

Consultation Documents Update and Proposed Responses
Report by Planning Policy Officer

Summary:	This report informs the Committee of the officers' proposed response to planning policy consultations recently received, and invites any comments or guidance the Committee may have.
Recommendation:	That the report be noted and the nature of proposed response be endorsed.

1 Introduction

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

2 Financial Implications

- 2.1 There are no financial implications.

Background papers: None

Author: John Clements
Date of report: 14 February 2012

Appendices: APPENDIX 1 – Schedule of Planning Policy Consultations received

Planning Policy Consultations Received

ORGANISATION:	South Norfolk District Council
DOCUMENT:	South Norfolk LDF: Preparation of Development Management Policies DPD – 1 st regulation 25 Consultation
LINK	http://www.south-norfolk.gov.uk/planning/5165.asp
RECEIVED:	23 Jan 2012
DUE DATE:	16 March 2012
STATUS:	Newly Received
PROPOSED LEVEL:	Officer
PROPOSED RESPONSE:	<ol style="list-style-type: none"> 1) The Broads Authority welcomes the consultation on this document and offers the following comments 2) South Norfolk Council has a legal obligation (<i>under the Norfolk and Suffolk Broads Act 1988, as amended</i>), in exercising or performing any functions in relation to, or affecting, land in the Broads, to have regard to the purposes of <ol style="list-style-type: none"> a) Conserving and enhancing the natural beauty, wildlife and cultural heritage of the Broads; b) Promoting opportunities for the understanding and enjoyment of the special qualities of the Broads by the public; and c) Protecting the interests of navigation. 3) The Broads is a nationally designated area with status equivalent to a national park, the highest level of landscape protection, and a wetland of international importance. It is both partly within South Norfolk District and immediately adjacent to the Council's planning area. The importance of the Broads and the need to address this in plans for surrounding areas is highlighted in both the East of England Plan and the GNDP Joint Strategy. There are, however, but two passing references to the Broads in the document. The Authority would like to see the Broads and its purposes given greater prominence in the final DPD, and included in criteria for development proposals in the vicinity of the Broads, with particular reference to landscape impacts, flood and water quality risks, development in the open countryside, and the interdependence of the Broads and South Norfolk planning areas in terms of community identity, facilities, and recreational and economic value. 4) The consultation documents do not make it clear that the proposed Development Management Policies will not apply to those parts of South Norfolk District within the designated Broads area.

- 5) Covering letter, 3rd paragraph (and various other places in the document) omits to mention that the Joint Core Strategy applies only to those parts of the Norwich, Broadland and South Norfolk outside the designated Broads area.
- 6) Page 12, para 2.2 states the Localism Act 'confirms the abolition of the regional planning', which could be misleading. The Act gives the Secretary of State the power to revoke the regional spatial strategies. This power has not yet been exercised, and the East of England Plan remains part of the development plan for the area for the time being. It may be useful to include the East of England Plan in the 'References and Background Documents' appendix.
- 7) The Authority supports the Council's identification of a potential need to include in local development management policies some of the detail provided in current national planning policy and guidance which may be lost when these are replaced by the proposed National Planning Policy Framework.
- 8) Page 49 refers to 'the Norfolk Broads' in relation to areas of national or international importance. Parts of the designated Broads area are in Suffolk, adjacent to the South Norfolk Council's district and/or planning boundary. It would therefore be preferable and more accurate to refer simply to 'the Broads' or 'the designated Broads area'.
- 9) Question 1 appears to be missing the word 'sustainable'.
- 10) Question 2 – The Authority supports the inclusion of a draft policy to ensure clarity about what is meant by sustainability, and supports the proposed wording in so far as it ensures that social, economic and environmental factors are all weighed and balanced.
- 11) Question 3 - It would be desirable to add reference to the need to consider impacts (positive or negative) both over the long term and, where applicable, across a range of spatial scales.
- 12) Question 4 – The proposed wording, and in particular that applying outside the Development Boundaries, appears insufficiently clear and robust to prevent sporadic and unsustainably located development. This could have impacts on the tranquility of the Broads and the landscape and character of its setting.
- 13) Question 11 – Using business viability as the criterion for allowing business development outside development boundaries omits the importance of balancing such economic factors with social and environmental ones. It is perhaps perverse and likely to undermine the objectives of these boundaries themselves. Land values inside a development boundary will usually be higher, and hence it will almost always be 'more viable' for business to develop on sites outside development boundaries, but with long term public and environmental costs. This criterion would be likely to encourage sprawl of settlements and sporadic development in the countryside, while reducing demand and viability within the areas identified by the boundaries as suitable for development, with knock on effects on proximity of jobs to

populations, sustainable travel, and the qualities of town and country.

