

Planning Committee

21 July 2023

Agenda item number 12

Local Plan for the Broads- Preferred Options- Bitesize pieces

Report by Planning Policy Officer

Summary

This report introduces some new or amended policies that are proposed to form part of the Preferred Options version of the Local Plan. The policies are relating to Horning and a new policy in Trees, hedges, scrub and shrubs.

Recommendation

Members' comments on the policies are requested.

1. Introduction

- 1.1. The first stage of the production of the Local Plan is the preparation of the Issues and Options. These were presented to Members in 'bite size pieces' over a number of months, rather than as a complete document of Issues and Options. The production stages of the Issues and Options are now complete, and work has begun on the Preferred Options version, which will contain proposed policies. This will also be presented in "bitesize pieces".
- 1.2. This report introduces some amended or new policies for Members to consider for inclusion in the Preferred Options version of the Local Plan.
- 1.3. It is important to note that until such time as the Local Plan is adopted, our current policies are still in place and will be used to guide and determine planning applications.
- 1.4. Members' comments are requested on the policies and amendments. The policies considered in this report at this Planning Committee are relating to Horning and a new policy in Trees, hedges, scrub and shrubs.

Author: Natalie Beal

Date of report: 30 June 2023

Appendix 1 – Horning policies

Appendix 2 – Trees, woodlands, hedges and shrubs and development



**Local Plan for the Broads - Review
Preferred Options bitesize pieces**

July 2023

Sites Specifics – Horning

Information for Members

- 1 Please be aware that development opportunities that increase foul water or surface water flows
2 are not currently supported in both the Broads Authority and North Norfolk District Council
3 planning areas. This is because currently, one of the permit limits, Dry Weather Flow is in
4 exceedance by a significant amount at the Horning Knackers Wood Water Recycling Centre which
5 serves the Horning area. Members may be aware of a [Joint Position Statement](#) on the matter; this
6 is being updated and will come to a future Planning Committee for endorsement.

Policies

This is a proposed draft section/policy for the Preferred Options Local Plan. Member's comments and thoughts are requested. This policy is already in the local plan, but some amendments are proposed.

Amendments to improve the policy are shown as follows: ~~text to be removed~~ and added text.

There is an assessment against the UN Sustainable Development Goals at the end of the policy.

The proposed Sustainability Appraisal of the policy is included at the end of the document. This would not be included in the Preferred Options Local Plan itself; this table would be part of the Preferred Options Sustainability Appraisal, but is included here to show how the policy and options are rated.

Policy POHOR3: Waterside plots

Policy Map: https://www.broads-authority.gov.uk/data/assets/pdf_file/0026/259262/10.-HORNING.pdf

1. The designated area of waterside plots will be protected from over-intensive development and suburbanisation (including from the character of moorings and boundary treatments). The maintenance or upgrading of existing buildings will be encouraged, and their replacement permitted, where this is consistent with the openness and the low key and lightweight forms of building (generally characteristic of the area) and policies on flood risk and dark skies. Proposals need to improve the existing disposal of surface water and ensure that any additional surface water generated by the development is addressed appropriately.
2. Any new development must ensure there is no adverse impact on the integrity of any European site (National Site Network).
3. Development should contribute where feasible to:
 - a) An upgrading of private sewerage systems, and
 - b) An increase in the amount of trees and other planting in the area (with due regard to avoiding wind obstruction near the riverside that might affect sailing on the river).

23 Constraints and features

- 24 • Parts close to (across river) SAC, SPA, Ramsar, and SSSI.
- 25 • Flood risk (zone 3 by EA mapping and all 2 and 3a with most modelled 3b by SFRA 2017
- 26 mapping.
- 27 • Knackers Woods Water Recycling Centre.
- 28 • Surface water concerns (linked to Knackers Wood Water Recycling Centre).

29 Reasoned Justification

30 The policy seeks a balance between updating and redevelopment of the waterside plots, while
31 retaining the best characteristics of the area and discouraging suburbanisation and over-intensive
32 development. The wording of the policy aims to clarify what the Authority is trying to achieve, and
33 focuses on the key qualities to be addressed in any development.

34 The sailing club is excluded, and is subject to a separate policy (HOR4).

35 Proposals will need to meet the requirements of policy **DM22** as the Horning area generally has
36 good dark skies.

37 Applicants are directed to the Authority's adopted Mooring Design Guidance¹.

38 **Reasonable alternative options**

- 39 a) An alternative option would be to keep the original policy
- 40 b) Another alternative would be to have no policy

41 **Sustainability appraisal summary**

42 The following is a summary of the assessment of the policy.

A: Keep original policy	3 positives. 0 negatives. 0 ? Overall positive.
B: No policy	0 positives. 0 negatives. 3 ?
C: Preferred Option - amend policy	4 positives. 0 negatives. 0 ? Overall positive.

43 **How has the existing policy been used since adoption in May 2019?**

44 According to recent Annual Monitoring Reports, the policy has been used and schemes have been
45 in conformity.

46 **Why has the alternative option been discounted?**

47 The stronger wording relating to light pollution is favoured when compared to the original to
48 ensure the dark skies of the Broads are protected.

