

Date: 26 September 2025
Our ref: 521535
Your ref: Broads Authority Reg 19 consultation



Planning
Broads Authority
Yare House
62-64 Thorpe Road
Norwich
NR1 1RY

Hornbeam House
Crewe Business Park
Electra Way
Crewe
Cheshire
CW1 6GJ

T 0300 060 3900

BY EMAIL ONLY - natalie.beal@broads-authority.gov.uk

Dear Sir/Madam

The Local Plan for the Broads: Review Plan Period 2021 to 2042 - Publication (Regulation 19) Consultation - The Broads Authority

Thank you for your consultation on the above dated 25 July 2025.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Summary

We consider that The Local Plan for the Broads: Review Plan Period 2021 to 2042 (Broads Authority, July 2025) is sound with regard to the aspects relevant to our natural environment remit. The plan is positively prepared as demonstrated by policies protecting the Broads National Landscape, conserving and protecting both statutory and non-statutory designated sites, habitats and species; and supporting green infrastructure and preventing fragmentation of habitats. The plan is justified, the evidence base appears to be robust as far as Natural England's remit is concerned, and alternatives have been taken into consideration throughout the plan stages. Natural England considers the policies within the plan are deliverable and flexible and therefore the plan should be effective, and the plan is consistent with national policy with regard to those within Natural England's remit. However, we have suggested some additional wording amendments which do not fundamentally alter our conclusions on the tests of soundness (additions in bold text and deletions crossed through).

1.0 Local Plan Regulation 19 (pre-submission) Consultation Document

1.1 General comments

Natural England welcomes and strongly supports the following policies, which we consider are justified and evidenced:

Policy PUBSP1: Responding to the Climate Emergency
Policy PUBDM4: Climate change adaption and resilience checklist
Policy PUBDM5: Water quality and foul drainage
Policy PUBDM10 Open space on land, play space, sports fields and allotments
Policy PUBDM11: Green and blue infrastructure and Public Rights of Way
Policy PUBSP3: Soils
Policy PUBDM12: Peat soils
Policy PUBSP5: Biodiversity
Policy PUBDM15: Natural Environment

Policy PUBDM16: Biodiversity Net Gain
Policy PUBDM17: Mitigating Recreational Impacts
Policy PUBDM18: Mitigating Nutrient Enrichment Impacts
Policy PUBDM19: Trees, woodlands, hedges, scrub and shrubs and development
Policy PUBSP6: Landscape character
Policy PUBSP7: Tranquillity in the Broads
Policy PUBDM28: Light pollution, dark skies and nocturnal character
Policy PUBDM22: Development and landscape
Policy PUBSP9: Recreational access around the Broads area

1.2 Specific comments

Policy PUBSP5: Biodiversity, Section 1 (Chapter 20 Natural Environment, page 110)

We welcome the inclusion of the point which states that development 'will contribute to the delivery of the Local Nature Recovery Strategies (Norfolk and Suffolk) and the Broads Nature Recovery Strategy 2024-29 (or successor documents)'.

Policy PUBDM15: Natural Environment (Section 1e, page 110)

We welcome the inclusion of the point which states that all development shall 'assist in the delivery of the Local Nature Recovery Strategies (Norfolk and Suffolk)'.

Local Nature Recovery Strategies (Section 13, page 112)

We welcome the inclusion of this policy. The term 'Local Nature Recovery Network' is not one that is used in the Norfolk and Suffolk Local Nature Recovery Strategies, and it might be misleading to use it in the policy. We advise that the policy wording is revised as follows:

*'13. Where development is sited within or adjacent to **an area the identified in the Local Nature Recovery Network Habitats Maps of the Local Nature Recovery Strategies as an 'Area that Could Become of Particular Importance for Biodiversity'** and/or has a Potential Measure mapped to it, it will demonstrate how the proposal will ~~maintain and enhance the ability of the network to restore~~ **and enhance habitats and provide eco-system ecosystem services in line with the Local Nature Recovery Strategy.**'*

Protected sites and species - supporting text (page 113)

We welcome the inclusion of the sentence 'In particular, proposals should take opportunities for the restoration and enhancement of the core opportunity areas for nature areas and priority habitats and species identified in the Local Nature Recovery Strategy and incorporate appropriate beneficial biodiversity conservation features'. An alternative form of words that aligns more closely with the terminology used in the Local Nature Recovery Strategies would be:

*'.....**the core opportunity areas for potential measures that will deliver the priorities for habitats and species identified in the Local Nature Recovery Strategy.....**'*

Protected sites and surveys - supporting text, 3rd paragraph (page 115)

We welcome the reference to species that are prioritised in the Local Nature Recovery Strategies being included in surveys where relevant and being given particular regard in the context of their conservation objectives. It would be advisable to specify whether this just refers to Key Species, Key Species and Flagship Species or to Key Species and all of the species included in habitat species assemblages (which include Flagship Species but also contain many more).

