

Planning Committee

18 July 2025

Agenda item number 14

Consultation responses

Report by Planning Policy Officer

Summary

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

This report includes the responses submitted to consultations that ended before the Planning Committee meeting.

Recommendation

To note the report and endorse the proposed responses.

1. Introduction

- 1.1. Appendix 1 shows selected planning policy consultation documents received by the Authority since the last Planning Committee meeting, together with officer's proposed response.
- 1.2. Appendix 2 shows the consultation responses that have already been sent in. This is because the deadline was before the July Planning Committee or because the consultation was technical. Some of these were sent to Members by email for their comments before being sent in. They are included for information only.
- 1.3. Appendix 3 shows a consultation that is important for Members to note, but that no response is proposed.
- 1.4. The Committee's comments and endorsement are invited.

Author: Natalie Beal

Date of report: 17 June 2025

[Appendix 1](#) – Planning Policy consultations received and proposed responses

- [Defra - Biodiversity net gain for nationally significant infrastructure projects](#)
- [Defra - Improving the implementation of Biodiversity Net Gain for minor, medium and brownfield development](#)
- [MHCLG - Reform of planning committees: technical consultation](#)

[Appendix 2](#) – Consultation responses sent in – for information only

- [MHCLG - Planning Reform Working Paper: Speeding Up Build Out](#)
- [Filby Neighbourhood Plan Review 2024](#)
- [Broadland and South Norfolk district-wide Design Codes](#)
- [MHCLG - Implementing measures to improve Build Out transparency: Technical consultation - GOV.UK](#)
- [DESNZ - Solar on car parks and electric vehicle charging: call for evidence](#)

[Appendix 3](#) – consultations that we propose no response to

- [MHCLG - Planning Reform Working Paper: Reforming Site Thresholds](#)

Appendix 1 – Planning Policy consultations received

DEFRA – BNG for nationally significant infrastructure projects

Document: [Biodiversity net gain for nationally significant infrastructure projects - Defra - Citizen Space](#)

Due date: 24 July 2025

Proposed level: Planning Committee Endorsed

Notes

The government is seeking views on the implementation of biodiversity net gain (BNG) for nationally significant infrastructure projects (NSIPs).

The government is committed to achieving sustained economic growth to improve the prosperity of our country. The development of high-quality nature-positive infrastructure will support this mission.

BNG is a way of creating and improving natural habitats. BNG makes sure development has a measurably positive impact ('net gain') on biodiversity, compared to what was there before development.

The government propose introducing BNG for NSIPs from May 2026. This will provide a clear framework to ensure new major infrastructure developments leave biodiversity in a measurably better state than before development took place. This will contribute to the government's legally binding Environment Act 2021 targets for biodiversity and provide wider benefits for climate change adaptation and mitigation.

Proposed response

Question 2: Do you agree that the proposed model text provides sufficient information on the biodiversity gain objective?

If an LPA has a BNG level, adopted in the Local Plan, of more than 10%, perhaps 20%, how is this proposed to apply to NSIPs located in that area?

Question 4: Do you agree that the proposed model text, alongside the statutory metric user guide, provides sufficient detail on the process for calculating biodiversity net gain?

This needs to refer to 'at least 10%' in all places rather than just once.

Question 6: Do you agree with the proposal that all habitats within the development site boundary (i.e. the order limits) must be included in the pre-development biodiversity value?

Agree.

Question 8: Do you agree that the proposed model text provides sufficient information on delivering biodiversity net gain on-site, off-site and using credits?

The document says: 'Non-significant on-site enhancements Non-significant enhancements and retained habitats can be included in metric calculations to contribute to the post-

development biodiversity value. Although nonsignificant on-site enhancements do not need a legal agreement to secure their maintenance, it is expected that their biodiversity value will remain at approximately the same or higher value over 30 years’.

So how will non-significant BNG be secured? LPAs currently use LEMP type conditions or Unilateral Undertakings to secure this.

Also, what about the monitoring of these and any fees to cover costs?

Question 10: Do you think there needs to be a bespoke policy on delivering BNG where land is temporarily used for construction of NSIP schemes?

Yes, but still need to require BNG as the impact of a temporary use can still be permanent or negative. Perhaps the land needs to return to the baseline at the least?

There needs to be guidance on how long ‘temporary’ is.

Question 11: Do you agree that the proposed model text provides sufficient information on the wider considerations for delivering biodiversity gains?

LNRS are important to use and could benefit the BNG. We query the weak wording around using LNRS and suggest that you consider making it a stronger requirement. What is the point of the LNRS if it is not to be used?

Question 12: Do you agree that the proposed model text provides sufficient information on the following:

- a) Evidence for submission?**
- b) Decision making?**

The wording relating to engaging with LPAs is only ‘encourage’. Early engagement needs to be a ‘must’.

Question 13: Do you agree with the proposal to allow updated biodiversity gain plans to be submitted to the relevant local planning authority for approval after consent is granted?

What about payment to the LPA for doing this work?

What powers does the LPA have if there are issues with what is proposed?

Regarding any enforcement action needed by the LPA, what fee is payable to the LPA?

NSIP gives consent based on the BNG documents provided, but what if through the LPA they want to change it? What powers does the LPA have?

Need to clarify which LPA – the LPA where the NSIP is, or the LPA where the BNG is? BNG could be offsite in National Character Areas, and that could be another LPA.