49 **UN Sustainable Development Goals check**

50 This policy meets these [UN SD Goals](#):
51 None identified

¹ Mooring Design Guidance www.broads-authority.gov.uk/_data/assets/pdf_file/0005/703940/Mooring-design-guide.pdf

52 **Policy POHOR4: Horning Sailing Club**

53 **Policy Map:** [https://www.broads-authority.gov.uk/_data/assets/pdf_file/0026/259262/10.-](https://www.broads-authority.gov.uk/_data/assets/pdf_file/0026/259262/10.-HORNING.pdf)
54 [HORNING.pdf](https://www.broads-authority.gov.uk/_data/assets/pdf_file/0026/259262/10.-HORNING.pdf)

- 55 1. Continued use of the island for sailing facilities will be supported.
- 56 2. Maintenance and upgrading, or replacement, of existing buildings for this use will be supported
57 where this is consistent with the character of the riverside area and policies on flood risk [and](#)
58 [dark skies](#). Dwellings, business uses and holiday accommodation will not be permitted.
- 59 3. Development proposals in this area will be required to:
- 60 i) Be of high standards of design;
- 61 ii) Limit the height, bulk and extent of building to retain the general openness of the area in which
62 the club is located;
- 63 iii) Improve the existing disposal of surface water and ensure that any additional surface water
64 generated by the development is addressed appropriately;
- 65 iv) Avoid impacting the amenity of nearby occupiers; and
- 66 v) Avoid adversely impacting navigation and nature conservation (including designated
67 Natura 2000 sites).
- 68 4. The continued use of the land south of the footbridge (next to **HOR2**) for car parking associated
69 with the sailing club is supported, but built development here would not be acceptable.
- 70 5. [Any new development must ensure there is no adverse impact on the integrity of any European](#)
71 [site \(National Site Network\)](#).

72 Constraints and features

- 73 • Lies within Horning Conservation Area.
- 74 • Just across river from SSSI, SAC, SPA, and Ramsar Site.
- 75 • Flood risk zone 3 by EA mapping and all 2 and 3a with some modelled 3b by SFRA 2017
76 mapping.
- 77 • Knackers Woods Water Recycling Centre.
- 78 • Surface water concerns (linked to Knackers Wood Water Recycling Centre).

79 Reasoned Justification

80 In reviewing the 1997 Local Plan policy that covered this area, it was considered preferable to treat
81 the sailing club separately from the holiday and residential waterside plots around it. This
82 encourages the continuation of this valuable use in the location, and allows the Policy wording to
83 be better focused on the particular likely redevelopment issues relating to a sailing club and to its
84 immediate surroundings. The land off the island is considered suitable for car parking associated
85 with the sailing club, but built development here would reduce the area's contribution to the
86 openness of the area in general and the adjacent public open space in particular.

87 The Habitats Regulations Assessment identified the potential for future developments at the club to
88 have adverse effects on the nearby [National Site Network](#) ~~Natura 2000 sites~~. The Habitats
89 Regulations and Policy DM13 require that this potential is assessed and avoided in respect of any
90 future planning application.

91 Proposals will need to meet the requirements of **policy DM22** as the Horning area generally has
92 good dark skies.

93 Of particular importance to this area is the policy on surface water (**DM6**).

94 **Reasonable alternative options**

- 95 a) An alternative option would be to keep the original policy
- 96 b) Another alternative would be to have no policy

97 **Sustainability appraisal summary**

98 The following is a summary of the assessment of the policy.

A: Keep original policy	4 positives. 0 negatives. 0 ? Overall positive.
B: No policy	0 positives. 0 negatives. 4 ?
C: Preferred Option - amend policy	5 positives. 0 negatives. 0 ? Overall positive.

99 **How has the existing policy been used since adoption in May 2019?**

100 According to recent Annual Monitoring Reports, the policy has not been used.

101 **Why has the alternative option been discounted?**

102 The stronger wording relating to light pollution is favoured when compared to the original to
103 ensure the dark skies of the Broads are protected.

104 **UN Sustainable Development Goals check**

105 This policy meets these [UN SD Goals](#):

106 None identified

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Policy POHOR5: Crabbett's Marsh

Policy Map: https://www.broads-authority.gov.uk/data/assets/pdf_file/0026/259262/10.-HORNING.pdf

1. This area will be protected for its landscape and nature conservation value. It is also recognised that the access here is a major constraint.
2. All forms of new build development will be firmly resisted, as will the stationing of vehicles, caravans, and boats. In this context, the stationing of boats excludes short-term halts of waterborne craft in the course of navigation.
3. Acceptable uses are likely to be those which are compatible with its semi-natural and undeveloped state, such as intermittent and very low-level private leisure use, and those that enhance or restore the natural character of the area.