Wildlife Sites and Habitats, other than 'Habitats Sites' - supporting text (page 115)

We welcome the requirement that development that may have a damaging or negative impact on a habitat prioritised by the Norfolk and Suffolk Local Nature Recovery Strategies must be accompanied by a suitable environmental assessment. However, clarification is required, as the Local Nature Recovery Strategies 'prioritise' all habitats, with the prioritisation coming from targeting the best locations for their enlargement, creation or enhancement. An alternative form of wording that would reflect this would be (for the 5th bullet point):

'Development that may have a damaging or negative impact upon a...

- **site identified as a priority area within the Local Nature Recovery Strategy by being mapped as an 'Area that Could Become of Particular Importance for Biodiversity' and/or has a potential measure relating to the habitat mapped to it,**

...must be accompanied by a suitable environmental assessment that...".

Local Nature Recovery Strategy - supporting text, 1st paragraph, last sentence (page 116)
We welcome the reference to Local Nature Recovery Strategies, stating that planning applications 'will be required to address the requirement of the Local Nature Recovery Strategy.'

Policy PUBDM16: Biodiversity Net Gain (page 118)

Natural England welcomes the 20% minimum target in the policy, and the supporting justification (on page 119) for the target made in *More than 10% Biodiversity Net Gain for the Local Plan for the Broads - Topic Paper* (Broads Authority, February 2025).

Section 6a). We welcome the policy that off-site delivery should prioritise contributing to nearby habitat recovery and creation strategies, with the Local Nature Recovery Strategy named as one of the strategies that could be contributed to.

Delivery and Implementation of the policy – supporting text, 2nd paragraph (page 120)

We welcome the reference to Local Nature Recovery Strategies, which states that 'A positive proportionate contribution should be made to the ecological network and priorities as outlined within the Local Nature Recovery Strategy and regional Nature Recovery Network'.

Policy PUBDM17: Mitigating Recreational Impacts (page 121)

We welcome this policy and are pleased to see the policy requirements to assess and address increased recreational disturbance on designated sites. We advise that it is revised to strengthen it, provide better clarity, and to ensure that mitigation measures are agreed with the Broads Authority, acting as the competent authority, rather than with Natural England, as follows:

'1. Any development which results in a net increase in residential development and / or overnight tourism accommodation will need to put in place adequate measures to avoid and mitigate potential adverse recreational impacts on the integrity of Habitats Sites which are identified within the following strategies and Zones of Influence (ZOI):

a) Norfolk Recreational disturbance Avoidance and Mitigation Strategy (Norfolk RAMS) (and any successors) – covers the whole of Norfolk.

b) Suffolk Coast Recreation Disturbance Avoidance and Mitigation Strategy (Suffolk RAMS) (and any successors) - 13 km ZOI around the relevant Habitats Sites in the Suffolk Coast area.

~~*2. Planning permission will be granted subject to demonstrating no adverse effect on the integrity of Habitats Sites from recreational disturbance when considered alone or in combination.*~~ ***Any development that would be likely to have a significant effect on a European site, either alone or in combination with other plans or projects, will be subject to assessment under the Habitat Regulations at application stage. If it cannot be ascertained that there would be no adverse effects on site integrity the application will be refused unless it passes the tests set out in Regulation 62, and any necessary compensatory measures will need to be secured.***

~~*3. Proposed adequate measures must be delivered prior to occupation of development, in perpetuity and agreed with Natural England the Broads Authority. This will include the payment of a contribution towards the cost of mitigation measures at the protected sites, in line with 1a) and 1b) above.*~~

~~*4. For development over 50 units, the provision or enhancement of adequate green infrastructure, either on the development site or nearby, to provide for the informal recreational needs of residents as an alternative to visiting the habitats sites is required. This will equate to a minimum of 2 hectares per 1,000 population and will reflect Natural England's Accessible Natural Greenspace Standard*.*~~

Any development that would be likely to have a significant effect on a European site, either alone or in combination with other plans or projects, will be subject to assessment under the Habitat Regulations at application stage. If it cannot be ascertained that there would be no adverse effects on site integrity the application will be refused unless it passes the tests set out in Regulation 62, and any necessary compensatory measures will need to be secured.'