What is the ‘relevant LPA’? Where the NSIP is or where the BNG is to be?

Page 41 – says ‘Off-site habitat compensation’ – how does that relate to BNG? Is this a mistake or is this straying into something different?

Question 14: Do you have any evidence for us to consider as part of our final impact assessment on implementing BNG for NSIPs?

The financial impact on the LPA in terms of the roles they take in NSIP BNG.

Question 17: Do you have any additional comments on the draft biodiversity gain statement or on the next steps that are not covered by the previous questions?

By bringing LPAs into the NSIP BNG role, there needs to be new burdens payment consideration given the potential size/impact of an NSIP the required resources to deal with this additional requirement could be high. Also, the potential to charge monitoring fees.

Question 18: Do you think there are any other topics that should be covered in BNG guidance for NSIPs?

The role of LNRS in NSIP BNG.

We do not understand this proposed guide: ‘the roles of developers, local planning authorities and statutory bodies in engaging with BNG’. Is this just for NSIP BNG or BNG in general?

DEFRA – Improving the implementation of BNG for brownfield development

Document: [Improving the implementation of Biodiversity Net Gain for minor, medium and brownfield development - Defra - Citizen Space](#)

Due date: 24 July 2025

Proposed level: Planning Committee Endorsed

Notes

BNG is a way of creating and improving natural habitats. BNG makes sure development has a measurably positive impact ('net gain') on biodiversity, compared to what was there before development.

The government wants to know what you think about the implementation of biodiversity net gain (BNG) for minor, medium and brownfield development.

This consultation includes options around extending exemptions, simplifying the small sites metric and increasing ease of access to the off-site market. It also addresses specific challenges for brownfield developments.

The government is committed to encouraging economic growth through new development, while also supporting nature recovery. The government thinks amending BNG within the planning system will help achieve this mission.

Proposed response

DEFRA need to use this consultation opportunity to sort loopholes of applicants coming in for permission and then starting their development, so they get out of BNG because it is a pre-commencement condition.

Question: Do you support the following statements (yes/no):

- I. No changes should be made to exemptions *no*
- II. Some changes should be made (please state which options you support with thresholds were applicable) *yes*
- III. All minor development should be exempt *no*

Question: Do you agree that the self and custom-building exemption should be removed and that it should be replaced with an exemption for a single dwelling house?

Disagree overall.

We agree that the self/custom build issue needs addressing. In terms of self-build, LPAs are seeing many schemes say they are self-build to get out of BNG (and CIL where applicable). There is so much debate in the PAS forum on BNG about securing BNG for self-build and then enforcing BNG if the self-build becomes a market dwelling. By exempting all one dwelling

schemes, this could result in the loss of much habitat and according to this proposal would not need BNG.

There are fewer self/custom builds coming forward than for 1 dwelling. So exempting 1 dwelling means more would be exempt.

We think that even 1 dwelling, be it self or custom build or market, needs to provide BNG. In the protected landscape of the Broads National Park we only have these smaller residential developments and the cumulative impact of not requiring BNG for them would therefore have a greater impact on this protected landscape.

Question: Do you agree with the proposal for a 0.1 hectare threshold?

This is quite a large plot for one dwelling. Perhaps it is common for schemes to be around 35 dwellings per hectare. That 0.1 hectare area could site around 3 dwellings. This threshold is too high for one dwelling.

Question: Do you agree the area de minimis threshold should be extended? If yes, which of the following thresholds do you think is most appropriate: • 50 square metres • 100 square metres • 250 square metres • Other threshold

If raise threshold, more land that is developed is not providing BNG. We recommend staying with 25 square metres. If you are to raise the threshold, we strongly recommend keeping it at 25 in protected landscapes because of the sensitivity of landscape and habitats.

Question: Do you think the BNG requirement should be removed for minor development (for example including up to 9 residential homes) provide evidence for your response where possible.

All minor development should be exempt goes too far. That is a lot of habitat that could be lost as set out above - In the protected landscape of the Broads National Park we only have smaller residential developments and the cumulative impact of not requiring BNG for them would therefore have a greater impact on this protected landscape.

Question: if minor development were to be exempted from BNG, do you agree that the de minimis threshold should be extended to cover other types of development outside of the minor development category having little or no impact on biodiversity?

No – it needs to go through the BNG metric process.

Question: Do you agree that parks, gardens and playing fields development, as defined above, should be partially exempt from BNG? Please give evidence where possible.

Until the impact of a scheme is assessed, you don't know what the impact is – so no.

If only part of a proposed new sports pitch is low distinctiveness area habitat and the rest is a higher distinctiveness, would the BNG be only for higher distinctiveness part or would the fact that some of it was on low distinctiveness mean no BNG at all across the site? That needs to be clarified in any future approach.

The consultation document only refers to if there are trees, shrubs or hedgerows being affected – there are other habitats that are of a higher distinctiveness than low distinctiveness that could be affected by schemes.

Allotment or garden could have high distinctiveness.

If you make this change for sports pitches, this could be the start of then applying this change to other schemes that affect low distinctiveness. Some changes proposed will undermine the point of it in the first place.

Question: Do you agree that development whose sole or primary objective is to conserve or enhance biodiversity should be exempt from BNG? Please provide evidence where possible, including examples of developments that you think would be exempted. If yes, do you think there should be an upper size limit?