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Constraints and features

- Tree preservation order for this and adjacent area, which also forms an important backdrop to Horning.
- Alder Carr woodland is a Broads Biodiversity Action Plan priority habitat.
- Not far (across river) from SAC, SPA, Ramsar, SSSI.
- Article 4 Direction (1972) removes permitted development rights for gates, fences, walls and enclosures; temporary use of land under '28-day rule'; etc.
- Flood risk - predominantly zone 3 by EA mapping, with small areas of zones 1 & 2 and almost all 2 and 3a with most modelled 3b by SFRA 2017 mapping.
- [Peat soils in this area.](#)

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Reasoned Justification

Attempts to control the incremental development of this area go back to at least the early 1970s, and have been complicated by the sale and purchase of individual leisure plots without always sufficient regard to the lawful uses of the land. During that time, a limited amount of development has either been granted planning permission or become immune from enforcement action, but more generally, the Authority (and its predecessors as local planning authority) has sought to resist built development and engineering works such as the building of roads and the cutting of mooring basins.

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The policy seeks to resist the erosion of the area's landscape and nature conservation value, recognising the limitations of the road access, ~~while revising the wording to~~ and clarify what the policy is seeking to achieve and the acceptable range of possibilities.

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Built development in this context includes sheds and similar structures, and such engineering works as raised ground levels, road building, and creation of moorings, cuts, paved tracks, hard-standings or moorings.

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The stated protection of this site, and the restriction on caravans, etc., is supported by the Environment Agency on flood risk grounds.

144 **Reasonable alternative options**

145 a) An alternative option would be to not have a policy.

146 **Sustainability appraisal summary**

147 The following is a summary of the assessment of the policy.

A: No policy	0 positives. 0 negatives. 2 ?
B: Preferred policy	2 positives. 0 negatives. 0 ? Overall positive

148 **How has the existing policy been used since adoption in May 2019?**

149 According to recent Annual Monitoring Reports, the policy has not been used.

150 **Why has the alternative option been discounted?**

151 Having a policy provides more certainty and seeks to tackle the various historic issues in the area.

152 **UN Sustainable Development Goals check**

153 This policy meets these [UN SD Goals](#):

154 None identified

155 Policy **POHOR6: Horning - Boatyards, etc. at Ferry Road. and Ferry View Road**

156 Policy Map: [https://www.broads-authority.gov.uk/data/assets/pdf_file/0026/259262/10.-](https://www.broads-authority.gov.uk/data/assets/pdf_file/0026/259262/10.-HORNING.pdf)
157 [HORNING.pdf](https://www.broads-authority.gov.uk/data/assets/pdf_file/0026/259262/10.-HORNING.pdf)

- 158 1. The land identified on the Adopted Policies Map will be subject to policies in the economy
159 section of the Local Plan.
- 160 2. No moorings on the banks of the SPA/SAC site over the river from HOR6 will be allowed.
- 161 3. Developments shall include:
- 162 a) Appropriate measures to manage any risk of water pollution arising from development;
163 b) [Respect the dark skies in the area in line with policy DMxx.](#)
- 164 c) Improvements to the existing disposal of surface water and ensure that any additional surface
165 water generated by the development is addressed appropriately;
- 166 d) Significant landscape planting to help soften the appearance of the area, integrate it into the
167 wider landscape, and support wildlife and biodiversity (e.g. by use of nectar mixes), but subject
168 to avoiding the creation of additional wind shadowing of the river affecting its sailing value; and
169 will
- 170 e) Pay particular regard to the setting of the nearby listed buildings.
- 171 4. The range of potential development will be constrained by the high flood risk to most of this
172 area and the application of national and local policies on flood risk.
- 173 5. For the purposes of DM37 (New residential moorings) [this area](#) will be treated as if it meets the
174 locational criteria of DM37 (in relation to being treated as though adjacent to a development
175 boundary/within walking distance to at least three key services set out in that policy) to enable
176 the delivery of a cumulative maximum of 10 residential moorings in this area through the use of
177 existing private mooring spaces. Any residential moorings should be located a minimum of 15
178 metres from the sewage pumping station. [Any residential moorings would need to address the
179 impact of Recreational Impacts, likely through the payment of the RAMS tariff. Further, they
180 would only be able to come forward if/when the capacity constraints at the Water Recycling
181 Centre are addressed.](#)

182 Constraints and features

- 183 • Close to SAC, SPA, Ramsar site, SSSI, NNR.
- 184 • Flood risk - predominantly zone 3 by EA mapping, with small areas of zones 1 & 2 and most 2,
185 3a and modelled 3b according to SFRA 2017 mapping.
- 186 • Knackers Wood Water Recycling Centre capacity constraints.
- 187 • Surface water concerns (linked to Knackers Wood Water Recycling Centre).
- 188 • Inappropriate use of drains, some of which are poorly maintained.
- 189 • Nearby Grade II* Listed Hobbs Mill and Grade II Listed Horning Ferry Mill
- 190 • Sewage pumping station in this area.

191 Reasoned Justification

192 The area is somewhat separate from the heart of the village, but provides an important range of
193 boating and ancillary services and of moorings. Significant development has taken place in recent
194 years. The boat and related services contribute to the character of Horning, the local economy, and
195 sustaining marine skills.

