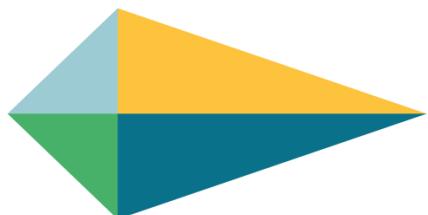


Responses to Bungay Neighbourhood Plan

Regulation 16 Publicising a Neighbourhood Plan

Publicity period: 11 April 2022 to 6 June 2022

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C O U N C I L

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What is the purpose of this document?

Bungay Town Council submitted their Neighbourhood Plan to East Suffolk Council and the Broads Authority ahead of it being submitted for independent examination.

East Suffolk Council publicised the Plan and invited representations to be forwarded to the examiner for consideration alongside the Plan.

This document contains all representations received during the publicity period of 11th April 2022 to 6th June 2022.

East Suffolk Council

General Comments

This is a well written and thoughtful document which clearly aims to support the wishes of the community. The Council is very pleased to see the positive approach taken to planning for housing in the neighbourhood plan which is supported. We support the plan in it's aims and have provided a number of comments below to ensure it is effective and is supported by a robust process and evidence base.

Para. 31

2nd sentence: 'This contains planning policies for the whole of the former Waveney part of East Suffolk District, including Bungay...'

Planning Policy H3: Affordable housing

Final para, criterion B: The neighbourhood plan seems to aim for first homes exception developments that relate strongly to the built-up area. This could be effectively achieved by using wording in the policy such as 'adjacent', 'abutting', 'forming a strong, positive relationship with', or 'resulting in a continuous pattern of development'. This would allow judgements would be made as appropriate when dealing with planning applications to achieve this aim and balance other material factors.

The landscape around Bungay is sensitive in many areas, as evidenced in the Great Yarmouth & Waveney Settlement Fringe Landscape Sensitivity Study (2016), therefore care is needed with where and how development takes place around the edge of the built-up area of Bungay. Applying a blanket 50m allowance throughout the neighbourhood area could allow developments that are needlessly separated from the settlement boundary, and which would be detrimental to the landscape in some locations. There is a concern that the 50m allowance in the policy does not have the underpinning evidence and justification required for an effective policy.

Para. 60

The Council's Housing Enabling team can share housing need data to guide the delivery of older person's housing such as bungalows or sheltered housing.

Para. 66

Reference is made to 'middling incomes' – does this mean median incomes? It would be helpful to clarify this.

Para. 67

Reference should be made to First Homes being required to account for at least 25% of all affordable housing units delivered by developers through planning obligations, as stated in National Planning Practice Guidance.

Para. 68

Final sentence: East Suffolk Council has produced a method for calculating an indicative housing requirement, but the plan should reflect that the Council has also produced the indicative housing requirement figure itself (67 dwellings). This is one of the submitted documents.

Para. 71

2nd sentence: infrastructure capacity issues will not be managed by the district Council. Preparation of the neighbourhood plan should include engagement with infrastructure providers to ascertain their specific views. This was previously highlighted in our reg. 14 response.

Para. 79

This part should reference the submitted 'Bungay Indicative Housing Requirement' document as the source for the figures quoted in the table. This document addresses the housing requirement calculation in full detail.

Policy H3: Affordable housing

This section of the plan identifies a very high need for affordable rented homes and the second para. of the policy requires 90% of Affordable homes to be provided affordable rent. However, the exception site element in the final para. of the policy allows only for First Homes to be provided. Restricting exceptions sites to First Homes only seems incongruous with the identified high need for affordable rented homes.

Housing Allocation – call for sites

Para. 69 on the plan references the call for sites carried out by the Local Planning Authority in 2015 to support the preparation of the Local Plan to help identify sites for allocation in the neighbourhood plan.

Reference is made in the neighbourhood plan; Consultation Statement; and submitted SEA Environmental Report to a call for sites carried out by the neighbourhood plan group in 2020. However, there is little information on the process or outcomes of this later call for sites. No sites are included from this call for sites in the submitted 'Potential site allocations for residential development assessment proforma' document or assessed in the Environmental Report. The neighbourhood plan and the supporting documents should be

clearer and provide more comprehensive information around their call for sites as evidence of a robust process.

