

**Brundall Neighbourhood Plan**  
**Proposed comments on Pre Submission Neighbourhood Plan**  
Report by Planning Policy Officer

<b>Summary:</b>	The Brundall Neighbourhood Plan is out for consultation. This report details proposed comments to be submitted by the Authority as part of the consultation.
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<b>Recommendation:</b>	That the Planning Committee agrees the proposed comments.
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## **1 Neighbourhood Planning**

- 1.1 Neighbourhood planning was introduced through the Localism Act 2011. Neighbourhood Planning legislation came into effect in April 2012 and gives communities the power to agree a Neighbourhood Development Plan, make a Neighbourhood Development Order and make a Community Right to Build Order.
- 1.2 Brundall Parish Council applied to Broadland District Council and the Broads Authority in December 2013 to designate its Neighbourhood Area for the purpose of producing a Neighbourhood Plan.
- 1.3 The process of producing the Plan has seen the Parish Council undertaking extensive consultation with residents and other stakeholder organisations, as well as the drafting of Plan objectives and policies.
- 1.4 On 20 June 2015 the Broads Authority gave support for the Brundall Neighbourhood Plan to go to pre-submission consultation as it met all the Basic Conditions.
- 1.5 The pre-submission consultation runs until 5pm on 3 August 2015. The consultation documents can be found here: <http://www.broads-authority.gov.uk/planning/planning-policies/neighbourhood-planning/brundall>

## **2 Proposed Comments**

- 2.1 The Broads Authority, along with Broadland District Council, agrees various stages of Neighbourhood Plan production. The Local Planning Authorities are also consultees and are able to comment on the content of the Neighbourhood Plans. The comments as set out in Appendix A are proposed to be submitted as part of this consultation.

- 2.2 It should be noted that the proposed comments have been shared informally with the consultants who represent and are undertaking the work on behalf of Brundall Parish Council.

### **3 Financial Implications**

- 3.1 Occasional Officer time in supporting the process (as required by regulations).
- 3.2 There will be no cost to the Broads Authority for the referendum at the end of the process as Broadland District Council have agreed to take on this task and cost.

### **4 Conclusion and Recommendation**

- 4.1 It is recommended that the comments as set out at Appendix A are submitted to the Brundall Neighbourhood Plan Pre Submission consultation.

Background papers: None

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Appendices: APPENDIX A – Proposed Broads Authority comments  
APPENDIX B – Timetable for The Remaining Stages of the  
Brundall Neighbourhood Plan.

## Appendix A – Proposed Comments from the Broads Authority

### Maps

**Issue:** How the Broads Authority area is referenced on maps.

**Requested amendment:** In all maps that show the Broads, the legend needs to be changed to say 'Broads Authority Executive Area'.

**Why?** This is a more accurate term.

### General

**Issue:** Lack of page and paragraph numbers.

**Requested amendment:** Page numbers and paragraph numbers added to the document.

**Why?** To enable Planning Officers to reference the relevant parts of the Neighbourhood Plan when determining planning applications.

**Issue:** throughout the document, the term 'support' is used. Is this without qualification? Will certain developments be supported no matter what the cost? Or would they be supported in principle subject to satisfying other considerations, such as LPA policies?

**Requested amendment:** clarification is sought regarding what 'support' actually means in light of the issue above and if appropriate, a better phraseology is used.

**Why?** For clarification when applying policies in determining planning applications.

### Policy 3

**Issue:** The term 'historic' implies heritage assets. Are views obscured by listed buildings and the like or by existing built development?

**Requested amendment:** If the latter, suggest replace 'historic' with 'existing built development' to clarify.

**Why?** A minor point, but as written implies heritage is affecting views.

### Policy 7

**Issue:** seeking to protect the boat building companies by the river

**Requested amendment:** Support approach in principle, but policy as worded is inflexible and does not recognise constraints on sites. Strongly recommend that this stance is discussed with Broadland Council Economic Development Team.

**Why?** We understand that some marine related companies are considering relocation to improve links to the road network and enable expansion. The policy should be alive to the constraints of the existing sites (particularly for larger operators) and consider what alternative uses might be appropriate. Alternatively it could reinforce the site as being suitable only for marine-related companies and support the diversification to smaller operators

**Issue:** Reference to DP2 in policy.

**Requested amendment:** Replace 'DP2' with 'DP29'

**Why?** Broads Authority Development Management DPD policy DP2 is about landscape and trees. It seems you mean DP29 regarding flooding.

**Issue:** The SA identifies that there will be issues relating to climate change and air quality, but , there seems to be no mitigating action in the policy itself. The supporting text may refer to travel plans, but there is no reference in the policy or specific text that relates to Norfolk County Council's Travel Plan criteria for example to emphasise how this issue will be mitigated.