Schemes need to go through the BNG metric process as it depends on what the baseline is.

Question: Do you agree that temporary planning permission should be exempt from BNG? Please provide evidence where possible, including examples of developments that you think would be exempted. If yes, do you agree with the 5-year time limit?

Temporary development should not be exempted. This is because the development still affects and displaces the habitat on site, even if it is temporary. Also, temporary planning permissions can be extended and repeated. Or indeed, they become permanent and as BNG is a pre-commencement condition, and the development will be there when applying for it to be permanent, no BNG will be applicable when the development becomes permanent.

As for 5 years – that is 5 springs and summers that a wild flower meadow would bloom to benefit pollinators – that is just an example.

Question: Do you think the SSM should be used for medium development?

The issue is the habitat affected rather than the scale of development.

Also, the SSM does not have to be filled out by an ecologist and that might be acceptable for minor development, but we query that for larger development.

Question: Do you think the SSM should be able to be used on sites with European protected species present?

No as SSM doesn't need a qualified person to fill it out which is a concern for sites with these species.

Question: Do you think the SSM should be able to be used on sites with protected sites present?

No as SSM doesn't need a qualified person to fill it out which is a concern for sites with these species.

Question: If these changes are taken forward, and the SSM is re-badged as a low impact metric. Do you think there should be any other restrictions on use of the SSM?

A section that asks for how the person filling it out is a competent person would be useful.

Question: Would relaxing the biodiversity gain hierarchy for minor development support small developers to deliver BNG more easily?

What is the harm in the applicant still proving they can't provide onsite? Once they have proved that, then the proposed changes could be applied and be useful.

Question: Should the Spatial Risk Multiplier be disapplied for minor development purchasing off-site units?

What is the harm in the applicant still proving they can't provide onsite? Once they have proved that, then the proposed changes could be applied and be useful.

Question: Should we allow alternative habitat delivery for the loss of Open Mosaic Habitat?

Agree and this seems logical. But there needs to be evidence to determine appropriateness of alternative habitat.

Question: Do you have any suggestions as to the habitat mosaic which may provide the same ecological benefits as OMH or the key considerations we should be incorporating?

There needs to be evidence to determine appropriateness of alternative habitat.

MHCLG – Reform of Planning Committees

Document: [Reform of planning committees: technical consultation - GOV.UK](#)

Due date: 23 July 2025

Status: Technical consultation

Proposed level: Planning Committee Endorsed

Notes

In the King's Speech, the government announced that it would modernise the way planning committees operate to best deliver for communities and support much needed development. In December 2024, the Ministry of Housing, Communities and Local Government (MHCLG) published [Planning Reform Working Paper - Modernising Planning Committees](#) to seek views on three proposed actions to reform planning committees:

- introducing a national scheme of delegation so there is greater consistency and certainty about which decisions go to committee;
- requiring separate, smaller committees for strategic development so there is more professional consideration of key developments; and
- introducing a requirement for mandatory training for all planning committee members so they are more informed about key planning principles.

The government's objectives for these reforms are to:

- a) encourage developers to submit good quality applications which are compliant with plan policies;
- b) allow planning committees to focus their resources on complex or contentious development where local democratic oversight is required and a balanced planning judgement is made;
- c) ensure planning committee members get the training and support they need to fulfil their duties effectively; and
- d) empower planning professionals to make sound planning decisions on those cases aligned with the development plan.

As part of the MHCLG's engagement on the working paper it held eight workshops and meetings with key stakeholders including local planning authorities and chairs of planning committees. The Head of Planning attended one on 8 January this year and raised the concern that National Parks should be considered separately in relation to the first two proposals. This engagement following the publication of the working paper provided MHCLG with invaluable insight from those working across the sector as well as views from the general public. The key findings were:

- most respondents could see the case for a scheme of delegation to provide more consistency and certainty, but there were differing views about the structure of such a scheme;
- there was little support for separate strategic development committees, however, there was strong support for smaller committees generally to improve the quality of debate;
- there was strong support for mandatory training of planning committee members to improve their understanding of planning.

After careful consideration of the responses, the government has included the following measures in the [Planning and Infrastructure Bill](#) which was introduced into Parliament on 11 March 2025:

- a new power for the Secretary of State to set out which planning functions should be delegated to planning officers for a decision and which should instead go to a planning committee or sub-committee;
- a new power for the Secretary of State to control the size and composition of planning committees; and
- a new requirement for members of planning committees to be trained, and certified, in key elements of planning.

The measures in the Bill are enabling powers and the detailed provisions will be set out in regulations to be brought forward following Royal Assent for the Bill. This consultation seeks views on what detailed provisions should be included in the regulations.

Proposed response

Delegation of planning functions

The Planning and Infrastructure Bill will, subject to parliamentary approval, give the Secretary of State the power, through regulations, to set out which planning functions should be delegated to planning officers for a decision and which should go instead to a planning committee or subcommittee¹.

1. [Note that these reforms do not apply to national park authorities and development corporation planning committees due to the different structure of their committees and the types of applications they deal with.](#)

Question 1: Do you agree with the principle of having a two tier structure for the national scheme of delegation?

Question 2: Do you agree the following application types should fall within Tier A?