Policy H4: Land to the east of St Margaret's Road

- Criterion a: Masterplanning for this site and the neighbouring WLP5.2 site is supported. However, if site WLP5.2 is permitted/delivered ahead of this site then it may not be possible for the WLP5.2 and H4 sites to undergo a joint masterplanning process. Therefore this criterion should include some flexibility to allow for the masterplan to cover the H4 site only, if that is all that is feasible.
- Criterion d: house size is already addressed under policy H3 – it is not necessary to repeat it here.
- Criterion e: Vehicular access from St Johns Hill is viewed as the only appropriate access for this site. Other surrounding roads would not be suitable. Therefore access from other locations is not supported and the removal of “if possible,” is recommended.
- Criterion m: “...a transport statement or assessment” is vague. Furthermore, this matter is already addressed by policy WLP8.21 of the Waveney Local Plan and is repetition. Therefore this text should be removed.

The land allocated for housing by policy H4 requires access across more than one site, including over third party land. The Council would want to be confident that there is agreement on the principal of this access amongst those involved if this site is to be allocated for development. The neighbourhood plan and/or supporting documents should provide clear evidence of suitable access arrangements b. The evidence presented so far (such as the site assessment proforma) does not fully address this matter.

Para. 84

The plan makes an assertion about the allocation of CIL funds here, but it should acknowledge that the neighbourhood plan can not allocate district level CIL. This statement could apply to the local proportion of CIL money, however. This paragraph should be clarified accordingly.

Policy TC&E1: Town Centre Viability

The first part of the policy is not policy and should be removed ie.: ~~It is important to maintain a thriving and vibrant town centre in Bungay, which attracts people to visit. Therefore, in those circumstances w~~Where proposals to change from a town centre use (Class E) require planning permission,...

Para. 127

This paragraph seems out of place amongst a discussion about tourism accommodation. This may be better placed after the policy but before Community Action 2. Or sections 9.1 or 9.3 could provide a home for it.

Policy TC&E2: Tourism accommodation in Bungay town

Submitted The SEA Environmental Report identifies the following mitigation for policy TC&E2, in paragraph 181:

“...Biodiversity & Landscape: it is recommended that further clarity to be provided in policy TC&E2 in relation to the types of proposals that would be supported, with large scale hotel development not supported outside of the development boundary. ...”

The current wording of TC&E2 could be interpreted as meaning that the requirements in the policy do not apply to hotels, and therefore that a more permissive approach is taken for hotels. Given the mitigation set out in the SEA this is not thought to be the intention of the policy. We would advise that the policy is instead set out in two parts, the first clearly relating to non-hotel development and the second setting out that new hotel development would only be supported in the town centre.

Policy ENV1: Green Corridor

- The supporting text for policy ENV1 and separately policy TM4 refer to the green corridor being used for people to walk and cycle in, yet policy ENV1 itself only refers to habitat improvements and links for wildlife. Therefore it is not clear what the Green Corridor should be achieving and how a decision-maker or applicant/agent should apply this policy. This should be clarified with amendments made to the supporting text and/or policy.
- The policy wording applies to all developments within the corridor defined in fig. 6. However, fig. 6 is titled ‘Illustrative proposed Green Corridor’, indicating that this is only an *illustrative* area for the green corridor. As such it is not clear if the policy should be applied rigidly to all development falling within the corridor shown in fig. 6, or if it should be applied more flexibly to developments in the region of the corridor in fig. 6. Again, this makes it unclear how the policy should be applied by applicants/agents and decision-makers.
- It is unclear if there are suitable means available to deliver biodiversity net-gain in the green corridor. We do not oppose the principle of this, but it is recommended that there is flexibility around this element of the policy in case some or all biodiversity net-gain can not be satisfactorily delivered in the green corridor. The final sentence of the policy is very aspirational and lacks clarity and precision, therefore it may work better as a community action rather than planning policy.

Para. 144

Final sentence, typo: The Local Plans contained open space standards which set out the requirements for new housing development.

Policy ENV2: Open Space

- The plan already has policy ENV4 which addresses biodiversity net gain more comprehensively and in more detail – therefore is this policy necessary?
- If the policy is retained, some additional clarity would improve the effectiveness of this policy. For example, should the biodiversity net gain apply to just the area covered by the new open space, or the new development as a whole? The supporting text focusses on providing public amenity space, but does this policy apply equally to other types of new open space, such as sports pitches? Sports pitches may be more difficult to achieve biodiversity improvements on.

