



## **Local Plan for the Broads**

### **Statement of Common Ground**

#### **Between the Broads Authority & Home Builders Federation**

#### **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 PUBDM43: Affordable housing	Yes	No	Not justified	This policy requires new development to meet the requirements for affordable housing policy as set out in the local plan for the relevant district – between 25% and 33%. However, it is notable that the viability assessment on the local plan notes at paragraph 5.11 that 33% affordable housing was only viable for older people’s accommodation to provide at waterfront locations. No evidence is provided as to what an appropriate level of affordable housing might be in such locations for this typology and as such HBF would recommend that specialist housing for older people on non water front locations is not required to make a contribution for affordable housing. This could be set out in DM43 or DM48.	This could be set out in DM43 or DM48.	Fundamentally, the affordable housing defers to/has regard to the policies of the relevant district council. That would therefore involve their approach to seeking affordable housing on elderly schemes, if indeed they do. The affordable housing policy already refers to what to do if viability is an issue.	Add the following to the following policies: PUBDM43 reasoned justification: <u>Older person’s housing</u> <u>The affordable housing policy also applies to schemes for older person’s housing. The standards of our districts will be used. Any schemes that are considered not viable will need to meet the policy requirements set out in the policy (mainly section 5 of the policy).</u>  Policy PUBDM48: Elderly and specialist needs housing Under delivery and implementation...  <u>Some types of accommodation that fall under this policy maybe required to provide affordable housing. The standards of our districts will be used. Any schemes that are considered not viable will need to meet the policy requirements set out in the policy (mainly section 5 of PUBDM43).</u>
Policy PUBDM57: Fibre to the Premises (FTTP)	Yes	No	Not consistent with national policy	Firstly, it is not for the developer to ensure that there is FTTP available for the development. This is for the provider of those services to schedule and deliver and development should not be delayed where this is not available. With regard to connections within the development the Council are no doubt aware of the new part R of the Building Regulations: Physical Infrastructure and network connections to new dwellings was published in 2022. These improved regulations require all new build dwellings to be installed with the gigabit-ready physical infrastructure connections subject to a cost cap of £2,000 per dwelling. As such is it unnecessary for the Council to include DM57 in the local plan and it should be deleted.	Delete policy	We note that a similar model, that was included in North Norfolk District Council, has been amended for this reason. We will liaise with the Inspector on this issue.	Potentially amend policy as per North Norfolk Local Plan.

### 3. Areas of disagreement

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 PUBSP15: Residential development	Yes	Yes	Not justified	The housing requirement of 1,077 homes over the plan period 2021 to 2042 has been calculated using a different methodology to that required by national policy for areas outside of the Broads Authority and other national parks. HBF recognise that the BA can use an alternative locally derived method as set out in paragraph 2a-014 of PPG. However, it also states that in taking these considerations such authorities must take into account the best available evidence on housing stock as well as local house prices, earnings and housing affordability. Given the latest standard method is a stock based approach housing needs HBF would have expected some consideration given to the housing stock in Broads Authority and whether the proposed requirement provides a sufficient boost to housing supply.	Missed consultation	We commissioned ORS to check our initial housing needs assessment following the change to using housing stock. They did this ( <a href="https://www.broads-authority.gov.uk/__data/assets/pdf_file/0020/152471/Local-Housing-Needs-Assessment-Addendum-March-2025.pdf">https://www.broads-authority.gov.uk/__data/assets/pdf_file/0020/152471/Local-Housing-Needs-Assessment-Addendum-March-2025.pdf</a> ) and that is why the need is now 1,077 dwellings.	No change proposed.
Policy PUBDM20: Energy demand and performance of new buildings (including extensions)	Yes	No	Not justified	HBF recognises that the Planning and Energy Act 2008 allows local authorities to set policies in their local plans that require development to achieve higher standards than those set out in building regulations. However, it must be noted that written ministerial statement (WMS) on local energy efficiency standards published on the 13th of December 2023 states that “Compared to varied local standards nationally applied standards provide much-needed clarity and consistency for businesses, large and small, to invest and prepare to build net-zero ready homes” and that local standards can “add further costs to building new homes by adding complexity and undermining economies of scale”. After noting these concerns, the 2023 WMS goes on to state that any standard that goes beyond building regulations should be rejected at examination if the LPA does not have a well-reasoned and robustly costed rationale that ensures: <ul style="list-style-type: none"> <li>• That development remains viable, and the impact on housing supply and affordability is considered in accordance with the National Planning Policy Framework.</li> <li>• The additional requirement is expressed as a percentage uplift of a dwelling’s Target Emissions Rate (TER) calculated using a specified version of the Standard Assessment Procedure (SAP). Given that the FHS will be introduced in the very near future and will require all new homes to be Zero carbon ready HBF do not consider it necessary for policies to be included in local plans that go beyond current standards. The Council state that there is no guarantee that this will be implemented however</li> </ul>	See above	The Local Plan does not go beyond current building regulations in terms of energy use. It encourages better energy efficiency and uses the 'Merton Rule' and encourages Passivhaus.	No change proposed.