- applications for planning permission for:
- Householder development

- Minor commercial development
- Minor residential development
- applications for reserved matter approvals
- applications for non-material amendments to planning permissions
- applications for the approval of conditions including Schedule 5 mineral planning conditions
- applications for approval of the BNG Plan
- applications for approval of prior approval (for permitted development rights)
- applications for lawful development certificates
- applications for a Certificate of Appropriate Alternative Development

Question 3: Do you think, further to the working paper on revising development thresholds, we should consider including some applications for medium residential development (10-50 dwellings) within Tier A? If so, what types of application?

Question 4: Are there further types of application which should fall within Tier A?

Question 5: Do you think there should be a mechanism to bring a Tier A application to committee in exceptional circumstances? If so, what would those circumstances be and how would the mechanism operate?

Question 6: Do you think the gateway test which requires agreement between the chief planner and the chair of the planning committee is suitable? If not, what other mechanism would you suggest?

Question 7: Do you agree that the following types of application should fall within Tier B?

a) Applications for planning permission aside from:

- Householder applications
- Minor commercial applications
- Minor residential development applications

b) notwithstanding a), any application for planning permission where the applicant is the local authority, a councillor or officer

c) applications for s73 applications to vary conditions/s73B applications to vary permissions

Question 8: Are there further types of application which should fall within Tier B?

Question 9: Do you consider that special control applications should be included in:

- Tier A or
- Tier B?

Question 10: Do you think that all section 106 decisions should follow the treatment of the associated planning applications? For section 106 decisions not linked to a planning application should they be in Tier A or Tier B, or treated in some other way?

Question 11: Do you think that enforcement decisions should be in Tier A or Tier B, or treated in some other way?

Questions 1-11 relate to delegation of planning functions reforms that are **not applicable to national park authorities** (see note 1 above).

Responding on behalf of a national park authority, question is not applicable

Size and composition of committees

30. The working paper sought views on whether it would be beneficial to introduce a requirement for local planning authorities to have smaller, dedicated committees to deal with strategic development applications.

31. Most respondents to the working paper felt that such a requirement was unnecessary as local planning authorities already had the power to form such committees and were doing so where it was needed. There was, however, strong support for having smaller committees generally to improve the quality of debate while recognising the need for political balance.

32. In light of the responses, the government does not intend to take a power to require strategic development committees at this time. We will instead use guidance to encourage local planning authorities to adopt such an approach where it would be beneficial.

33. We are, however, seeking a power in the Planning and Infrastructure Bill for the Secretary of State to set out requirements on the size and composition of committees³.

3. [Note that these reforms do not apply to mayoral combined authorities, the Greater London Authority, national park authorities and development corporation planning committees due to the different structure of their committees and the types of applications they deal with.](#)

Question 12: Do you agree that the regulations should set a maximum for planning committees of 11 members?

Question 13: If you do not agree, what if any alternative size restrictions should be placed on committees?

Question 14: Do you think the regulations should additionally set a minimum size requirement?

Questions 12-14 relate to size and composition of committees reforms that are **not applicable to national park authorities** (see note 3 above).

Responding on behalf of a national park authority, question is not applicable

Mandatory training for planning committee members

35. The government recognises that many local planning authorities in England already train their members, and there is good take-up of the membership training offered by the Planning Advisory Service. However, the approach to training is inconsistent and varies across the country. A recent survey by the Planning Advisory Service shows that 45% of respondents indicate they do not have a good understanding of planning and planning processes following a form of training, which indicates that there is scope for a more consistent and qualitative approach to training.

36. Our working paper therefore, sought views on introducing mandatory training for committee members. The proposal was strongly supported and we are taking this forward, subject to Parliamentary approval, in the Planning and Infrastructure Bill.

37. In terms of content, industry engagement showed broad support for a combination of national content (e.g. National Planning Policy Framework, other statutory guidance and regulations) and content driven by local context (including the local development plan). The local planning authority will have a role to play in the training process, as many do already. We will use best practices of these for further guidance.

38. Industry engagement was supportive of a hybrid form of training: a mixture of online and face-to-face elements to reflect committee members' circumstances. There was a strong emphasis on ensuring the training demystified planning jargon as far as possible, recognising that members have other responsibilities and are not expected to be planning experts.

39. We will work with local government and the wider planning sector to develop a national planning committee package which seeks to meet these ambitions following the outcome of the Spending review.

40. One key feature (which is incorporated into the Bill's provisions) is the need for a member to have some form of training certification to ensure they can only make committee decisions if they have been trained. There are two basic options:

- a national certification scheme which would be procured by MHCLG and involve an online test for certification; or
- a local based approach where the local planning authority provides certification

41. Our preference is for a national certification scheme as it ensures independence and reduces the burden on individual local planning authorities, however it is likely to mean that the certification is based on national content only. We are aware of different views on this matter and would like to hear views before developing the training package with the sector.

Question 15: Do you agree that certification of planning committee members, and of other relevant decisions makers, should be administered at a national level?

Yes, welcome the use of accredited training and the resulting certification of PC members at a national level. Need to ensure that training is readily available to ensure new members can participate in PC meetings in a timely fashion. Accept that a national scheme would not cater for local context and this would be covered by supplementary training to be undertaken by the LPAs (assume funding would be covered by the New Burdens Doctrine).

