

Planning Committee

05 November 2021

Agenda item number 11

November Consultation Responses

Report by Planning Policy Officer

Summary

This report informs the Committee of the officer's proposed response to planning policy consultations received recently, and invites members' comments and guidance.

Recommendation

To note the report and endorse the nature of the proposed response.

1. Introduction

- 1.1. Appendix 1 shows selected planning policy consultation documents received by the Authority since the last Planning Committee meeting, together with the officer's proposed response.
- 1.2. The Committee's comments, guidance and endorsement are invited.

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Date of report: 20 October 2021

Appendix 1 – Planning Policy consultations received

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Bungay Town Council

Document: Bungay Neighbourhood Plan [Bungay Neighbourhood Development Plan \(bungayndp.org.uk\)](http://bungayndp.org.uk)

Due date: 05 November 2021

Status: Regulation 14 stage

Proposed level: Planning Committee endorsed

Notes

This document is the Draft Bungay Neighbourhood Development Plan for the period 2020 to 2036. The Plan has been prepared by the Bungay Neighbourhood Development Plan (BNDP) Group composed of volunteers from the community. The policy proposals presented in the document are derived from the views expressed by the wider community through an extensive consultation process undertaken between December 2016 and January 2018, and further consultations on potential sites to allocate for housing in February 2020.

Proposed response

Summary of response

The Neighbourhood Plan is welcomed, however there are some concerns. These are:

- That the Design Guide, that is brought into policy, does not adequately assess the Broads or the documents produced by the Broads Authority and therefore should either be amended fundamentally or not apply to the Broads.
- That the introduction of 50m from a settlement for exceptions sites seems to not be justified and is contrary to National Policy.
- That the Environmental Assessment of the sites allocated in the Plan combines the sites rather than assesses the sites individually.

Comments on Bungay Neighbourhood Plan

It is worth noting that we made these comments at the Health Check stage that you asked us to undertake. However, no changes have been made; not even typographical or grammatical errors. I understand this is because the wrong version was sent out. Comments are therefore made again as well as some additional comments from others at the Broads Authority.

Para 1: 'Waveney District Council **and the Broads Authority** designated a Neighbourhood Area for Bungay in March 2016 (Figure 1) to enable Bungay Town Council to prepare the current Plan'.

Para 2: I think it is best to call the Local Plans what they are: Waveney Local Plan and Broads Local Plan. Saying that one is 'the Local Plan' and the other is not will be confusing at the document goes on. Keep it simple and say what it is: 'Waveney Local Plan' or 'Broads Local Plan'.

Para 12 – first example of how using ‘Local Plan’ is confusing. What is written is ok, but say Waveney Local Plan and then add a footnote that says that there are no housing allocations for Bungay in the Local Plan for the Broads. Later you say ‘part of the draft plan’ – which plan? If the Bungay Neighbourhood Plan, for clarity, suggest you say that. Then again you say ‘it can’ – rather than it, say BNDP.

Again para 23 – The Waveney Local Plan may talk about change for the area, but the Broads Local Plan does not, so say Waveney Local Plan.

Para 25 – what are amenities? Do you mean services and facilities?

Section 2 is good, but I would have thought it would be prudent to refer to the Broads and the Broads having a status equivalent to a National Park. Section 2 talks about many assets of the area that are effectively the Broads; so, suggest link them together.

I find footnote 3 a bit confusing. I am not sure what the message is here that cannot be made in the main text. What are you trying to say?

The vision starts off talking about a place people will choose to visit. What about the place as somewhere to live, work and play? Linked to a previous comment, there is limited reference to protecting what is important to the area – the landscape and water are mentioned many times in section 2 as being important, yet these are not included in the vision.

Objection 7 – needs to mention the Broads specifically.