Policy ENV4: Biodiversity

Criterion a: this does not explain how existing biodiversity should be assessed and how gain should be calculated. Words to the following effect could be used to address this:

‘Biodiversity Net Gain should be measured using the most recently available Biodiversity Metric at the time of the submission of the planning application, unless otherwise agreed in writing with the Local Planning Authority.’

Policy ENV5: Flooding

Text added for clarification: ‘The neighbourhood plan encourages the use of hard-surfacing materials on new developments that are permeable and which therefore reduce the risk of surface water flooding.’

Policy TM2: Off-street public car parking

- Criterion a: it is unclear how existing demand and forecast future demand is expected to be measured and calculated. As written, this criterion will be very difficult for applicants, agents and decision-makers to effectively apply. This element of the policy is vague, contrary to para. 16 of the NPPF, and should either be made more precise or removed.
- Criterion B: The reasoning behind this criterion and how it should be applied are unclear. For example: what is a material increase in traffic likely to be? How should it be established if a change is material or not? Why does this criterion apply only to the Conservation Area? Does this increase apply only to vehicular traffic or all types of traffic? Clarity should be provided on these points for the criterion to be effectively applied, otherwise it should be removed as it would lack the clarity and unambiguity required by para. 16 of the NPPF.

Policy TM4: Sustainable transport and highway safety

- First para.: this discusses creating movement routes in the green corridor in fig. 6. However this is not referenced in the specific policy for the green corridor: ENV1. ENV1 only addresses wildlife and habitat improvements. The two policies should be aligned in their objectives if both movement routes and wildlife/habitat improvements are to be achieved. One or both of the policies should be re-worded to allow for this.
- Final para.: this reads more like a community action than a planning policy. Suggested alternative wording for the policy: “the implementation of a new cycleway and pedestrian route connecting any major development to the west of St John’s Road to Flixton Road in order to increase access to Stow Fen will be strongly supported.” This could also form a separate community action if the steering group wished.

Strategic Environmental Assessment, Environmental Report July 2021

These comments relate to the submitted SEA Environmental Report (March 2022).

The Council has provided feedback on the SEA of the Bungay Neighbourhood Plan, to support the Neighbourhood Plan group, during the production of the Plan.

As part of this, the Council provided comments on the SEA in response to the Regulation 14 consultation where the SEA Environmental Report dated July 2021 was published. The Examiner should note that the SEA comments included in the submitted Consultation Statement are those which the Council provided in March 2022, after the Regulation 14 consultation, as part of its feedback on the draft Regulation 15 Submission documents. The Council’s comments on the July 2021 SEA Report, submitted in response to the Regulation 14 consultation, are therefore appended to this response below.

The Examiner will be aware from the Regulation 14 comments attached, and from the further comments made in March 2022 that are included on pages 36-40 of the Consultation Statement, that the Council has previously made a number of comments on the SEA Report. This included comments in relation to how the alternative site had been assessed and the approach to consideration of alternatives, as well as a number of other more detailed points. In order to support the preparation and implementation of the Neighbourhood Plan, the SEA Report should provide a full and robust assessment of the plan and alternatives, and the Council anticipates that the Examiner will give consideration to these matters in examining the Neighbourhood Plan.

The Council has also considered whether the Neighbourhood Plan itself appropriately addresses the mitigation identified in the SEA Report. The SEA identifies the following mitigation for policy TC&E2, in paragraph 181:

“...Biodiversity & Landscape: it is recommended that further clarity to be provided in policy TC&E2 in relation to the types of proposals that would be supported, with large scale hotel development not supported outside of the development boundary. ...”

Policy TC&E2 in the Neighbourhood Plan states:

“Planning Policy TC&E2: Tourism accommodation in Bungay town Proposals for new built permanent tourist and holiday accommodation will be required, unless overriding material considerations indicate otherwise, to be located within the development boundary or on sites that are:

- 1. Both adjacent to the development boundary and south of the A143; and*
- 2. Of a scale appropriate to Bungay Proposals within, or adjacent to, the defined town centre will be supported.*

This policy does not apply to hotels.”

