for piling was, for example, to hold up land on which Essex and Suffolk Water's projects would sit. But no elaboration was forthcoming. Given that the policy refers to areas or erosion and in the absence of	No change proposed.

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						any further explanation as to why the policy needs to be changed, it is proposed that no change is made in relation to this comment.	
Policy PUBDM19: Trees, woodlands, hedges, scrubs and shrubs and development	Yes	No	Not justified, effective or consistent with National Policy	<p>Policy PUBDM19: Trees, woodlands, hedges, scrub and shrubs and development aims to protect trees, woodlands and hedgerows, shrub masses and areas of scrub and states that development which requires the loss of these features will only be permitted where:</p> <p>“a) the removal will enhance the survival or growth of other trees, woodlands, or hedgerows or shrub masses and areas of scrub. OR</p> <p>b) it would allow for a substantially improved overall approach to the design and landscaping and landscape / habitat enhancement of the site and surrounding area that would outweigh the loss of any tree, woodland, or hedgerow or shrub masses and areas of scrub”.</p> <p>The wording of this policy does not, however, recognise the potential need to remove trees and hedgerow to facilitate the development of essential infrastructure. As per Paragraph 193 c) of the NPPF (December 2024; as amended February 2025): “development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons⁷⁰ and a suitable compensation strategy exists”.</p> <p>Footnote 70 sets out that wholly exceptional reasons could include “for example, infrastructure projects (including nationally significant infrastructure projects, orders under the Transport and Works Act and hybrid bills), where the public benefit would clearly outweigh the loss or deterioration of habitat”.</p> <p>National planning policy clearly recognises the potential need to remove trees to enable the delivery of essential infrastructure projects, and this could be better reflected within local policy. Some of Essex & Suffolk Water’s capital projects will likely require tree and hedgerow removal, and it is important that local planning policy is flexible enough to ensure the continued delivery of much-</p>	<p>It is proposed that an additional point c) is added to Policy PUBDM19 relating to the protection of trees, woodlands and hedgerows, shrub masses and areas of scrub to read as follows:</p> <p>“Development requiring the loss of trees, woodlands or hedgerows or shrub masses and areas of scrub will only be permitted where:</p> <p>a) the removal will enhance the survival or growth of other trees, woodlands, or hedgerows or shrub masses and areas of scrub. OR</p> <p>b) it would allow for a substantially improved overall approach to the design and landscaping and landscape / habitat enhancement of the site and surrounding area that would outweigh the loss of any tree, woodland, or hedgerow or shrub masses and areas of scrub. <u>OR</u></p> <p><u>c) it would enable the delivery of essential infrastructure projects where the public benefit would clearly outweigh the loss or deterioration of trees, woodlands, hedgerows, shrub masses and areas of scrub”.</u></p> <p>On behalf of Essex & Suffolk Water, Savills (UK) Ltd also encourages the Council to define ‘exceptional circumstances’. Essential infrastructure projects must be recognised as an ‘exceptional circumstance’, whereby replacement trees would be provided on-site wherever possible, whilst recognising that there may be circumstances where replacement trees would need to be delivered off-site.</p>	<p>Having discussed this proposed change with the Authority's Tree Consultant and Heritage and Design Manager, the first part of the policy makes clear that there can be exceptions. The policy already says ‘where there are exceptional and overriding benefits in accepting their loss’. So applicants will need to therefore make the case that their proposals will provide public benefits that override the loss and the Authority may require mitigation if necessary.</p> <p>In terms of 'exceptional circumstances', as quoted above, the policy refers to 'exceptional and overriding benefits'. 'Benefits' is a well-established concept in planning policy and could be wide-ranging, encompassing a long list of potentially different benefits.</p>	<p>Take out example as follows: 'except where their long-term survival would be compromised by their age or physical condition or where there are exceptional and overriding benefits in accepting their loss, such as restoration of appropriate areas of fen.</p>

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				<p>needed essential infrastructure.</p> <p>Furthermore, Policy PUBDM19 also sets out that where the loss of trees is deemed acceptable as per the policy wording above, it is also required that replacement trees “be provided on-site unless the applicant can show exceptional circumstances which would justify replacement provision elsewhere”. However, it is unclear how the Council define ‘exceptional circumstances’, and our client is concerned that this level of ambiguity could delay the delivery of essential infrastructure. Given the nature of Essex & Suffolk Water’s capital projects, and the fact that they may not always have acquired the land where development is proposed, replacement trees may not always be able to be delivered on-site. It is therefore imperative that essential infrastructure projects are recognised as an ‘exceptional circumstance’ that would not always require replacement trees to be provided on-site.</p>			

4. Signed

For the Broads Authority: Natalie Beal, Planning Policy Officer, 12 November 2025

For Essex and Suffolk Water: Kristian Haagenen, Head of Commercial and Estates, 5th January 2026