**Requested amendment:** that the issue of the impact of this policy on climate change and air quality be mitigated. This could be specific mitigation in the policy or could be a cross reference to existing County policies on Travel Plans, although the threshold at which the County requirement is set could be higher than what could come forward as a result of this development.

**Why?** The SA identifies the policy negatively affecting climate change and air quality, but there seems to be no mitigation in the policy.

**Issue:** the policy now does not refer to flood risk (whereas it did in the last version) so it is not clear how the policy rates as positive in the SA and will 'result in improvements to flood risk management'. Reference to the BA's flood risk policy may be in the supporting text, but this is not policy.

**Requested amendment:** the SA could be amended to reflect flood risk not being addressed in the policy or the policy text amended to reflect the issue of flood risk.

**Why?** Whilst the BA flood risk policy and NPPF will apply to development in this area anyway, as flooding is a key issue in this area it is worthy of mention in the policy.

**Issue:** we mentioned as part of our representations to the last consultation that the policy should consider adopted Broads Authority Sites Specifics Local Plan policies BRU1 to BRU5 inclusive. It seems that in particular BRU2 is of importance and relevant. BRU2 in turn refers to DP18 and DP20 of the Development Management DPD. Is there an element of repetition?

**Requested amendment:** That the aspiration of the policy be assessed against the already adopted policies of the Broads planning documents (and NPPF as DP20 and DP18 rate as amber against the NPPF). Subsequently, if the policy adds to the already adopted policy, it could remain but reference to the policies quoted previously could be of use.

**Why?** It is unclear if this adds to or repeats existing policy.

**Issue:** the policy says it is supportive of boat building only and doesn't explicitly recognise the related marine industries

**Requested amendment:** That the aspiration of the policy be reviewed – is it the intention that it only covers boat building or would wider marine activities also serve the purpose of supporting the economic specialisms? **Why?** The area is home to other industries like boat maintenance, mooring, support services which are important to the area and are not mentioned in the policy.

**Issue:** the policy refers to redevelopment of areas of boat building activity only.

**Requested amendment:** That the aspiration of the policy be reviewed – is it the intention that it only covers boat building or would wider marine activities also serve the purpose of supporting the economic specialisms? **Why?** Other land uses in the area that could be subject to redevelopment are the marina and moorings.

**Issue:** policy refers to 'significant loss of employment' but this is not explained.

**Requested amendment:** That the aspiration of the policy be assessed and the supporting text indicates how this can be measured.

**Why?** It is not clear how 'significant loss of employment' can be measured.

**Issue:** The constraints of the road access aren't recognised.

**Requested amendment:** This constraint is recognised in the policy.

**Why?** The Broads Authority is aware of the constraints such as the level crossing and refer to this issue in BRU2 of the Broads Sites Specifics Local Plan.

**Issue:** Use of phrase 'should be avoided'. In what circumstances would loss be permitted – unviable businesses, diversification, etc.?

**Requested amendment:** That the aspiration of the policy be assessed as to what change is acceptable in the area, in line with adopted policies of the Broads Authority.

**Why?** It is not clear what change is acceptable in the area.

**Issue:** The area covered is not shown on a plan.

**Requested amendment:** show the area the policy refers to in better detail on a map.

**Why?** To aid Development Management Officers in determining planning applications.

## Policy 8

**Issue:** It is not clear what the policy intends in relation to food and drink.

**Requested amendment:** That the aspirations of the policy are assessed and the existing services in the area considered.

**Why?** There is already a public house in the area which is the subject of the Broads Authority Sites Specifics Local Plan policy XNS6.

**Issue:** How does policy 8 fit with these adopted Broads Authority policies? We mentioned last time that the policy should consider adopted policies BRU1 to BRU5 inclusive (Sites Specifics Local Plan).

**Requested amendment:** Consider the adopted Broads Authority policies in relation to the aspirations of policy 8. Could there be cross reference for example?

**Why?** BRU5 seeks to protect the land to the east of the Yare Pub from development and BRU4 refers to areas suitable for development as well.

**Issue:** Reference to DP2 in policy.

**Requested amendment:** Replace 'DP2' with 'DP29'

**Why?** Broads Authority Development Management DPD policy DP2 is about landscape and trees. It seems you mean DP29 regarding flooding.

**Issue:** The sentence that starts 'It is possible that...' How can independent proposals be brought together?

**Requested amendment:** That the aspirations of the policy are assessed and the realistic ability for coordination of independent proposals be considered.

**Why?** How would the first planning application be determined against this policy if it represented an independent, isolated use? If approved, would a second proposal be unacceptable if it didn't link to the first?