The current wording of TC&E2 could be interpreted as meaning that the requirements in the policy do not apply to hotels, and therefore that a more permissive approach is taken for hotels. Given the mitigation set out in the SEA this is not thought to be the intention of the policy. We would advise that the policy is instead set out in two parts, the first clearly relating to non-hotel development and the second setting out that new hotel development would only be supported in the town centre. As a minor point related to this, paragraphs 132 and 144 of the SEA appear to show the incorrect policy references (it is thought this should be TC&E2).

As a minor related point, it is thought that paragraph 132 of the SEA report relates to TC&E2 and not TC&E1.

Paragraph 137 of the SEA Report states *“...Policy H1 on design principles for new development sets a requirement that applications set out how design has maximised the potential to achieve net zero carbon emissions. ...”* This is also reflected in the conclusions in paragraph 180. However Policy H1 does not contain reference to net zero carbon emissions although does state that *“applications will need to explain how the design has maximised the potential for energy efficiency”* (criterion n). It appears that the zero carbon reference relates to an earlier version of the neighbourhood plan and this section of the report has not been updated. However, it is not considered that this oversight alters the overall conclusions of the SEA report.

Appendix

Comments from East Suffolk Council submitted to Bungay Town Council on 29th October 2021 as part of Regulation 14 response.

SEA Environmental Report July 2021

Non Technical Summary

Paragraph 8 – whilst this is the Non-Technical Summary it would be helpful to briefly set out the context within which alternative options were considered i.e. to explain what the plan is trying to achieve in terms of additional housing growth.

Paragraph 8 – The alternatives do not appear to be significantly different. In reality the difference between 65 and 70 dwellings is marginal in SEA terms. The Planning Practice guidance on Strategic Environmental Assessment states “Reasonable alternatives are the different realistic options considered in developing the policies in the plan. They need to be sufficiently distinct to highlight the different environmental implications of each so that meaningful comparisons can be made.” (Ref Paragraph: 038 Reference ID: 11-038-20190722). There should be an explanation as to why the alternatives have been chosen, with reference to how potentially suitable sites have been identified. Are these the only sites deemed suitable through the site assessment work?

Paragraph 18 – It isn’t clear how the refusal for 40 dwellings on the site renders it a less preferred option. It is noted later on in para 67 that planning permission has previously been refused on flood risk grounds but that there is 0.2ha outside of the flood zone. If it is considered unsuitable arguably it is not a reasonable alternative.

Paragraph 23 – the ‘recommendations’ would normally be described as mitigation measures, and it would therefore be helpful for the word mitigation to be used somewhere in this sentence.

Introduction

Paragraph 32 – Rather than stating that the SEA is a legal requirement, it would be more accurate to refer to the fact that screening was undertaken that identified the potential for significant effects and therefore a full SEA is required.

Paragraph 33 – for completeness the Regulations should have “(as amended)” afterwards.

Paragraph 35 – whilst an SEA report will most likely answer these three questions they are not specifically questions that are required to be answered by legislation, so it may be better to say something along the lines of “The Environmental Report sets out information to meet the requirements of the Regulations and sets out information in relation to the following questions”.

Paragraph 37 refers to questions in paragraph 7, should this be paragraph 35?

Paragraph 43 – I think the 72 dwellings referred to are those identified in the Local Plan in paragraph 5.2 “The Local Plan allocates land for 485 new homes (of which 150 already have planning permission) in addition to the 72 on unallocated sites which already have

permission or completed since the beginning of the plan period.” This data is as at 31.3.2017, and this should be made clear in this paragraph.

Paragraph 43 - The indicative housing requirement provided by East Suffolk Council is 67 dwellings. It could be helpful to put this in to some context by referencing the methodology paper ([Neighbourhood-Plans-Indicative-Housing-Requirements-methodology.pdf](https://www.eastsuffolk.gov.uk/Neighbourhood-Plans-Indicative-Housing-Requirements-methodology.pdf) ([eastsuffolk.gov.uk](https://www.eastsuffolk.gov.uk))) that the Council has adopted for assessing indicative housing requirements. On page 5 this states:

