

## Broads Authority Local Plan Regulation 19 version Representation Form

This is the form for making representations on the Broads-Authority Local Plan Publication version.

There is guidance about how to respond to this consultation and that can be found here: [Regulation 19 response guidance](#)

The various documents that are being consulted on can be found here: [Consultations](#)

The consultation ends 4pm on 26/09/2025. Responses received after this date may not be considered. Only representations received within this period have a statutory right to be considered by the Inspector at the subsequent examination.

### Please note:

- **Separate forms should be completed for each representation.**
- All respondents must provide their personal details.
- Representations should be on the basis of the **soundness or legal compliance** of the Plan. (Please see guidance note for more details.)
- It is recommended that groups who share a common view submit a **single form rather than multiple copies** and provide a list of each person supporting the representation.
- By completing this form you agree to your details being shared. Your name, organisation and comments (but not your other personal details) will be made available for public viewing. **These representations cannot be treated as confidential.**

### \* 1. Your Contact Details:

Name: [Sarah Bowerman](#)

Organisation/Group: [Essex & Suffolk Water](#)

### 2. Agent Details (if applicable):

Name: [Mark Hodgson](#)

Organisation/Group: [Savills \(UK\) Ltd](#)

### 3. Group Representations:

If your representation is on behalf of a group, how many people support it? [N/A](#)

Please send a list of each person in your group that supports the representation to [planningpolicy@broads-authority.gov.uk](mailto:planningpolicy@broads-authority.gov.uk).

### \* 4. To which part of the Plan does your representation relate?

Paragraph Number:

Policy Number: [Policy PUBDM19: Trees, woodlands, hedges, scrubs and shrubs and development](#)

Map Reference:

Appendix:

Supporting Document:

**\* 5. Do you consider that this part of the Plan meets the legal and procedural requirements?** (see guidance note for assistance with this question)

Yes

No

**\* 6. Do you consider this part of the Plan has met the tests of soundness?** (see guidance note for assistance with this question)

Yes

No

**\* 7. If you answered No, to Q6 - Do you consider this part of the Plan to be unsound because it is not:**

Positively Prepared:

Justified: The policy is not considered to be justified or effective in relation to the development of essential water infrastructure.

Effective: The policy is not considered to be justified or effective in relation to the development of essential water infrastructure.

Consistent with National Policy: The policy is not considered to be consistent with national policy in relation to the development of essential water infrastructure.

(Select this option if you did not answer no)

**\* 8. Please give details of why you consider this part of the Plan is not legally compliant or sound. If you wish to support the legal compliance or soundness of the Plan please also use this box to set out your comments.**

Policy PUBDM19: Trees, woodlands, hedges, scrub and shrubs and development aims to protect trees, woodlands and hedgerows, shrub masses and areas of scrub and states that development which requires the loss of these features will only be permitted where:

*"a) the removal will enhance the survival or growth of other trees, woodlands, or hedgerows or shrub masses and areas of scrub. OR*

*b) it would allow for a substantially improved overall approach to the design and landscaping and landscape / habitat enhancement of the site and surrounding area that would outweigh the loss of any tree, woodland, or hedgerow or shrub masses and areas of scrub".*

The wording of this policy does not, however, recognise the potential need to remove trees and hedgerow to facilitate the development of essential infrastructure. As per Paragraph 193 c) of the NPPF (December 2024; as amended February 2025):

*"development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons<sup>70</sup> and a suitable compensation strategy exists".*

Footnote 70 sets out that wholly exceptional reasons could include *"for example, infrastructure projects (including nationally significant infrastructure projects, orders under the Transport and Works Act and hybrid bills), where the public benefit would clearly outweigh the loss or deterioration of habitat".*

National planning policy clearly recognises the potential need to remove trees to enable the delivery of essential infrastructure projects, and this could be better reflected within local policy. Some of Essex & Suffolk Water's capital projects will likely require tree and hedgerow removal, and it is important that

local planning policy is flexible enough to ensure the continued delivery of much-needed essential infrastructure.

Furthermore, Policy PUBDM19 also sets out that where the loss of trees is deemed acceptable as per the policy wording above, it is also required that replacement trees *“be provided on-site unless the applicant can show exceptional circumstances which would justify replacement provision elsewhere”*. However, it is unclear how the Council define ‘exceptional circumstances’, and our client is concerned that this level of ambiguity could delay the delivery of essential infrastructure. Given the nature of Essex & Suffolk Water’s capital projects, and the fact that they may not always have acquired the land where development is proposed, replacement trees may not always be able to be delivered on-site. It is therefore imperative that essential infrastructure projects are recognised as an ‘exceptional circumstance’ that would not always require replacement trees to be provided on-site.

**\* 9. Have you raised this issue during previous consultations on the Local Plan?**

~~Yes~~

No

If you have answered ‘No’ could you please explain why this has not been raised before:

Savills (UK) Ltd was not acting on behalf of our client, Essex & Suffolk Water, during the previous consultations on the Local Plan. To provide comments during the Regulation 19 consultation, it is not required to have commented on previous versions of the Local Plan. Comments during the Regulation 19 consultation are focused on issues of legal compliance and soundness.

**\* 10. Please set out what change(s) you consider necessary to make the Plan legally compliant or sound.** You will need to say why this change will make the Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording for any policy or text and cover all the evidence and supporting information necessary to support/justify the representation. If you are not seeking changes then please write 'not seeking changes'.

It is proposed that an additional point c) is added to Policy PUBDM19 relating to the protection of trees, woodlands and hedgerows, shrub masses and areas of scrub to read as follows:

*“Development requiring the loss of trees, woodlands or hedgerows or shrub masses and areas of scrub will only be permitted where:*

*a) the removal will enhance the survival or growth of other trees, woodlands, or hedgerows or shrub masses and areas of scrub. OR*

*b) it would allow for a substantially improved overall approach to the design and landscaping and landscape / habitat enhancement of the site and surrounding area that would outweigh the loss of any tree, woodland, or hedgerow or shrub masses and areas of scrub. OR*

*c) it would enable the delivery of essential infrastructure projects where the public benefit would clearly outweigh the loss or deterioration of trees, woodlands, hedgerows, shrub masses and areas of scrub”.*

On behalf of Essex & Suffolk Water, Savills (UK) Ltd also encourages the Council to define ‘exceptional circumstances’. Essential infrastructure projects must be recognised as an ‘exceptional circumstance’, whereby replacement trees would be provided on-site wherever possible, whilst recognising that there may be circumstances where replacement trees would need to be delivered off-site.

**\* 11. If your representation is seeking a change, do you consider it necessary to participate in the public examination?** (Please note that the Planning Inspector will make the final decision on who will be invited to attend individual sessions at the public examination, although all members of the public may observe the proceedings)

Yes

No

~~I am not seeking changes~~

**\* 12. Would like to be notified of the following?**

- Submission of the Local Plan to the Secretary of State for Public Examination;
- The publication of the recommendations of any person appointed to carry out an the Examination of the Local Plan (the Inspector's Report); and
- The adoption of the Broads Local Plan.

Yes

~~No~~

**\* 13. Please sign and date this form (writing your name and dating it is adequate):**

Signature:

Date: 25/9/25

**The closing date for responses is 4pm, 26/09/2025**