196 The policy gives certainty to the application of industrial and boatyard policies to the area. It has
197 been further considered that it may be appropriate to permit residential boat moorings here, given
198 the scale and character of the area and the availability of nearby services. Even though the area
199 does not abut a development boundary, the relevant policy is applied to it ~~(and to a limited number~~
200 ~~of boatyards elsewhere)~~. To reflect highways access concerns of Norfolk County Council, a cap of a
201 maximum of ten residential moorings is applied to the entire area covered by this policy – that is to
202 say that the cumulative total of residential moorings in this area will be ten (not ten per
203 boatyard/operator). Note that the figure of 10 residential moorings is not considered an allocation
204 and does not contribute to meeting the residential moorings number requirements.

205 Of particular importance to this area is the policy on surface water **(DM6) and DM2** in relation to
206 Horning Knackers Wood Water Recycling Centre capacity issues.

207 The SFRA 2017 highlights that almost all the area is in flood risk zone modelled 3b, and there is a
208 need to address the risks of water pollution for waterside sites in boatyard use.

209 Proposals will need to meet the requirements of policy **DM22** as the Horning area generally has
210 good dark skies.

211 **Reasonable alternative options**

- 212 b) An alternative option would be to keep the original policy.
- 213 c) No policy

214 **Sustainability appraisal summary**

215 The following is a summary of the assessment of the policy.

216

A: Keep original policy	4 positives. 0 negatives. 0 ? Overall positive.
B: No policy	0 positives. 0 negatives. 5 ?
C: Preferred Option - amend policy	5 positives. 0 negatives. 0 ? Overall positive.

217 **How has the existing policy been used since adoption in May 2019?**

218 According to recent Annual Monitoring Reports, the policy has been used and schemes have been
219 in conformity.

220 **Why has the alternative option been discounted?**

221 The stronger wording relating to light pollution is favoured when compared to the original to
222 ensure the dark skies of the Broads are protected. The clearer wording in relation to the potential
223 for residential moorings, but the issues they need to address is also preferred.

224 **UN Sustainable Development Goals check**

225 This policy meets these [UN SD Goals](#):

226 None identified

Sustainability Appraisal

SA objectives:

- ENV1: To reduce the adverse effects of traffic (on roads and water).
- ENV2: To safeguard a sustainable supply of water, to protect and improve water quality and to use water efficiently.
- ENV3: To protect and enhance biodiversity and geodiversity.
- ENV4: To conserve and enhance the quality and local distinctiveness of landscapes and towns/villages.
- ENV5: To adapt, become resilient and mitigate against the impacts of climate change
- ENV6: To avoid, reduce and manage flood risk and to become more resilient to flood risk and coastal change.
- ENV7: To manage resources sustainably through the effective use of land, energy and materials.
- ENV8: To minimise the production and impacts of waste through reducing what is wasted, and re-using and recycling what is left.
- ENV9: To conserve and enhance the cultural heritage, historic environment, heritage assets and their settings
- ENV10: To achieve the highest quality of design that is innovative, imaginable, and sustainable and reflects local distinctiveness.
- ENV11: To improve air quality and minimise noise, vibration and light pollution.
- ENV12: To increase the proportion of energy generated through renewable/low carbon processes without unacceptable adverse impacts to/on the Broads landscape
- SOC1: To improve the health and wellbeing of the population and promote a healthy lifestyle.
- SOC2: To reduce poverty, inequality and social exclusion.
- SOC3: To improve education and skills including those related to local traditional industries.
- SOC4: To enable suitable stock of housing meeting local needs including affordability.
- SOC5: To maximise opportunities for new/ additional employment
- SOC6: To improve the quality, range and accessibility of community services and facilities and to ensure new development is sustainability located with good access by means other than a private car to a range of community services and facilities.
- SOC7: To build community identity, improve social welfare and reduce crime and anti-social activity.
- ECO1: To support a flourishing and sustainable economy and improve economic performance in rural areas.
- ECO2: To ensure the economy actively contributes to social and environmental well-being.
- ECO3: To offer opportunities for Tourism and recreation in a way that helps the economy, society and the environment.

Assessment of policy: Policy POHOR3: Waterside plots

	A: Keep original policy		B: No policy	C: Preferred options – amended policy	
ENV1			Not having a policy does not mean that these issues will not be considered or addressed. A policy does however provide more certainty.		
ENV2					
ENV3	+	Policy refers to trees and other planting.		?	+
ENV4	+	The fundamental reason for the policy is to address and consider landscape impact from development.		?	+
ENV5					
ENV6	+	The policy refers to flood risk and surface water.		?	+
ENV7					
ENV8					
ENV9					
ENV10					
ENV11				?	+
ENV12					
SOC1					
SOC2					
SOC3					
SOC4					
SOC5					
SOC6					
SOC7					
ECO1					
ECO2					
ECO3					

Assessment of policy: Policy POHOR4: Horning Sailing Club

	A: Keep original policy		B: No policy	C: Preferred options – amended policy
ENV1				
ENV2				
ENV3				
ENV4	+	The fundamental reason for the policy is to address and consider landscape impact from development.	?	+
ENV5				
ENV6	+	The policy refers to flood risk and surface water.	?	+
ENV7				
ENV8				
ENV9				
ENV10	+	Design is an important consideration in the policy.	?	+
ENV11			?	+
ENV12				
SOC1				
SOC2				
SOC3				
SOC4				
SOC5				
SOC6				
SOC7				
ECO1				
ECO2				
ECO3	+	The policy helps the sailing club to change in an appropriate way and still benefit tourism and recreation.	?	+

Not having a policy does not mean that these issues will not be considered or addressed. A policy does however provide more certainty.