“Whilst it is for Qualifying Bodies to choose whether to plan for housing or not, the PPG (paragraph 103) states that neighbourhood planning bodies are encouraged to plan to meet their housing requirement, and where possible to exceed it. As the Local Plans contain strategies to meet, and exceed, the housing requirements for the Local Plan areas, the provision of additional housing figures to Neighbourhood Plan areas should be seen as providing an opportunity for an appropriate level of additional growth. In this respect the figures are not intended as minimums or maximums but as an indication of the level of the approximate level of growth that could be planned for. The Council will however expect Qualifying Bodies who have asked for an indicative housing requirement to take a positive approach towards planning for it. For Qualifying Bodies who wish to meet the requirements of paragraph 14b) of the NPPF, indicative housing requirements need to be met in full and Neighbourhood Plans will need to include allocation(s), although a policy on windfall allowance may form a part of the approach.”

Paragraph 44 – should this state that the indicative housing requirement for the part of the Neighbourhood Plan area in the Broads is zero?

Paragraph 49 – At the draft Scoping Report stage air quality was scoped out. We commented that this didn’t reflect the discussion that new development could give rise to increased levels of NO2. It is noted from the summaries in Appendix B Scoping Information that the statutory consultees did not raise this, however it is noted that it remains scoped out contrary to our earlier advice.

SEA Framework Historic Environment – as per previous comments, does Bungay currently have Non Designated Heritage Assets that have been formally identified as such? It is noted that the Plan does not propose any, but have they been identified through the Buildings of Bungay Archive? If there are not any already the role for the SEA would be to assess the impacts of proposing NDHAs rather than assessing the impacts of the Plan on NDHAs.

Paragraph 59 – it would be worth also referring to the PPG as this provides a further explanation on what is expected by assessing alternatives:

“Reasonable alternatives are the different realistic options considered in developing the policies in the plan. They need to be sufficiently distinct to highlight the different

environmental implications of each so that meaningful comparisons can be made.” (Ref Paragraph: 038 Reference ID: 11-038-20190722).

Paragraph 63 – For accuracy this should state that the Local Plan allocates land for approximately 485 homes.

Paragraph 64 – See comments above under paragraph 43.

Paragraph 65 – where could someone see the sites that were found to be unsuitable? It is presumed this is informed by a site assessment report, so it would be helpful to cross refer to that. It is also noted that the sites have been identified through the Waveney call for sites in 2015. Is it known that the sites assessed are still available i.e. do the landowners still wish to put them forward? It would be helpful to reference any work that has been undertaken to establish this. This may be more of an issue for the Neighbourhood Plan more generally but there are links with the SEA and assessing reasonable alternatives.

Paragraph 71 – as set out above, these alternatives do not appear sufficiently distinct. If these are considered to be the only genuine reasonable alternatives this should be clearly explained. A more distinct approach could involve assessing a greater reliance on windfall and a smaller allocation for example.

Assessing reasonable alternatives – it would help to assess each alternative specifically against each of the SEA objectives and questions. This would ensure it is clear that all questions have been covered. It also isn't clear whether both sites have been assessed individually against the SEA framework, as full assessments are not included in the report. It is important to be clear on how sites have been assessed - as an example during the Examination of the recently-made Bredfield Neighbourhood Plan the Examiner required additional work to be undertaken on the SEA to ensure that site allocations had been thoroughly assessed (see paragraph 27 of the Examiner's report [Bredfield-Neighbourhood-Plan-Examination-final-report.pdf \(eastsoffolk.gov.uk\)](#) and also correspondence on the website [Bredfield neighbourhood plan » East Suffolk Council](#)).

Paragraph 73 – would 'judgements' be a better word than 'assumptions'?

Paragraph 77 – The sentence stating that the trees in the north east part of the site should be retained is mitigation rather than part of a positive assessment. In other words uncertain or negative effects would be recorded with this identified as potential mitigation.

Paragraph 90 – Given that the difference on BNDP04 is only five dwellings between the 2 options and the site area is assumed to remain the same, would option 2 really mean less agricultural land is lost?

Paragraph 101 – Option 2 would deliver slightly less affordable housing as the site BNDP03 is below the 11 dwelling threshold set out in policy WLP8.2 and therefore wouldn't be required to deliver any affordable housing.

What are the SEA findings at this stage?

Paragraph 119 – typo in first line ‘accurately’.

