

Broads Local Plan
Preferred Options Local Plan, Sustainability Appraisal, Habitats Regulation
Assessment for consultation
Report by Planning Policy Officer

Summary: This report discusses the Preferred Options version of the Local Plan, the accompanying Sustainability Appraisal and Habitats Regulation Assessment.

Recommendation: That the Local Plan documents be subject to public consultation from 5 December 2016 to 3 February 2017.

1 Introduction

- 1.1 The Broads Local Plan will contain strategic, development management and site specific policies to help determine planning applications in the Broads Authority Executive Area.
- 1.2 There has been one round of consultation already – the Issues and Options which was completed at the start of 2016. This included broad issues and some potential options to address those issues.
- 1.3 The responses received to that consultation, plus further evidence as well as an internal assessment of existing policies and policy gaps has resulted in the Preferred Options version of the Local Plan.
- 1.4 Members have seen the majority of the Preferred Options of the Local Plan as bite size pieces between April and October 2016. Accompanying the Preferred Options is the Sustainability Appraisal, Habitats Regulation Assessment and the Viability Assessment.

2 The Preferred Option Version of the Local Plan

- 2.1 This document combines the strategic, development management and site specific policies of the current three separate development plan documents into one place. The Local Plan runs to around 250 pages with over 100 policies (see Appendix A).
- 2.2 Many policies have been rolled forward from the current adopted documents with no changes, whilst some have had minor or larger scale changes.

2.3 The Local Plan tackles some issues for the first time in the Broads, including:

- Boat wash down facilities
- Water efficiency
- Open space
- Staithes
- Peat
- Land raising, excavated materials and settlement fringe
- Light pollution and dark skies
- Changes to the Acle Straight
- Housing need
- Gypsy, Traveller and Travelling Show People
- Residential annexes
- Custom/self build housing
- Health and wellbeing
- Safety by the water
- New site specific policies in Beccles, Ditchingham, Fleggburgh, Horning, Hoveton
- Rail halts
- Local green space

2.4 The maps that are referred to in the Local Plan can be found here:

<http://www.broads-authority.gov.uk/broads-authority/committees/planning-committee/planning-committee-11-november-2016>

3 Sustainability Appraisal

3.1 A Sustainability Appraisal of the Preferred Options has been prepared and is also published for consultation. The Planning and Compulsory Purchase Act 2004 requires a Sustainability Appraisal (SA) to be undertaken for Local Plans. The Broads Local Plan SA will examine whether the effects of the specific sites/areas allocations and policies, individually or collectively, give rise to sustainability benefits or dis-benefits. This has been completed in house. The findings of the SA for each policy is summarised in the Local Plan.

3.2 To summarise, the SA identifies that each policy has a positive or neutral impact on the SA Objectives when taken as a whole. Many impacts are uncertain as it would depend on the final proposal. There are some negative impacts:

- The Rural Enterprise workers policy rates negative against access to facilities as these are in rural areas away from facilities and services
- Woodbastwick Fen Moorings rates negative against housing as the policy promotes the removal of residential moorings
- Hedera House, Thurne rates negative against access to facilities and services as there are few services in the settlement.

3.3 The Sustainability Appraisal is attached at Appendix B.

4 Habitats Regulation Assessment

- 4.1 Directive 92/43/EEC (the Habitats Directive) on the Conservation of Natural Habitats and of Wild Fauna and Flora, and the UK regulations that give effect to this, require the preparation of an 'Appropriate Assessment' (AA) or Habitats Regulations Assessment (HRA) of the potential impacts of land-use plans (including the Broads Local Plan) on European designated habitat sites to ascertain whether they would adversely affect the integrity of such sites. This has been completed by Footprint Ecology.
- 4.2 To summarise, the plan has been screened to check for 'likely significant effects', i.e. risks to European sites as a result of the plan and the implementation of its policies. The results of the screening are set out in Section 3 of this report, where a number of recommendations have been made to modify and strengthen the plan wording, both within policy and also as part of the supporting text. Risks were identified in terms of the progression of new housing and the promotion of tourism, boating and water's edge development and navigation. Disturbance to wildlife, and deterioration of habitat, particularly through nutrient enrichment, arising or increasing as a result of the plan should be avoided in order to rule out likely significant effects, and suggestions are made relating to additional protective wording in policy and the requirement for adequate recreation provision as part of the three main housing allocations to deliver the proposed 212 houses over the plan period.
- 4.3 The Habitats Regulation Assessment is set out at Appendix C.

5 Viability Assessment.

- 5.1 The National Planning Policy Framework (NPPF) at paragraph 173 says: '...the sites and the scale of development identified in the plan should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened.' Accordingly, the Broads Authority has commissioned the preparation of a Viability Assessment report to assess the financial viability of the new Broads Local Plan.
- 5.2 At the time of writing the final Viability Assessment had not been received, but the consultants indicated that there were no major concerns.
- 5.3 When the report is received, it will be sent to members and the findings reported back verbally at Planning Committee.

6 About the Consultation

- 6.1 The Preferred Options is set to be published for public consultation between 5 December 2016 and 3 February 2017. The consultation period covers nine weeks as it includes the Christmas period.

- 6.2 The documents that will be the subject of the consultation are:
- The Preferred Options version of the Local Plan
 - The Sustainability Appraisal
 - The Habitats Regulation Assessment
 - The various pieces of evidence and the topic papers are also available for comment.
- 6.3 Advanced notice of the consultation has been given through an email to the Parish Councils in July and September 2016. A reminder of the consultation will go out with the Broads Plan email/letter in October 2016 and the Flood Risk SPD consultation in November 2016.
- 6.4 The consultation will be publicised by sending an email or letter to everyone on the contact database. A Press advert will be placed in the Eastern Daily Press and a Press Release will go out at the start of the consultation period as well as in early January to act as a reminder.
- 6.5 The following will be undertaken to make the document available in a number of formats:
- Hard copies at libraries and Council offices in the Broads area
 - Summary leaflet
(This will include one line description of the approach of the policy and ask for comments. There will be a link to the main document so people can read the detail of the policy if they wish.)
 - Copies of the documents will be available on line
- 6.6 In addition, there will be three drop in sessions, with one each in the north, central and southern areas. These will be held on a Saturday morning and afternoon and on a weekday evening and will be publicised through posters to go on Parish notice boards, a press advertisement and a Press Release.

7 Next steps

- 7.1 Subject to approval by the Authority for consultation, the formal process will commence on 5 December 2016 and will run for nine weeks. All representations received will be acknowledged and an assessment sent.
- 7.2 There may be some changes as a result of the comments received.
- 7.3 There are also some studies being worked on over the coming months relating to Gypsy and Traveller, non Gypsy and Traveller caravan need and houseboat need. These will be reported to Planning Committee when they are completed and will be included in the next version of the Plan.
- 7.4 The next version of the Local Plan to be produced will be the Publication version.

8 Financial Implications

- 8.1 Generally officer time in producing these policies and any associated guidance as well as in using the policies in determining planning applications. There is a budget for up to £1,000 for the consultation.

Background papers: None

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Date of report: 27 October 2016

Appendices: Appendix A: Preferred Options Local Plan
Appendix B: Sustainability Appraisal
Appendix C: Habitats Regulation Assessment
Accompanying draft Policies Maps

These can all be found here: <http://www.broads-authority.gov.uk/broads-authority/committees/planning-committee/planning-committee-11-november-2016>