#### SA

- See some comments above re SA.
- Pg 28, ENV7 – still says historic – do you mean existing?

#### Implementation Plan

- When the tables say 'could include CIL receipts' does that mean the 25% top slice of CIL once the NP is adopted?
- Policies 5, 6, 8 – will suitable land for these policies be identified?

## Appendix B – Timetable for The Remaining Stages of the Brundall Neighbourhood Plan.

<b>Publication of Neighbourhood Development Plan</b>	<b>6 week minimum</b>	<b>01/06/2015</b>	<b>14/08/2015</b>
Develop webpage	BDC	01/06/2015	22/06/2015
Develop Objective event	BDC	01/06/2015	22/06/2015
Produce list of notification bodies	BDC	01/06/2015	22/06/2015
Produce notification letters	BDC	15/06/2015	22/06/2015
Produce public notice	BDC	15/06/2015	22/06/2015
Produce and submit press release	BDC	15/06/2015	22/06/2015
Print documents for library and BDC reception	BDC	19/06/2015	25/06/2015
Send notification letters/emails	BDC	25/06/2015	25/06/2015
Deliver documents to library and reception	BDC	26/06/2015	26/06/2015
Webpage and Objective go live	BDC	26/06/2015	26/06/2015
<b>Publication period</b>	<b>BDC</b>	<b>29/06/2015</b>	<b>10/08/2015</b>
Collation of consultation responses	BDC	29/06/2015	14/08/2015
<b>Appointment of Examiner</b>		<b>29/06/2015</b>	<b>31/07/2015</b>
Submit application to NPIERS	BDC	29/06/2015	29/06/2015
Referral of three examiners to BDC	NPIERS	06/07/2015	24/07/2015
<b>Selection and appointment of examiner</b>	<b>BPC/BDC/BA</b>	<b>27/07/2015</b>	<b>31/07/2015</b>
<b>Submit plan for examination</b>		<b>10/08/2015</b>	<b>17/08/2015</b>
Submission of documents and consultation responses to examiner	BDC	10/08/2015	17/08/2015
<b>Examination</b>		<b>17/08/2015</b>	<b>31/08/2015</b>
Written examination undertaken	Examiner	17/08/2015	31/08/2015
<b>Examiner's report submitted to BDC</b>	Examiner	<b>24/08/2015</b>	<b>31/08/2015</b>
<b>Council consideration of the Examiner's recommendations</b>		<b>31/08/2015</b>	<b>06/10/2015</b>
Report produced for members	BDC	31/08/2015	10/09/2015
Report on orange route	BDC	10/09/2015	17/09/2015
Report submitted to Democratic Services	BDC	17/09/2015	17/09/2015
<b>Broads Authority - Planning Committee Assessment of report</b>	<b>BA</b>	<b>11/09/2015</b>	<b>11/09/2015</b>
<b>BDC Cabinet assessment of report</b>	<b>BDC</b>	<b>06/10/2015</b>	<b>06/10/2015</b>
<b>Publication of Examiner's Report and Decision Statement</b>		<b>07/10/2015</b>	<b>12/10/2015</b>
Production of decision statement	BDC	07/10/2015	09/10/2015
<b>Publication of examiner's report and decision statement on BDC &amp; BA websites</b>	<b>BDC/BA</b>	<b>12/10/2015</b>	<b>12/10/2015</b>
Notification letter sent to consultees	BDC	09/10/2015	12/10/2015
Publication of examiner's report and decision statement on Brundall website	BPC	09/10/2015	12/10/2015
<b>Publication of pre-referendum information statement and specified documents</b>		<b>31/08/2015</b>	<b>19/11/2015</b>
Production of information statement and specified documents	BDC	31/08/2015	12/10/2015
<b>Publish statement and documents on BDC &amp; BA websites</b>	<b>BDC/BA</b>	<b>12/10/2015</b>	<b>19/11/2015</b>
Make statement and documents available at BDC reception and at Brundall sites	BDC	12/10/2015	19/11/2015
<b>Referendum</b>		<b>19/11/2015</b>	<b>17/12/2015</b>
<b>Referendum held</b>	<b>BDC</b>	<b>19/11/2015</b>	<b>19/11/2015</b>
<b>Adoption</b>			
<b>Broads Authority - full authority adoption of Neighbourhood Plan</b>	<b>BA</b>	<b>22/11/2015</b>	<b>22/11/2015</b>
Report submitted to Democratic Services	BDC	30/11/2015	30/11/2015
<b>BDC Council adoption of Neighbourhood Plan</b>	<b>BDC</b>	<b>17/12/2015</b>	<b>17/12/2015</b>