Appraisal of the Bungay Neighbourhood Plan – are there assessments for each policy against the SEA Framework objectives and questions set out in Figure 2? Without this it is difficult to transparently see how each policy has performed. For example, by reading paragraphs 121 – 125 there is no indication as to how policy TC&E2 performs in relation to biodiversity. The discussion seems very weighted towards the positives of the policies – it may be that it is largely positive effects that are recorded but without a policy-by-policy assessment it is not possible to be certain. The Bredfield neighbourhood plan SEA did not include assessment of each policy against the SEA appraisal framework. The Examiner raised concerns over this and further work was required at the examination.

Paragraph 132 – If the reference to opportunities to mitigate emissions is mitigation being recommended by the SEA it should be clearly set out as such. This is the case for any mitigation that is recommended.

Paragraph 140 – It would be acceptable to refer to a relevant Local Plan policy, in this case WLP8.24 Flood Risk, as mitigation, as the Neighbourhood Plan is not expected to repeat policies that are covered in the Local Plan.

Paragraph 170 – It should be clear that the recommendations are mitigation. This list doesn’t seem to cover all of the mitigation identified in the discussion above, such as in paragraph 132 in relation to emissions. As it appears the mitigation listed here has been incorporated in to the draft Plan, this should be stated here.

Habitats Regulations Assessment – Has the appropriate assessment been undertaken? The results of this should be reflected or at least referenced in the SEA assessments in response to the first question under the Biodiversity theme.

What are the next steps

Paragraph 172 – last sentence – the basic condition relates to being in general conformity with the *strategic policies* of the Local Plans.

Paragraph 174 – although the reporting of monitoring of significant effects could take place through East Suffolk Council’s Authority Monitoring Report, the SEA itself should establish what needs to be monitored and what the indicators would be based on the significant effects identified.

Appendix B – Scoping Information

As air quality was scoped out at the scoping stage, the relevant baseline and information and reasons for scoping it out should be included here for completeness. Our advice

however remains that it would have been more robust to have included air quality (as per our comments on the Scoping Report).

Please note that the above comments are provided at Officer level only and do not prejudice any future decision by the Council.

Alan Pearmain

6.2 Health Care

Regarding need to enlarge or increase scope of current Medical Practice. I suggest an additional, maybe competitive, facility should be established. My reasoning being that this document states 'parking needs to be increased': which is impractical. Hence new location elsewhere.

I should remind the reader that currently obtaining a medical appointment is extremely difficult and time consuming. A new Practice in Ditchingham perhaps?

6.2 Health care:

Given the overwhelming use of Bungay current medical practice: with any increase in size requiring suitable improvement in parking (86) Plus given the stated catchment area (85) I feel a new approach should be adopted by providing a suitable alternative medical practice, ie competition. Located away from the current practice in an area where parking is available.

6.5 Community Infrastructure Levy

Feel this fund should not be used for sporting or green spaces: but spent on other more needy schemes as exercise and sport is a personal objective. Most residents have the option to exercise in the wonderful countryside of footpaths etc..... but do not!

I feel spending funds on sports facilities then trying to convince residents to use them is wasteful.

9.2 Green Corridor:

I endorse the taking over of Skinner's Meadow. Maybe even insisting the current building, barn, is refurbished.

Broads Authority

Here are our comments on the Bungay NP.

Figure 1 needs to show the Broads to provide adequate context. The map in the Environment Report at Figure 1 is ideal.

Para 49 says that the design guide does not apply to the Broads. That is supported. But it also says that policy H1 does not apply to the Broads. The policy can apply to the Broads as written in our opinion. See comments on H1.

H1

- Para 1, 2 and the criteria (a) to (n) can apply to the Broads. Also, last para sentences 1 and 2 of the past para. Last sentence is correct.
- Where you say 'navigation' in e, you might want to think of a different term as that means something quite different in the Broads and as set out in the plan, the water near Bungay is not navigable.

Para 61 needs to refer to the Broads' equivalent standard for M(4)2, for completeness.

Para 64 – the Local Plan for the Broads also covers rural exception sites.

H3 – might be worth saying that First Home Exception Sites are not permitted in the Broads: First Homes - GOV.UK (www.gov.uk)

Figure 5

- The legend does not match what is on the map.
- Did you also want to show the site allocated in the Waveney LP for context?