Assessment of policy: Policy POHOR5: Crabbett’s Marsh

		A: No policy	B: Preferred options – amended policy	
ENV1		<p>Not having a policy does not mean that these issues will not be considered or addressed. A policy does however provide more certainty.</p>		
ENV2				
ENV3	?		+	The policy refers specifically to nature conservation.
ENV4	?		+	The policy refers specifically to landscape character.
ENV5				
ENV6				
ENV7				
ENV8				
ENV9				
ENV10				
ENV11				
ENV12				
SOC1				
SOC2				
SOC3				
SOC4				
SOC5				
SOC6				
SOC7				
ECO1				
ECO2				
ECO3				

Assessment of policy: Policy POHOR6: Horning - Boatyards, etc. at Ferry Road. and Ferry View Road

	A: Keep original policy		B: No policy	C: Preferred options – amended policy	
ENV1					
ENV2	+	Policy refers to water pollution.	?	+	Policy refers to water pollution. Also mentioned issue of capacity at Horning Water Recycling Centre.
ENV3	+	Policy refers to impact on biodiversity.	?	+	Policy refers to impact on biodiversity. Also mentioned RAMs requirement.
ENV4	+	Policy refers to landscaping and integrating into the landscape.	?	+	Policy refers to landscaping and integrating into the landscape.
ENV5					
ENV6	+	Policy refers to issue of flood risk.	?	+	Policy refers to issue of flood risk.
ENV7					
ENV8					
ENV9					
ENV10					
ENV11			?	+	Policy mentions light pollution.
ENV12					
SOC1					
SOC2					
SOC3					
SOC4					
SOC5					
SOC6					
SOC7					
ECO1					
ECO2					
ECO3					

Not having a policy does not mean that these issues will not be considered or addressed. A policy does however provide more certainty.



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Preferred Options bitesize pieces
July 2023**

Trees, woodlands, hedges and shrubs and Development

Information for Members

This is a new policy. The issue was raised as part of the Issues and Options and the consultation responses are included in this paper. This policy has been produced with the assistance of the Broads Authority's Tree Officer.

Comments received during the Issues and Options consultation

The Issues and Options talked about these options (at section 14 - Trees, woodlands, hedges and shrubs) and the question below:

Options

- a) No specific policy. Rely on DM8 and DM13.
- b) Amend policies DM8 and DM13 to include a greater emphasis on trees, woodlands, hedges and shrubs.
- c) Have a new policy on the subject of trees, woodlands, hedges and shrubs. This would include management, maintenance and protection of existing trees, woodlands, hedges and shrubs, as appropriate, or creation of new areas for trees, woodlands, hedges and shrubs.

Question 13: Do you have any thoughts on trees, woodlands, hedges and shrubs and how we address these in the Local Plan?