Delegated decision making

42. Alongside our reforms to modernise planning committees we are committed to ensuring that delegated decision making is effective and as consistent as possible across the country. That is why we are taking steps to:

- introduce an overhaul of the local plans system to ensure that each area has an up to date local plan in place, making them simpler to understand and use so that communities can more easily shape them and will allow for an easier application of local plans to decision making
- consult on a set of National Decision Making Policies and a revised National Planning Policy Framework later this year that will create a clearer policy framework for decision making
- to support skills and resourcing by empowering local planning authorities to set their own planning fees to cover costs of delivering a good planning applications service

43. We also have an existing framework to measure the decision making performance of local planning authorities. The planning performance regime covers decision making by both committees and delegated officer, looking at quality of decision making by measuring the proportion of total decisions overturns at appeal (as well as speed of decision-making). As part of our work to modernise the planning system and ensure it is delivering the outcomes communities want, we could consider reviewing the thresholds in the performance regime to support high quality decision making across both committee and officer decisions.

Question 16: Do you think we should consider reviewing the thresholds for quality of decision making in the performance regime to ensure the highest standards of decision making are maintained?

Agree with reviewing the targets although may want to consider the timing of any proposed changes to ensure that the reason for improvements are fully understood in relation to the wider planning reforms.

Question 17: For quality of decision making the current threshold is 10% for major and non-major applications. We are proposing that in the future the threshold could be lowered to 5% for both. Do you agree?

The percentage of Broads Authority non-major planning appeals allowed by PINs was well under the threshold at 1.6% in 2023/24 and 0.6% 2024/25. We therefore have no comment to make.

Appendix 2 – Consultation responses sent in – for information only

MHCLG – Speeding Up Build Out

Document: [Planning Reform Working Paper: Speeding Up Build Out - GOV.UK](https://www.gov.uk/government/consultations/planning-reform-working-paper-speeding-up-build-out)

Due date: 07 July 2025

Proposed level: For information

Notes - The website says:

This paper invites views on further action the government should take to speed up homes being built. It sits alongside the government’s technical consultation on requiring transparency and accountability measures for build out rates on housing sites.

We know that slow build out is of great frustration to many local planning authorities and communities that rightly expect homes, infrastructure and services that have been promised as part of a planning approval to be delivered as quickly as possible. We also know that developers are responsive to commercial incentives and build out homes at a rate that is beneficial to their business and reflective of the wider economic environment.

This paper therefore invites views on options the government could pursue to ensure the right incentives exist in the housing market, and local planning authorities have the tools they need, to encourage homes to be built out more quickly. In addition to the transparency and accountability measures set out in the technical consultation, this includes incentivising and supporting models of development that build out faster, such as partnership models, greater affordable housing, public sector master-planned sites, and smaller sites. We also invite views on giving local authorities the ability – as a last resort – to charge developers a new ‘Delayed Homes Penalty’ when they fall materially behind pre-agreed build out schedules.

Submitted response

- *Consultation refers to ‘Local Authorities’. Needs to say ‘Local Planning Authorities’. Not all LPAs are classed as LAs.*
- *Will there be new burdens payments for the extra checks? Or will a fee be charged when applicants submit various things?*
- *What if the LPA does not have the inhouse expertise to check the reasons given for the delay? For example, viability? Can we charge the developer for independent assessment like we do at application stage?*
- *It is not just large sites that this is relevant to. Small sites, or even as small as one dwelling, on land that is brownfield or a redundant building that is an eye sore which could be being vandalised or perhaps is prominent in a protected landscape or even be a heritage asset, could benefit from these proposals – the community wants those sites improved as well. Anything submitted will be proportionate to the size of the scheme.*

Filby Parish Council

Document: [Filby Neighbourhood Plan Review 2024](#)

Due date: 30 June 2025

Status: Review of made Neighbourhood Plan – regulation 14

Proposed level: For information

Notes

This is the Reviewed Filby Neighbourhood Plan, which updates the current plan that was made in April 2022. The plan has been reviewed to ensure current resident views are well reflected; to update on progress against key actions and policy achievements; and so that it reflects important changes to both national and local plan policy.

Submitted response

Comments on NP

- Para 13 – a new Local Plan for the Broads is emerging too
- You may want to have a section about emerging Local Plans for GY and BA. You may want to caveat this saying that neither new Local Plans had been adopted at the time of writing. GY's may talk about Filby and expected housing numbers to be delivered in it and ours refers to Filby having a development boundary.
- Para 28 refers to April 2022 and monitoring – monitoring is undertaken annually and it is now May 2025. I would suggest this needs checking and updating.
- Para 32 – not just older people downsizing, but younger people getting on the housing ladder
- Para 33 – I would suggest the average based on one sale is not statistically relevant. I wonder if you need to focus on the last five years and say how many dwellings were sold and say what the average cost was.
- I do not understand the second sentence of para 35.
- Para 36 – can you be clear if this is housing that is affordable or affordable housing? Added to this, you say a few times in the plan that residents say there is no need for new housing in Filby. But this paragraph talks about demand for affordable housing. Affordable housing, as defined in the NPPF, tends to only come forward when new housing schemes come forward. Furthermore, the Government want a certain number of homes built around the country. I recommend you check what you are referring to here and check if the message through the plan is consistent.
- The last part of para 36 – how does that stance relate to rural exception sites which are located adjacent to development boundaries?