Para 87, does not read well: 'A new community facility could provide **much needed facilities centre and other** opportunities to create greater capacity in this area would be supported'.

Delete the word 'centre'?

Para 144 – 'The Local Plans **contained** open space standards which set out the requirements for new housing development' – 'contain' a better word?

ENV3

- should these areas be mapped? Otherwise it is not clear to what area the policy applies.
- what about the Broads in general, given that the NPPF protects the Broads and its setting?
- what is an acceptable impact on these areas?

ENV5 – uses the term ‘natural’ – not all SUDs are natural I don’t think. Like permeable driveways are not natural.

Historic England

Thank you for inviting Historic England to comment on the Regulation 16 Submission version of this Neighbourhood Plan.

Having reviewed the plan and relevant documentation we do not consider it necessary for Historic England to provide further detailed comments at this time. We welcome the production of this neighbourhood plan, and consider that it meets and exceeds the Basic Conditions in the context of Bungay's historic environment.

We would refer you if appropriate to any previous comments submitted at Regulation 14 stage (attached), and for any further information to our detailed advice on successfully incorporating historic environment considerations into a neighbourhood plan, which can be found here: <https://historicengland.org.uk/advice/planning/plan-making/improve-your-neighbourhood/>

We would be grateful if you would notify us if and when the Neighbourhood Plan is made by the council. To avoid any doubt, this letter does not reflect our obligation to provide further advice on or, potentially, object to specific proposals which may subsequently arise as a result of the proposed plan, where we consider these would have an adverse effect on the historic environment.

[Historic England - comments submitted at Regulation 14 stage](#)

Ken Lodge

Please note that I was Chair of the Bungay NDP group for four years until April 2020.

The time taken to move this plan forward is unacceptable and has been caused mainly by some members of the planning office staff. COVID is not an excuse. It is also the case that the whole process of establishing a NDP is cumbersome and off-putting. One could be cynical about this.

I support the plan in all its aspects, though, of course, we have been tied by decisions made earlier by the former Waveney District Council. The Local Plan to build houses on land opposite the swimming pool (WLP5.1) is not appropriate, because any hard covering on this field will increase water run-off down into the Tin River, which will increase the problems of flooding lower down the stream. The attenuation pond provided by Cripps will be insufficient to deal with increases in water run-off, as it has been designed for only 150 houses. Since there are plans to triple this number in the locations of WLP5.2 and WLP5.1, the field opposite will be needed for the take-up of the excess surface water. Future planning MUST take account of the increase in flood events over the next few years. Both surface water and river/sea levels have to be taken into account. The issue of the Tin River is under consideration by the Environment Agency and being monitored by our MP.

It is also the case that the old drainage system of the town mixes both sewage and surface water, something that is not recommended and, I understand, would no longer be allowed. Nevertheless, small and individual developments may exacerbate an already poor system to deal with water.

Local planning should take into account all aspects of infrastructure, which often seems not to be the case.

Natural England

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Natural England is a statutory consultee in neighbourhood planning and must be consulted on draft neighbourhood development plans by the Parish/Town Councils or Neighbourhood Forums where they consider our interests would be affected by the proposals made.

Natural England does not have any specific comments on this Bungay Neighbourhood Plan Regulation 16 Consultation

However, we refer you to the attached annex which covers the issues and opportunities that should be considered when preparing a Neighbourhood Plan.

[Annex 1](#)

Norfolk and Waveney NHS Integrated Care System (NHS Norfolk and Waveney Clinical Commissioning Group)

I write following the above consultation on behalf of the Norfolk and Waveney Integrated Care System, incorporating Norfolk & Waveney CCG, Norfolk Community Health and Care NHS Trust, East Coast Community Healthcare (ECCH), Norfolk and Norwich University Hospital NHS Foundation, James Paget University Hospital NHS Foundation Trust, Queen Elizabeth Hospital Kings Lynn NHS Foundation Trust, Norfolk and Suffolk NHS Foundation Trust and East of England Ambulance Service NHS Trust.

The local Primary Care Network (PCN), the South Waveney PCN, covering Bungay is a collaboration between primary, secondary, community, social, voluntary, and mental health care providers to form an integrated health and social care service to our patients.