Organisation	Comment	Response	Action for next version of the Local plan
Bradwell Parish Council	Fundamentally we need more trees to counteract greenhouse gases, so we need a positive programme of planting more evergreen trees in the area.	Comments noted and will be considered as we work up the trees approach for the Preferred Options. Tree Planting should reflect native tree stock and enhance existing habitat/species	Consider this comment as produce Preferred Options version of the Local Plan.
Designing Out Crime Officer, Norfolk Police	Yes maintenance of vegetation as to not negatively impact surveillance opportunities, including inhibiting lighting from nearby streetlights, or to provide hiding places along footpaths is encouraged.	Comments noted and will be considered as we work up the trees approach for the Preferred Options.	Consider this comment as produce Preferred Options version of the Local Plan.
East Suffolk Council	Of the options put forward, East Suffolk Council would support either option b (amend policies DM8 and DM13 to include a greater emphasis on trees, woodlands, hedges, and shrubs) or option c (a new policy on the subject of trees, woodlands, hedges and shrubs). Option b may be the most logical considering the existing policies, especially DM13. A separate policy on the issue of trees etc. does not appear to be explicitly needed and could be covered by amendments to DM13, however this will depend on the level of detail the Broads Authority considers appropriate.	Comments noted and will be considered as we work up the trees approach for the Preferred Options.	Consider this comment as produce Preferred Options version of the Local Plan.
RSPB	14.4 c) is the best option and enhancing planting (making sure the right species of tree is planted in the right place) to create both a carbon sink and provide a cooling mechanism in urban environments. There needs to be a longer-term approach so that previous policies to remove hedges and then 20 years later incentivise replanting are no longer followed. Trees, hedges and woodland need to be viewed less as field boundaries and more of a biodiversity asset and as means of mitigation for climate impacts. Native species, exemplary management and thoughtful planning and location to enhance the environment and creating habitat and corridors facilitating the movement and flux of wildlife.	Comments noted and will be considered as we work up the trees approach for the Preferred Options.	Consider this comment as produce Preferred Options version of the Local Plan.
Sequence UK LTD/Brundall Riverside Estate Association	2.37The cited policies DM8 and DM13 do not make specific reference to trees, hedges etc. and therefore it would seem sensible to either update those policies or include references within a new policy. Care should be taken that any policy is not overly prescriptive and consistent with national planning guidance such as the Framework, as well as the British Standard (BS) on trees.	Comments noted and will be considered as we work up the trees approach for the Preferred Options.	Consider this comment as produce Preferred Options version of the Local Plan.
Suffolk County Council	Suffolk County Council would support having a new policy for trees, woodlands, hedges and shrubs which covers management, maintenance and protection of existing as well as creation of new. However, the Authority should consider how such a policy would be enforced and how administration of it, including any monitoring, would be resourced. In the event that the Hedgerow Regulations are withdrawn, as part of the Government's Agricultural Transition Plan, the Authority would need to consider how it would resource any enforcement or monitoring responsibilities which may result from replacement regulations or national policy on the protection of trees and hedgerows.	Comments noted and will be considered as we work up the trees approach for the Preferred Options.	Consider this comment as produce Preferred Options version of the Local Plan.
Suffolk County Council	Suffolk County Council is in the process of preparing the Local Nature Recovery Strategy (LNRS). Trees and hedges will feature strongly in the mapping requirements for the strategy. Existing trees and hedges will be mapped to establish a baseline from which opportunities for enhancement to tree, hedge and scrub habitat can be agreed collaboratively (between the Broads Authority and Suffolk County Council) as nature recovery priorities. These enhancements will then be included in the county-wide LNRS.	Comments noted and will be considered as we work up the trees approach for the Preferred Options.	Consider this comment as produce Preferred Options version of the Local Plan.
Wroxham Parish Council	WPC support a separate policy for trees etc. Trees are second only to water as a feature of the Broads. Trees featured heavily in feedback from residents during the WNP consultation and continue to be really important to residents. Trees are more and more important in addressing climate breakdown.	Comments noted and will be considered as we work up the trees approach for the Preferred Options.	Consider this comment as produce Preferred Options version of the Local Plan.

This is a proposed draft section/policy for the Preferred Options Local Plan. Member's comments and thoughts are requested.

There is an assessment against the UN Sustainable Development Goals at the end of the policy.

The proposed Sustainability Appraisal of the policy is included at the end of the document. This would not be included in the Preferred Options Local Plan itself; this table would be part of the Preferred Options Sustainability Appraisal, but is included here to show how the policy and options are rated.

Policy PODMxx: Trees, woodlands, hedges, scrub and shrubs and development

1. Trees, woodlands and significant hedge and shrub masses and areas of scrub that make a positive landscape contribution and/or are of biodiversity/ecological importance will be retained as an integral part of the design of development except where their long-term survival would be compromised by their age or physical condition or where there are exceptional and overriding benefits in accepting their loss, such as restoration of appropriate areas of fen.
2. **Protecting trees, woodlands and hedgerows, shrub masses and areas of scrub**
 - a) Development requiring the loss of trees, woodlands or hedgerows or shrub masses and areas of scrub will only be permitted where:
 - i. the removal of a tree, woodland or hedgerow will enhance the survival or growth of other trees, woodlands or hedgerows. OR
 - ii. 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.
3. **Replacement trees**
 - a) Where the loss of trees is accepted as set out in this policy, applicants will be required to provide the specific quantity of compensatory trees set out in the following table unless demonstrably impractical or inappropriate. This will be provided on-site unless the applicant can show exceptional circumstances which would justify replacement provision elsewhere.

Trunk diameter (mm) at 1.5m above ground of tree to be lost to development	Number of replacement trees required, per tree lost*
75<200	1
200<400	4
400<600	6
600<800	9
800<1000	10
1000+	11

*replacement based on selected standards 10/12cm girth at 1m

4. Incorporating new trees in schemes

- a) Where appropriate, opportunities should be taken to incorporate trees in new developments using the principle of the right tree in the right place.
- b) Details of appropriate measures for the establishment and long-term maintenance of new tree planting will need to be provided.

5. Development affecting trees, woodlands and hedgerows

- a) Where proposed development affects existing trees, woodlands or hedgerows, an Arboricultural Impact Assessment and Arboricultural Method Statement, in line with BS5837 – *Trees in relation to design, demolition and construction* – Recommendations, will need to be submitted. This will detail all existing trees, woodlands and hedgerows, the associated tree constraints, implications of the proposed development and associated mitigation throughout the duration of the development to ensure that development works do not have a harmful impact.