- 14) Question 30 – The Authority welcomes outstanding and innovative design, but considers that this is best applied within the constraints of settlement and landscape policy, rather than as an exception to it as is mentioned in relation to new country houses. It is difficult to see how an isolated and exceptional ‘country house’ would be likely to lead to any more general raising of design standards across South Norfolk, or, in the context of those areas close to the Broads, enhance the countryside.
- 15) Question 32 – The Authority supports the inclusion of such a policy, especially as parts of the Broads area and population are reliant on such facilities in the Council’s planning area. (Such a policy might also usefully be referenced at Section 4.2 re the vitality of villages.) The continuing availability of services including village shops and pubs is important to the quality of life of local residents, to the attraction of the area for recreation and visitors. It is therefore desirable to include a policy to support these services, and to protect those which could otherwise remain viable from displacement by higher value uses such as housing.
- 16) Question 34 – Renewable energy generation, especially wind power, in the South Norfolk planning area has the potential to impact upon the landscape and other important characteristics of the Broads. This should be highlighted in any policy on the matter. The Broads Landscape Character Appraisal; and the planned ‘Broads Landscape Capacity Study for Turbine, PV Arrays and Associated Infrastructure Requirements for Renewable Energy Production’ (your officer Tim Horspole is aware of this project) may well be of future use in assessing any such proposals having inter-visibility with the Broads area.
- 17) Whilst there is a potential for the mentioned adverse impacts on heritage assets, this is not necessarily the case, and the policy should seek to ensure that any such impacts are avoided or mitigated by location or design.
- 18) Question 35 – Flooding is a major issue for the Broads, not just in relation to risk to homes and communities, but also water quality and the environmental and wildlife value of the Broads and nearby areas. Any such policy should include off-site potential impacts including water quality and effects on flood risk up and downstream of the site as criteria, and assessment should include anticipated changes as a result of climate change. While there may well be pressure for development in areas at risk of flooding, a key task of planning is to generally resist such pressures if the development can be accommodated in areas not at risk. The likely adverse reactions to insufficiently robust approaches to flood risk generally may well make it more difficult to gain support to facilitate development in areas of flood risk when and where there are genuine planning reasons for the development to be there.

	19) Question 37 – It would be valuable to have an additional policy on landscape to ensure that the wider landscape impacts of development are considered, including any in relation to the Broads, in addition to the more site and vicinity related matters focused on in the proposed approach to a design policy. This is especially important when the proposed approach to development of both housing and businesses outside designated development boundaries is so relatively lax. The Broads Landscape Character Appraisal, and the Broads
NOTES:	
ORGANISATION:	Waveney District Council
DOCUMENT:	Sustainable Urban Neighbourhood and Kirkley Waterfront Development Brief - First Draft Draft Supplementary Planning Document (SPD): February 2012
LINK	http://consult.waveney.gov.uk/consult.ti/SUNDraftFeb2012/consultationHome
RECEIVED:	10 Feb 2012
DUE DATE:	23 March 2012
STATUS:	Newly Received
PROPOSED LEVEL:	Officer
PROPOSED RESPONSE:	<p>The Broads Authority welcomes the consultation on this document and offers the following comments.</p> <ol style="list-style-type: none"> 1) The District Council has a legal obligation, in exercising or performing any functions in relation to, or affecting, land in the Broads, to have regard to the purposes of <ol style="list-style-type: none"> a) Conserving and enhancing the natural beauty, wildlife and cultural heritage of the Broads; b) Promoting opportunities for the understanding and enjoyment of the special qualities of the Broads by the public; and c) Protecting the interests of navigation. (<i>Norfolk and Suffolk Broads Act 1988, as amended</i>) 2) The Authority notes that there are only passing references to the Broads in the consultation document, and believes that this nationally designated area, with status equivalent to a national park, the highest level of landscape protection, and a wetland of international importance, warrants more prominence in the final SPD. In particular the status and sensitivity of the Broads, and the proximity its designated boundary to the site should be made explicit. 3) It would be helpful in this and other regards if the boundary between the designated Broads area and Waveney District Council's planning area were shown on the maps.

	<p>4) Paragraph 1.2.1 lists current planning PPPGs and PPSs relevant to the site. The proximity of the designated Broads area means that PPS7, paragraph 21, is also relevant.</p> <p>5) Flood risk and water quality are very important issues for the Broads, affecting communities, habitats and wildlife. Development (including the proposed land raising) should only be permitted where this can be demonstrated not to lead to pollution, increased flood risk, or changes in water levels upstream of the site in the Broads.</p> <p>6) As navigation authority for the Broads, the Authority is greatly concerned to ensure that the proposed pedestrian/cycle bridge(s) will not impede vessels navigating through Lake Lothing to or from access to or from the Broads navigation. The Authority would wish to be involved in discussions with the Council and other partners to clarify the appropriate parameters and assessment for bridge options.</p> <p>7) The Authority supports the point made at paragraph 3.2.23 identifying the need to ensure that the existing navigation of Lake Lothing is not inhibited by marina development. The Broads Authority considers that this should not be problematic, but would wish to be consulted on marina and moorings proposals in its role as the navigation authority for the area close upstream.</p> <p>8) It is not clear from the document what massing and maximum height of buildings and structures will result from the densities and uses planned for the site. Given the proximity of the site to the designated Broads area, and whilst recognizing the aspiration for substantial urban landmark development, landscape impacts on the Broads area should be explicitly included as part of the criteria against which development proposals will be judged. The Authority would also wish to be consulted when development proposals for these issues are received.</p> <p>9) Reference is made to the County Wildlife Site within the SPD area, but the presence close upstream, and potentially affected by the development, of the Spratt's Water SSSI, Broads SAC and Broadland SPA should also be highlighted.</p> <p>10) Paragraph 4.3.2 sets out additional studies that will be needed to support any planning application. A landscape study (though mentioned in the previous section) is not included in this list but the Authority believes it should be. It would also be useful to identify particular issues that each of these studies should address. Potential impacts on the Broads, as outlined above, should be included in the detailed master-plan, flood risk assessment, contaminated land survey, and waste management strategy.</p>
NOTES:	Members of the Navigation Committee have been advised of the issue of the bridge height, etc.