*(*It may be more appropriate to refer to another standard specific to the Broads, or cross reference to another policy in the Local Plan).*

Policy PUBDM18: Mitigating Nutrient Enrichment Impacts (Chapter 20 Natural Environment, Section Green Infrastructure and Ecological Networks, page 127)

We welcome the policy which identifies the need for mitigation measures, to address the nutrient impacts of nitrogen and phosphate from new development, within the catchments of The Broads Special Area of Conservation (SAC) and Broadland Ramsar site. We recommend the policy wording is amended as follows (which would also ensure consistency with the nutrient neutrality policies in neighbouring authorities' adopted local plans):

'1. Within the catchments of The Broads Special Area of Conservation (SAC) and Broadland Ramsar site:

- Any residential development proposal for that results in an increase in the level of overnight accommodation stays; and***
- any non-residential development that by virtue of its scale and type may draw people from outside the above catchments;***
- and/or may generate unusual quantities of surface water;***
- and/or, by virtue of the processes undertaken, may contain unusual pollutants within surface water run-off;***

~~*which is located within the catchments of The Broads Special Area of Conservation (SAC) and Broadland Ramsar site, must provide evidence to enable the Authority to conclude through a Habitats Regulations Assessment that the proposal will not have an adverse effect increase nutrient loads, such that it will have likely significant effects on the integrity of sites in an unfavourable condition. This can be demonstrated through nutrient neutrality.*~~

2. Planning permission will be granted subject to demonstrating no adverse effects on the integrity of the above named habitats sites from nutrient enrichment when considered alone or in combination.

3. The Norfolk Nutrient Calculator / or the Natural England Nutrient Calculator will need to be completed. If the calculator concludes an impact from nutrients, these impacts will need to be mitigated using appropriate mitigation, likely secured through a local or national mitigation scheme. The Authority may will use legal agreements to ensure this mitigation is secured and in place and will be delivered.'

2.0 Sustainability Appraisal

We have the following comments to make on the *Broads Local Plan Publication version Sustainability Appraisal* (Broads Authority, July 2025), which has been prepared in support of the Local Plan;

We are satisfied that the methodology and baseline information used to inform the appraisal appears to meet the requirements of the Strategic Environmental Assessment (SEA) Directive [2001/42/EC] and associated guidance. The environmental interest within our remit is covered within the Sustainability Appraisal (SA) objectives, and the SA appears to adequately assess the environmental, social and economic effects in accordance with legal and national policy requirements.

3.0 Habitats Regulations Assessment

We have the following comments to make on *The Local Plan for the Broads: Review Plan Period 2021 to 2042 Habitats Regulations Assessment* (Lepus Consulting, May 2025), which has been prepared in support of the Local Plan:

Natural England is satisfied that Habitats Regulations Assessment (HRA) has identified and screened in the correct habitats sites. It provides a detailed and comprehensive assessment of the likely significant effects of the relevant Local Plan policies (see *Table 4.1: Policies and allocations of the Local Plan screened into the HRA process* (summarised from Appendix C), on pages 37-38), acting alone or in combination, on European sites and meets the requirements of the Conservation (Habitats & Species) Regulations 2017 (as amended).

We agree with the conclusions reached in the Appropriate Assessments for air quality (see 5.4, page 42), water (see 6.3, page 48), and recreation and urbanisation (see 7.3, page 54), respectively. Although, we recommend that the suggested amendments to some wording in a few policies and supporting text, as described in the previous section above, is incorporated to ensure they are robust and clear.

We would be happy to comment further should the need arise but if in the meantime you have any queries please do not hesitate to contact us.

For any queries regarding this letter, for new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk.

Yours faithfully

Louise Oliver
Higher Officer – Sustainable Development
Norfolk and Suffolk Area Team