6. Irreplaceable Habitats

- a) Development resulting in the loss or deterioration of irreplaceable habitats (such as mature wet woodland, ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons, and a suitable compensation strategy is provided.

7. Roadside trees

- a) Development proposals that have a frontage onto a new or existing highway of more than ten metres in length will only be permitted where they provide for the planting and maintenance of roadside trees of appropriate species at intervals appropriate to the site. Clear, justifiable and compelling reasons would need to be provided if this requirement is not to be met.

8. Wet Woodland/Carr

- a) Proposals that have an adverse impact on areas of wet woodland/carr will be resisted.

1 Reasoned justification

2 Trees, woodlands, hedges and shrubs are an integral part of the Broads landscape and add
3 great beauty, a sense of place and character to, and are a defining feature of the Broads
4 Authority Executive Area. Trees and woodlands enhance the landscape and provide
5 important landmarks, complementing the natural and built environment by providing
6 screening, perspective, focal points, privacy and seclusion and they define and
7 separate public open spaces. They provide shade for people and riverside trees play an
8 important role in keeping rivers cool. Riverside trees also provide woody debris for flow
9 dynamics and roots for fish spawning. They also provide habitats, with mature wet woodland
10 being one of the rarest types of woodland habitat in the UK and continental Europe (and
11 connectivity) for an exceptional range of wildlife and form a “carbon sink” helping to absorb
12 and store and counteract the harmful effect of climate change. This policy, relating to trees,
13 scrub, woodlands including riparian, wet and dry woodland, hedges and shrubs affected by
14 development, will further the Authority’s aim to preserve the variety, number and quality of
15 trees woodlands, hedges and shrubs within the Broads Authority Executive Area and to

16 ensure that development contributes to the maintenance or enhancement of the tree and
17 woodland cover of the Broads. Due to the impacts on navigation and the open character of
18 some parts of the Broads landscape, and the priority habitats of grazing marsh and fen and
19 the unique peatland-based ecosystem of fen and the requirements of breeding and
20 wintering birds of the marshes, tree planting will not always be appropriate.

21 For the purposes of this policy, 'protected trees' include those protected by a tree
22 preservation order, tree(s) within a conservation area, an ancient, aged or veteran tree or
23 any other tree of category B or A as per BS 5837:2012, Table 1. Whilst there is no precise
24 definition of an 'ancient tree' there are three guiding principles: 1) trees which are of
25 interest biologically, aesthetically or culturally because of their age; 2) trees that are in the
26 ancient stage of their life; 3) trees that are old relative to others of the same species. A
27 commonly accepted technical definition of an ancient tree is "a tree that shows
28 characteristics of having passed beyond its mature phase." Such characteristics might
29 typically include a large girth, signs of crown retrenchment and hollowing of the stem.

30 In terms of suitable compensation for irreplaceable habitats, this would be on a case by case
31 basis and could include biodiversity and habitat enhancements and replacement planting.

32 The NPPF, similarly, defines an 'ancient' or 'veteran tree' as "a tree which, because of its
33 age, size and condition, is of exceptional biodiversity, cultural or heritage value. All ancient
34 trees are veteran trees. Not all veteran trees are old enough to be ancient, but are old
35 relative to other trees of the same species. Very few trees of any species reach the ancient
36 life-stage'.

37 Consistent with the NPPF's advice on protecting valued landscapes, the presumption of this
38 policy is that existing viable trees, woodlands and hedgerows of value should be protected
39 unless their loss is unavoidable. Where new development is proposed the preference will
40 always be to incorporate trees, woodland and significant hedges into the development.
41 Where the loss of any tree is unavoidable as part of a development and meets the tests as
42 set out above, replacement provision will be required and conditioned as part of any
43 permitted development. Where specific on or off-site planting proposals are negotiated as
44 part of the overall enhancement of a particular development site, the replacement,
45 protection and maintenance of trees, woodland, and hedges would normally be specified by
46 condition or secured by a planning obligation, either a section 106 agreement or unilateral
47 undertaking.

48 Where a proposed development retains existing trees on-site, a satisfactory arboricultural
49 impact assessment and preliminary arboricultural method statement, undertaken by a
50 suitably experienced arboriculturalist, should be submitted in accordance with BS5837 and
51 the Broads Authority validation checklist. This statement should analyse the potential
52 impact on the retained trees. Where proposed development would have an impact on trees,
53 particularly where it would impinge on root protection areas of trees both within and
54 outside the development site, a site specific arboricultural method statement should be
55 submitted. The statement should demonstrate mitigation measures are in place to ensure
56 that development works do not harm the existing tree.

57 Wet woodland/carr is characteristic of the Broads. % of uk's wet woodland? European
 58 priority feature under the conservation (natural habitat) regulations 1994. Listed as a
 59 feature in the Broads SAC.

Reasonable alternative options

- a) No specific policy. Rely on DM8 (Green Infrastructure) and DM13 (Natural Environment).
- b) Amend policies DM8 (Green Infrastructure) and DM13 (Natural Environment).to include a greater emphasis on trees, woodlands, hedges and shrubs.