Climate change statement typos -

- Bullet 1: ‘aims’. ‘TM2 supports’.
- Bullet 3: ‘natural environmental’

Para 30 is not quite right and ‘the Local Plan’ adds to the confusion: The **Waveney** Local Plan was adopted on 20 March 2019, covering the period up to 2036. This contains planning policies for the whole of the East Suffolk district, including Bungay, apart from the Broads Authority area which is covered by the policies in the Broads Local Plan. **The Broads Local Plan was adopted in May 2019.**

Para 32 and ‘community policies’ – so these would not be considered in assessing a planning application. Could they be called ‘priorities’ or ‘actions’ perhaps? Just an idea to save confusion and any future issues about what policies have been applied and which have not. Although later you bring in Community Actions.

Para 33 – again, using the term ‘Local Plan’ is not quite right: Development proposals should have regard to all the planning policies in this Neighbourhood Plan, and of course those in the ~~Local Plan~~ **local plans**’.

Para 36 – as mentioned before, say ‘Waveney Local Plan’ with a footnote to say that no growth is allocated for Bungay in the Broads Local Plan.

Para 37 – most of the ‘sensitive landscape’ around the town is the Broads.

Para 40 – ‘over the life of the **local plans**’ – not just Waveney. I am not sure what you mean when you say ‘choose to influence these’ – you have policies on design and housing mix so the BNDP will have an influence.

Para 45 – says ‘Local Plans’ – is that Waveney Local Plan? If so drop the s. Or is it both local plans? If so, make all lower case (but see previous)

Para 46 – the consultant and I had a conversation about the issue of the Design Guide not addressing or assessing or adequately acknowledging the Broads and its documents and therefore how it cannot truly reflect the context of the area and queried how it can therefore apply to the Broads. The upshot of that conversation was that the Bungay NP Design Guide will not apply to the Broads; that is what the consultant said. Yet there is no mention of this in this para (and elsewhere). We therefore object to the Design Guide applying to the Broads.

Para 47 (and maybe throughout) says ‘Bungay will’ on a couple of occasions – may be best to say ‘BNDP will’.

Policy H1

- Bullet l has an ‘and’ at the end which I think should be moved to the end of bullet point m.
- I would make the electric vehicle part of part n a new bullet point. Perhaps say ‘until a Government standard takes over’ or the like as I think the Government are likely to set a standard, going by a recent consultation.
- At the end of the policy you refer to the 2019 Design Guidelines. See comment to para 46. We therefore object to the Design Guide applying to the Broads and therefore object to H1 as it does not say the Design Guide will not apply to the Broads.
- How do you want a developer/applicant to show or prove they have addressed or considered these things? Design and Access Statements are not required for all applications. Do you want a proportionate design statement produced?
- The title of H1 is ‘new development’. The first para refers specifically to ‘all new residential development’. The intro to the bullets says ‘all new development’. So, what does this policy apply to and what scale? Where you say ‘all new development’ that could include windows for example; does it apply to that?
- I – I am a little wary of such policies as developers can use it as a means of justifying ‘landmark corner buildings’ completely out of scale with their surroundings.
- There doesn’t appear to be anything about the scale of new developments relating to the context (e.g. 2/ 3 storeys) or what materials might be considered acceptable.

Throughout – it would be good if each para of the policies is numbered – easy to reference.

H2

- b – this repeats Waveney Local Plan policy – is it needed? Or is it because our threshold of 20% on developments over 5 is not what you want? You don't mention in this part that it refers to M4(2) standard and you don't mention the two existing policy approaches. So, this may need a bit of clarification and explanation.
- When you say 'significant weight will be given to' – what do you actually mean by that? How do you want a Development Management Officer to use that when determining an application?
- What is the evidence to support the self-build threshold of 20 and the 10%?

Para 58 – I don't think lifetimes homes standard is a thing anymore. I think it is no more. Do you mean building for a healthy life?

Section 5.3 – you don't refer to the Waveney and Broads Local Plan policies on affordable housing. For example, that in the Broads Local plan we seek offsite contributions for schemes of 6-9 dwellings inclusive. It would be useful context.

H3 – as this has not been clarified following the health check and as no explanation has been given on this stance, there is an objection to this policy on the following grounds.