- Policy H1 – It is not clear, and has not been justified in supporting text, why only schemes of 5 or more dwellings need to provide a mix. Indeed, this seems contrary to what has been said elsewhere in the plan (for example para 32) where there is reference to the need for 1 or 2 dwellings and reference the survey that supports certain number of bedrooms in dwellings. A scheme of 3 or 4 could still have a mix of dwelling sizes. I recommend this is checked as at the moment it seems to be contrary to the evidence and stance of the plan elsewhere and there is no justification given.
- H1 para a – I think you might be talking about M4(2) building regulation standard here where you refer to being accessible and adaptable. But you don't talk about this in the supporting text and I recommend you do. You might also want to refer to the stance of the existing and emerging Local Plans. For example, the Local Plan for the Broads at the moment seeks 20% of dwellings over 5 to be M4(2) and the emerging Local Plan says 'All new homes must be designed and built to meet requirement M4(2) of Part M of the Building Regulations unless it can be robustly demonstrated it is not practicable to do so due to the physical characteristics of the site. The Authority encourages larger schemes to consider providing dwellings designed and built to meet M4(3). For schemes that will result in at least ten affordable housing units (in line with the affordable housing policy) 10% of the affordable housing provided on site will comply with requirement M4(3) of the building regulations unless it can be robustly demonstrated it is not practicable to do so due to the physical characteristics of the site. Where exemptions are sought on practicality grounds, the minimum number of units necessary will only be exempted from the requirements'.
- H1 – starts off saying that schemes of 5 dwellings need to do something but then linked to that are the bullet points and the first one says all dwellings need to do something... so as written, it kind of does not flow logically.
- H1 b – is that on schemes of 5 dwellings or more? But H1 a is about all dwellings? Please be clear.
- H1 last part – I think some words are missing as it does not read well. I am also not sure what this adds to national or local policy. For example, the current local plan for the Broads seeks off site affordable housing contributions from schemes of 6-9 dwellings. You refer to that in para 37, but I think this section needs checking and clarifying. The emerging Local Plan for the Broads seeks off site contributions as follows:
 - Brownfield schemes located on the waterfront: 3-9 dwellings
 - Other brownfield schemes: 5-9 dwellings
 - Greenfield schemes: 3-9 dwellings.
- Para 45 – the BA has an adopted design guide SPD now.
- H2 – do you want to show the gap between settlements that you want to protect on a map?

- H2 – last bit talks about using water butts to collect surface water. You might want to say rainwater.
- Para 78 – we have Local Green Spaces identified in the Local Plan. And Open Spaces are mapped: [DM7 OPEN SPACES.pdf](#)
- Para 79 – I don't know what this means: Policy E3 does not prevent adjacent proposals
- Para 81 – I recommend referring to justifying the need for lighting in the first place, before then talking about the design.
- Para 84 – you refer to the emerging local plan for the Broads and it continuing to have a policy on dark skies. But GYBC emerging Local Plan also has a policy on dark skies and I think you should refer to that.
- Policy E4 – GYBC have an emerging policy on dark skies. You might want to refer to something about the rest of Filby as per the GYBC policy?
- Policy E4 – add: opportunities to create more dark skies and lower dawn to dusk lighting would be considered favourable.
- Policy E5 takes a slightly more lenient stance than adopted Local Plan policy SP4 which gives stronger protection to BMV soils. And the emerging Local Plan continues this stance. The NPPF seeks the protection and enhancement of soils. The NPPF2024 also says at footnote 65, 'Where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality'. As such, I recommend you re-consider this policy stance.
- Policy E6 – did you want to say that SUDS need to be multi-functional?
- Images need to have alt text
- Para 105 – this does not make sense: There is a footway along one side of the main road through the village, though part footway along Ormesby Lane, which is narrow, for residents to gain access to the village centre
- Para 128 says 'Development in the Broads Authority area is not subject to CIL as they have their own charging schedule'. This is incorrect. There is no CIL in the Broads.
- Access for horse riders, particularly disabled riders from Croft Farm is missing and not identified as an opportunity.
- Policy E1 – The policy could reference BNG. Their statement prioritises connectivity which is good but any planning app would need to meet the BNG requirements where applicable, which may not always result in enhancements to wildlife corridors. As a spatial priority though, it is good to have in the policy – alignment with the Broads Nature Recovery Strategy would ensure everyone is working to the same spatial priority map.

Comments on Design Guide

- Page 16 and settlement edge. There is no mention of GYBC and our policy relating to settlement fringe. This is a mapped landscape character type and needs to be referenced.
- I am not sure about highlighting must, should etc – doesn't make sense to me. The whole instruction or guidance is important. You are emphasising the wrong thing. Strongly recommend don't bold those words. It is quite distracting and loses the message.
- Images need to have alt text
- Page 31 case studies – lots of glazing that would cause light spill from the internal lights and affect light pollution so I am not sure these are the best examples given the Local Plans x 2 seek to protect dark skies.
- Page 43 – GYBC have done some dark skies work. What does their emerging Local Plan say about the rest of Filby? And then the map needs to reflect that.
- Page 44 – needs to start with justifying why lighting is needed in the first place.
- Page 44 – needs to talk about the impact of glazed frontages and internal lights spill as a source of light pollution and how automatic dusk to dawn blinds will need to be installed.