Sustainability appraisal summary

The following is a summary of the assessment of the policy.

A: Preferred Option – policy on Trees, woodlands, hedges and shrubs and development	6 positives. 0 negatives. 0 ?
B: No specific policy. Rely on DM8 and DM13.	6 positives. 0 negatives. 0 ?
C: Amend policies DM8 and DM13 to include a greater emphasis on trees, woodlands, hedges and shrubs.	6 positives. 0 negatives. 0 ?

How has the existing policy been used since adoption in May 2019?

This is a new policy.

Why have the alternative options been discounted?

Whilst options B and C rate the same in the Sustainability Assessment, given the importance of trees and hedgerows in nature recovery, air pollution management and climate change mitigation, but also given how important it is that there is the right tree in the right place, option C, a new policy, is favoured.

UN Sustainable Development Goals check

This policy meets these [UN SD Goals](#):

11 SUSTAINABLE CITIES AND COMMUNITIES



13 CLIMATE ACTION



15 LIFE ON LAND



60 Sustainability Appraisal

61 SA objectives:

- 62 • ENV1: To reduce the adverse effects of traffic (on roads and water).
- 63 • ENV2: To safeguard a sustainable supply of water, to protect and improve water quality and to
64 use water efficiently.
- 65 • ENV3: To protect and enhance biodiversity and geodiversity.
- 66 • ENV4: To conserve and enhance the quality and local distinctiveness of landscapes and
67 towns/villages.
- 68 • ENV5: To adapt, become resilient and mitigate against the impacts of climate change
- 69 • ENV6: To avoid, reduce and manage flood risk and to become more resilient to flood risk and
70 coastal change.
- 71 • ENV7: To manage resources sustainably through the effective use of land, energy and materials.
- 72 • ENV8: To minimise the production and impacts of waste through reducing what is wasted, and
73 re-using and recycling what is left.
- 74 • ENV9: To conserve and enhance the cultural heritage, historic environment, heritage assets and
75 their settings
- 76 • ENV10: To achieve the highest quality of design that is innovative, imaginable, and sustainable
77 and reflects local distinctiveness.
- 78 • ENV11: To improve air quality and minimise noise, vibration and light pollution.
- 79 • ENV12: To increase the proportion of energy generated through renewable/low carbon
80 processes without unacceptable adverse impacts to/on the Broads landscape
- 81 • SOC1: To improve the health and wellbeing of the population and promote a healthy lifestyle.
- 82 • SOC2: To reduce poverty, inequality and social exclusion.
- 83 • SOC3: To improve education and skills including those related to local traditional industries.
- 84 • SOC4: To enable suitable stock of housing meeting local needs including affordability.
- 85 • SOC5: To maximise opportunities for new/ additional employment
- 86 • SOC6: To improve the quality, range and accessibility of community services and facilities and to
87 ensure new development is sustainability located with good access by means other than a
88 private car to a range of community services and facilities.
- 89 • SOC7: To build community identity, improve social welfare and reduce crime and anti-social
90 activity.
- 91 • ECO1: To support a flourishing and sustainable economy and improve economic performance in
92 rural areas.
- 93 • ECO2: To ensure the economy actively contributes to social and environmental well-being.
- 94 • ECO3: To offer opportunities for Tourism and recreation in a way that helps the economy,
95 society and the environment.

96 Assessment of policy

97 There are no reasonable alternatives identified at this stage.

	A: Preferred Option – policy on Trees, woodlands, hedges and shrubs and development	B: No specific policy. Rely on DM8 and DM13.	C: Amend policies DM8 and DM13 to include a greater emphasis on trees, woodlands, hedges and shrubs.
ENV1			
ENV2			
ENV3	+ Trees benefit biodiversity.	+ These policies would include trees. Trees benefit biodiversity.	+ Trees benefit biodiversity.
ENV4	+ Trees can add to the character of some areas. Policy refers to right tree in right place.	+ These policies would include trees. Trees can add to the character of some areas.	+ Trees can add to the character of some areas. Policy could refer to right tree in right place.
ENV5	+ Trees absorb carbon dioxide.	+ These policies would include trees. Trees absorb carbon dioxide.	+ Trees absorb carbon dioxide.
ENV6			
ENV7			
ENV8			
ENV9	+ Trees can add to the character of some areas. Policy refers to right tree in right place.	+ These policies would include trees. Trees can add to the character of some areas	+ Trees can add to the character of some areas. Policy could refer to right tree in right place.
ENV10	+ Trees can add to the character of some areas. Policy refers to right tree in right place.	+ These policies would include trees. Trees can add to the character of some areas	+ Trees can add to the character of some areas. Policy could refer to right tree in right place.
ENV11	+ Trees help reduce air pollution. Policy refers to road frontage trees.	+ These policies would include trees.	+ Trees can add to the character of some areas. Policy could refer to right tree in right place.
ENV12			
SOC1			
SOC2			
SOC3			
SOC4			
SOC5			
SOC6			
SOC7			
ECO1			