- Last part – what kind of exception site does this refer to? Rural or entry-level?
- The NPPF says that entry level sites are to be adjacent and that means next to/adjoining.
- What is the justification for the 50m distance?
- How does this relate to policy WLP8.6? Bungay is a Market Town and is not listed at the second bullet of WLP8.6. You should talk to Dickon about this as there could be a conflict and that could affect basic conditions.

Page 23, para 67 – add to the end of the sentence about the grade II listed Manor Farmhouse 'the setting of which will need to be considered'.

Page 25, Policy H4m – might be worth stating that a Heritage Impact Assessment would need to be submitted with any application.

CM policies – I thought this was a community policy (as it is lighter purple as per para 32)? But it is called a planning policy? It sets out some criteria that a scheme needs to consider, so what actually is this policy?

Para 95 – have you spoken to the Broads Authority about these aspirations? Of making the river near Bungay navigable and more walking routes?

Paras 91 to 99 – you might want to letter these and indent them as they relate to para 90.

Page 31 – Conservation Areas aren't specifically designated as Heritage Assets in the Planning (Listed Buildings and Conservation Areas) Act 1990. They are defined as designated heritage

assets through the NPPF. However, the above this 1990 Act is the planning legislation that governs how they are identified, designated and dealt with.

Page 31 East Suffolk Council are currently updating the Conservation Area Appraisal (CAA). It may be worth the authors of this report speaking to them about that document.

Page 33 – there is a community action box. That is a lighter shade. This is the first time community actions are talked about – did they need talking about at like para 32?

Page 33 - Community Action 1 – re: the last sentence, the CAA should include management and enhancement proposals. Is this what they are referring to? If so, perhaps the wording should be changed to: ‘informed by the management and enhancement proposals within the Bungay Conservation Area Appraisal’.

Policy CH3 – would you want to say ‘proposals that will appropriately/sensitively repair and conserve Bungay Castle will be supported’? Aim is one thing, to do is another. Also, one could do something that is not appropriate, but still repair or conserve it.

CH4 – uses the word ‘should’. That is a weak and flexible word. If you want these statements to be provided, suggest you say ‘will’ or ‘must be’.

Para 111- adopted Waveney Local Plan – throughout this para and indeed section 8.1 (as ‘local plan’ is used not ‘Local Plan’ (although see previous comments))

Para 125 – both local plans have these policies.

Para 144 and 145 – should cross refer to the open space standards of the Waveney Local Plan (as the Broads Local Plan defers to those).

Para 152 – this should refer to and reflect the Broads Landscape Character Assessment. Also, this para needs to cross refer to policy SP7 Landscape Character, in the Broads Local Plan.

ENV3 – random bullet at the end.

ENV4

- as worded, it is not setting requirements. It is saying that if you do this, then we will support you. It is not saying, you need to do this. There is a difference there. So maybe think about what you want this policy to do as at the moment, as worded, it does not require anything. It can easily be ignored.
- Did you want to set a standard for Biodiversity Net Gain?
- Should you refer to the emerging Environment Bill and what that requires?
- The Broads Authority have a biodiversity enhancements guide that could be referred to.

How does TM1 relate to the Suffolk Parking standards – do you need to explain that?

There is a lot of talk about walking and cycling in the Plan, but you don’t talk about cycle parking.

How does TM2 relate to H1 part n?

TM3 – what about cycle parking?

We wonder if the conversion of the railway from Ditchingham to Beccles for walking and cycling may be something you wish to mention or promote?

Environment Report

- The sites need to be assessed individually rather than a combination – the resulting combination of growth at two sites or one site can be a conclusion, but the actual assessment needs to assess the sites individually as what is for one site might not be for the other.
- For example, using climate change, the site in the centre would score more favourable in terms of access to services and facilities than the one on the edge, but that is lost as they are combined.
- Indeed, flood risk and surface water could be different for different sites.
- Landscape, soils and land impact will be different.
- As such, this does not tell the whole story accurately as presented.
- There is an objection to the Environment Report on these grounds.

HRA

Page 32 and 33 – why does this focus on the Broads Plan and not the Local Plan for the Broads? This needs rectifying.

The Broads SAC and SPA near Barnby seems to be within 15km – may need to check what the HRA says about this.