Broadland and South Norfolk Councils

Document: [Broadland and South Norfolk district-wide Design Codes | Broadland and South Norfolk \(southnorfolkandbroadland.gov.uk\)](#)

Due date: 23 June 2025

Status: Third consultation

Proposed level: For information

Notes

Over the last nine months, Tibbalds has been working with South Norfolk and Broadland District Council to produce a Design Code that is reflective of the key design issues and priorities across the two districts, substantially informed by previous rounds of engagement with residents and stakeholder bodies that took place during summer and autumn 2024. Once adopted, the Design Code and associated documents will form an important part of the planning guidance for both authorities and will be used by site developers designing residential schemes, as well as the planning team when assessing submitted proposals.

Submitted response

Throughout – still no reference to design of lighting. Development is likely to be on the edge of settlements. Therefore, lighting needs to be fully justified and if required, well-designed. There is little, if any, mention of lighting in the document. This is relevant to all development types.

Pg 4 - the map shows the two districts and the Broads Area - it is not clear that the Design Code does not cover the BA area. It needs to reference our Design Guide and Code.

H15 – Low carbon heat and renewable energy generation – is there an expectation of going beyond the Future Homes Standard?

H15.1 – In the development aiming to be net-zero, are they including transport?

H16: “It should also tackle surface water flooding challenges and when needed improve the local water quality” - we note that you use ‘must’ in H16.1

There is going to be development on the edge of settlements that could impact the Broads. The Design Guide needs to consider this impact. We made similar comments as part of the Village Clusters Local Plan consultation. The impacts could be on long views, landscape character and dark skies (from any lighting). The Design Guide needs to address this issue.

A general issue is that it refers to the urban fringes and show lots of pictures of historic buildings/good design but doesn't acknowledge the suburbs and typical 1970s/1980s etc houses & bungalows which make up a large part of the housing stock e.g Hellesdon. These may not be regarded as good design, but they need to be noted and addressed as many applications will be in these areas.

Throughout the document - should use local examples.

Pg 22 of the Design Code refers to Horsted Park, Chatham - which is in Kent. Use St. Micheals, Aylsham instead.

Pg 10 shows photos of Somerset and Cambridge.

Same for pg 11 - Bradford/Winsford.

MHCLG – Measures for Build Out

Document: [Implementing measures to improve Build Out transparency: Technical consultation - GOV.UK](#)

Due date: 07 July 2025

Proposed level: For information

Notes

This technical consultation seeks to gather views on the introduction of a new statutory build out framework which requires information to be submitted at different stages of the planning and development cycle and the power to decline to determine applications, utilising provisions in the Town and Country Planning Act (TCPA) 1990 (including as inserted by the Levelling-up and Regeneration Act 2023 (LURA)).

Submitted response

Q.1. Do you agree that the build out reporting measures should apply to developments which involve the building of new dwellings (including mixed use development)?

Yes

Q.2. Are there any other types of residential development that the build out measures should apply to? If yes, please give your reasons.

Residential moorings

Q.3. Do you agree with the proposed threshold of 50 dwellings for the build out measures to apply to?

Disagree – should apply from one net new dwelling. Small sites, or even as small as one dwelling, on land that is brownfield or a redundant building that is an eye sore which could be being vandalised or perhaps is prominent in a protected landscape or even be a heritage asset, could benefit from these proposals – the community wants those sites improved as well. Anything submitted will be proportionate to the size of the scheme.

How would you address the potential for sites above the proposed 50 dwellings to be split into smaller applications to get around the proposed requirements?

Q.4. Do you think a higher threshold should be set for development progress reports and the power to decline to determine applications? If so what should this threshold be?

No. See answer to number 3.

Q.5. Do you agree that this information should be covered in the build out statements?

Yes

Q.6. Do you have any further comments on the build out statement?

On big schemes it will be difficult to predict or foresee all matters that may affect a timetable of works.

Q.7. Do you agree that this information should be covered in commencement notices?

Inclusion of a completion date seems to duplicate the build out statement, and from experience would be almost impossible to define before works started. How many resubmissions are thought to be acceptable, especially if they are in conflict with the build out plan? They would have to resubmit both plans so why not combine the build out and commencement documents into one. A fine for providing insufficient details will not make the development commence but delay it if an appeal process is available and may reduce the capability of the developer affording the development, particularly as finances become more finely balanced.

Q.8. Do you agree with setting a 2 month period after the reporting period ends to submit the development progress reports?

Yes

Q.9. Which option for the reporting period for development progress reports do you agree with?

Neither.

Why not have it starting 1 year after commencement? This would prevent the developer asking to be excused from the report if the development has commenced just before or just after the reporting period, or the lpa underenforcing the lack of report.

Q.10. We recognise the information in development progress reports may be useful for lpas to calculate 5 year land supply (5yls), are there any impacts with the reporting periods proposed and the interaction with 5yls?

Yes

Q.11. Do you agree with the proposals for how the completion date is specified for the purposes of development progress reports?

Yes

Q.12. Do you agree with the proposals about who submits the development progress report?

Yes

Q.13. Do you agree with the information it is proposed development progress reports will cover?

Yes

Q.14. Is there any other information you think development progress reports should cover?