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				Ministers have confirmed that the Future Homes Standard will be published this autumn ( <a href="https://www.gov.uk/government/news/rooftop-solar-for-new-builds-to-save-people-money">https://www.gov.uk/government/news/rooftop-solar-for-new-builds-to-save-people-money</a> ). However, we recognise the concern created by the delay and as such recommend that the 10% improvement in energy be applied to those homes built under part L of the 2021 building regulations to allow improvement in energy efficiency ahead of the introduction of the FHS.			
Policy PUBDM16: Biodiversity Net Gain	Yes	No	Not justified	Part 1a of this policy states it will seek to secure nature recovery and biodiversity net gain by “Applying the principles related to the biodiversity hierarchy, Sites of Special Scientific interests (SSSI) and irreplaceable habitats set out in national planning policy. In Castle Point, ancient woodlands are considered to constitute irreplaceable habitats”. HBF are concerned that in putting consideration of the biodiversity hierarchy alongside the consideration of irreplaceable habitats the will create confusion in the application of this policy. The delivery of BNG is a separate and different consideration to those related to protected species and habitats and should be kept separate within policies. HBF would therefore recommend that mention of the biodiversity hierarchy is removed from part 1a. HBF does not consider the requirement in 2d for development on greenfield sites to deliver 20% BNG to be sound. Guidance in paragraph 74-006-20240214 of PPG states that: “... plan-makers should not seek a higher percentage than the statutory objective of 10% biodiversity net gain, either on an area-wide basis or for specific allocations for development unless justified. To justify such policies, they will need to be evidenced including as to local need for a higher percentage, local opportunities for a higher percentage and any impacts on viability for development. Consideration will also need to be given to how the policy will be implemented”. As such the starting point is that local plan should not seek a higher requirement. This is different to a permissive policy allowing local plans to seek a higher level of BNG where justified, and the HBF would argue that it should be considered a high bar with regard to the evidence required to justify such a policy. There must be very robust evidence that the area is significantly worse than the country as whole with regard to the negative impacts on biodiversity from development. The HBF does not disagree with the broad thrust that the UK has seen a significant loss in	The requirement to provide a 20% increase in BNG should be reduced to the statutory minimum of 10%	<p>It is understood that costs of providing BNG (10% or 20%) will vary on a site-by-site basis depending on the size and type of land being developed and the ability of the developer to achieve Bio Units on site and the need, if at all, to purchase off site credits. It is also noted that requiring 20% BNG does not equal a doubling of Bio Unit required. For example - on a site with and existing 5 BU, a 10% gain requires 5.5 BU to be provided and, with 20%, 6 BU i.e. meeting a 20% BNG does not require double the provision of 10% BNG.</p> <p>Costs used in the Viability Assessment ( LPVA) were derived from the Government's 2019 Impact Assessment which provides costs per dwelling for a 10% BNG. To arrive at the costs for a 20% BNG, an additional 19% has been included on the amounts per unit shown in the Impact Assessment (IA) at Tables 16 and 17 (using the regionally based Central Estimate). 19% is the figure taken from para 6.11.2 of the Impact Assessment. The IA is clear that “.....we would expect to see most of the monetisable costs (and benefits) to developers passed through to the price of land that has planning permission.....In the case of additional development costs, this will revise down the result of a residual land value calculation: there will be a dampening effect on the uplift to the price of land following planning permission. Therefore, we anticipate that developers or house buyers should not bear the cost of biodiversity measures if they are mandatory and apply uniformly to all developers for a given piece of land”. The reference in the IA to costs being passed through to land prices is supported by the Viability PPG (Reference ID: 10-012-20240214) which states that “the total cost of all relevant policy requirements including ... biodiversity net gain (as required by Schedule 7A of the Town and Country Planning Act) ... should be taken into account when defining benchmark land value”.</p> <p>The commentator draws attention to the cost of BU published by the government in 2023. As the Government</p>	No change proposed.

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				<p>biodiversity not just in recent past but previous centuries and as such recognise the importance of ensuring that the outcome of new development in future is that there is a net gain in biodiversity. However, it is important to recognise that in recent years new residential development has not been the driver of declining biodiversity either locally or nationally and in particular over the last 50 years. The main drivers of declining biodiversity in England, as outlined in the State of Nature Report 2023 (State of Nature Partnership, 2023), as being “Intensive management of agricultural land, largely driven by policies and incentives since World War II, has been identified as the most significant factor driving species’ population change in the UK”. Therefore, whilst it is important for development to ensure that it improves the natural environment, it is not the main driver of biodiversity decline in across the Broads or Norfolk in general. The Broads Authority is seeking to require new development to offset the impacts of biodiversity created by the practices of other industries. This is unsound and inconsistent with paragraph 58 of the NPPF and the tests as to when a planning obligation can be sought. Given that 10% net gain is considered by Government as to what is required to address the harm to biodiversity arising from that development there can be no justification for requiring a developer to go beyond that. HBF have concerns that for some schemes the cost of BNG is being underestimated. The difficult with assessments as to the cost of meeting BNG is that every site is different and until the baseline level of biodiversity is known the cost of meeting either 10% or 20% is not known. Therefore, if it is considered to be sound to place this burden on developers there must be scope for this to be reduced where it is a barrier to delivery. HBF therefore suggests that this policy is amended to state that where a development is made unviable by the cost of meeting the 20% BNG requirement, on its own or in combination with other costs, this will be reduced to the statutory minimum.</p>		<p>notes, "Statutory credit prices are not guideline prices for off-site biodiversity units".  In summary - the Viability Assessment has used the most up to date guidance about average costs for providing off site BU where these are necessary, and it would be expected that any costs in excess of these would be passed on through the benchmark land values. Furthermore, the testing has demonstrated good general viability across the typologies tested with further 'headroom' to allow for any extra costs if these are incurred e.g. as shown in tables 5.1, 5.4 and 5.5 of the Viability Assessment.  It is considered that the LPVA provides evidence that a 20% BNG requirement would not undermine the viability of the plan.</p>	

#### 4. Signed

For the Broads Authority: Natalie Beal, Planning Policy Officer, 13 January 2026

For Home Builders Federation: Mark Behrendt, Home Builders Federation, 20 January 2026