No

Q.15. Do you have any views on how a joint approach to submitting a commencement notice could be facilitated on sites where multiple developers are involved?

Each phase should be reported by the main developer who starts. For multiple developers working on the same un-phased development, they would need to work together, maybe appointing a professional to represent them all.

Q.16. Do you agree with making provisions in the regulations that would enable a joint submission of the development progress report where multiple developers are involved?

Yes

Q.17. Do you agree that this information should be covered in development progress reports where a joint approach is taken?

Yes

Q.18. Do you have any views on what information other than in build out statements and development progress reports LPAs should have regard to when considering whether the carrying out of the earlier development has been unreasonably slow?

It would be have to be carefully considered whether the power to decline a new application for a development has failed is appropriate for a new unconnected developer who buys the failed site.

Q.19. Do you have any comments on the scope of the guidance?

The intention to speed up development and ensure completion may be compromised by the additional red tape proposed here.

Department for Energy Security and Net Zero

Document: [Solar on car parks and electric vehicle charging: call for evidence](#)

Due date: 18 June 2025

Status: Call for evidence

Proposed level: For information

Notes

The Department for Energy Security and Net Zero (DESNZ) is seeking evidence and feedback on a proposal to mandate the introduction of solar canopies on new outdoor car parks and explore opportunities for deployment on existing car parks, above a certain size; this includes car parks in both public and private ownership. We are considering, subject to this call for evidence, whether multi-storey car parks and residential car parks should be in scope. We also welcome evidence and feedback on other ways that government action could increase the deployment of solar canopies on outdoor car parks and views on what further changes can be made to the planning and permitting regime when installing electric vehicle chargepoints.

Submitted response

Solar on car parks:

Another benefit could be lighting would point downward and be contained under the canopy to some extent so perhaps benefit dark skies and reduce the impact of light pollution from car parks without solar panels, but that have lighting.

Mandating solar panel canopies is not appropriate for all car parks. For example, some car parks are designed or might need be designed to blend in using landscaping. So perhaps a canopy is not appropriate in some locations. Perhaps rural areas or conservation areas and maybe not everywhere in protected landscapes. By adding a canopy, the bulk of the car park becomes similar to a one storey building.

There may need to be some kind of assessment to ascertain the amount of sun a car park gets or will get to see whether a solar panel canopy will work. Shade from buildings on landscaping could cause issues.

Is a potential benefit management of surface water? Or indeed, would that need to be a design consideration? We are experiencing more rain bursts and will continue to do so, so dealing with the rain could be a benefit to solar canopies but also needs to be a requirement as part of their design.

Another benefit is the consumption of energy of the individual car on a hot day in terms of cooling the car – the car would have been in the shade so perhaps the air conditioning might not need to work as hard with benefits on fuel/energy consumption.

How would the Government's stance on mandating solar panel canopies over car parks sit with the Permitted Development Right that currently exists? Would that be removed? Or

would that stay – this will need clarifying. The considerations open to LPAs through the PD route are all relevant and need to be considered if they are going to be mandated.

Some remote car parks are unlikely to have a grid connection.

EV charging points

Risk of fire needs consideration. We hope to introduce a policy to ensure applicants place EV charging points where, if batteries caught on fire, it would not have a major impact. You need to talk to the Fire Service about this and national guidance is needed on this matter.

Many types of EV charging points have lights on that are superfluous but can impact dark skies of an area and the nocturnal character – they are a form of light pollution and often not needed. There are other ways to highlight the presence of them in the dark, perhaps with glow in the dark products. Anything put in place must address needless lighting on EV points that cannot be turned off and cause glare, light spill and light pollution and affect nocturnal character to the detriment of people and wildlife.

The location and design of such points can impact landscape character and heritage assets and so this needs to be considered and addressed.

Appendix 3 consultations that we propose no response to

MHCLG – Reforming Site Thresholds

Document: [Planning Reform Working Paper: Reforming Site Thresholds - GOV.UK](#)

Due date: 09 July 2025

Proposed level: For information

Notes

This working paper seeks views on reforming site size thresholds in the planning system to better support housing delivery on different types of sites. This means taking a graduated approach to the system as a whole – removing and streamlining disproportionate requirements on small and medium sites, while maintaining and strengthening requirements on major development. It explores how different site sizes should be treated within the planning system and considers the case for removing barriers specific to developers in this part of the sector.

The paper primarily explores the simplification of planning requirements for the smallest of sites and the introduction of a medium-sized site threshold within the planning system – in recognition of the particular needs of this scale of development. These changes aim to provide certainty to the sector, ensure the planning system is more targeted and proportionate across different scales of development, and help small and medium builders (SMEs) deliver the homes our communities need. This supports a key objective of our Long-Term Housing Strategy to diversify the housing market and deliver a reformed housebuilding system, which will be set out in full later this year.

The main changes proposed are to bring a medium category into the site thresholds for development:

- **minor** – will be taken to be anything which does not fall within either medium or major definitions (i.e. sites under 10 dwellings or less than 0.5ha if no number is known)
- **medium** – where the number of dwellings to be provided is between 10 and 49; and the site is less than 1 hectare (and if there is no known number of dwellings, the site is between 0.5 and 1 hectares)
- **major** – where the number of dwellings to be provided is 50 or more or the site is more than 1 hectare

Submitted response

No response proposed as this will not impact on the Broads area.