The Bungay Medical Centre serves a registered population of circa 11,400 patients from the town and surrounding villages. The Bungay Surgery utilises the James Paget Hospital for most of its secondary care, East Coast Community Healthcare provide community nursing and therapy services for Bungay, and Norfolk and Suffolk NHS FT cover patients mental health needs, with many of these services delivered into patients homes, remotely or from central resources, whilst the East of England Ambulance Service NHS Trust provide emergency response to the area.

Bungay is currently serviced by Bungay Medical Centre. In terms of premises space any current capacity will quickly be consumed through new developments in the area. The PCN are looking at ways to better integrate with the community teams with Primary care provision.

We have reviewed the information available throughout the neighbourhood plan and note that there is reference to support proposals for an extension to Bungay Medical Centre should the need arise through planned growth in the town as per Planning Policy CM2.

We recognise and support the extent to which the plan identifies the need for infrastructure and service improvements in the Bungay area and welcome the proposed plan, with particular focus on the following objectives and comments set out in the neighbourhood plan:

Page 12 - Objective 1: 'Meet the housing and infrastructure needs of Bungay's residents and future population.

Page 12 - Objective 2: 'Protect and enhance community and public facilities and services'.

Page 15 - 42: 'New housing can create the need for new or improved infrastructure. East Suffolk Council addresses strategic infrastructure in relation to growth through the Waveney Local Plan. The need for infrastructure such as a surgery is addressed at a more strategic level than BNDP and would involve the Clinical Commissioning Group. BNDP does support expansion of the surgery at Policy CM2'.

Page 30 - 80: 'Bungay will have a network of facilities that will provide educational, health and care, recreational and social opportunities for the whole community'.

Page 31 - 86: 'With the level of planned growth in the town, pressure on primary and community-based health services, including General Practice, is likely to increase. The Waveney Local Plan has identified the need for an extension or improvements to the Bungay Medical Centre. Should additional capacity in these services be required there may be a need for an enhancement to physical infrastructure and development of Bungay Medical Practice to accommodate it'.

The Norfolk and Waveney ICS welcome point 94 page 32 regarding the use of CIL and would seek support to ensure CIL requests are secured to help mitigate the impact of planned growth on the Healthcare provision/services in Bungay. The exact nature and scale of the contribution and the subsequent expenditure by health care providers will be calculated at an appropriate time as and if schemes come forward over the plan period to realise the objectives of the Neighbourhood Plan.

We would welcome the addition of a simple statement to confirm that Bungay Town Council will support the ICS in ensuring suitable and sustainable provision of Healthcare services for the residents of Bungay, as part of objectives 1 and 2 as listed above.

It should also be noted that, if unmitigated, the impact of developments on healthcare within the Bungay neighbourhood would be unsustainable, including that of Primary Care, Community Care, Mental Healthcare, and the Acute Trusts.

River Waveney Trust

General comments

- Outney Common - although the common is of value to wildlife, it could be improved and managed primarily for conservation alongside carbon sequestration, pollution reduction and amenity. Practices that are damaging to wildlife are still being seen, for example riverside bank clearances, heavy grazing and mis-timed cutting of vegetation. The River Waveney Trust have started dialogue about this with the commoners.

5. Housing Policies

- All new housing developments should be built to ensure that all clean rain water is diverted and does not enter the sewage network. Recent protests in the town and evidence from water companies, show that despite officially having capacity, raw sewage is regularly entering the River Waveney (over 1000 hours on 89 occasions in Bungay). Developers need to be required to have no further impact on the issues, the water companies cannot take the whole burden of separating clean and dirty water and this should be done at source with ALL new developments.
- Although 'nutrient neutrality' is not yet relevant in Bungay, we believe that this approach should be followed for all new developments as the River Waveney suffers from nutrient overloading and any new developments will currently add to this.

6.5 e

- We strongly support further access to the River Waveney through CIL.

9. Environment

- We agree that access to the countryside is limited, especially the river, and would like to see further access being opened up permanently. We believe that the new ELMS schemes should be used to look for financial incentives for landowners to do this.
- We very strongly support the proposal to use Skinners Meadow for a publicly accessible green corridor. We believe that the Tin River here would benefit from restoration and a project to connect residents with the river, as well as re-connecting the river to the land. If permission was granted to use the land for this purpose we would be very interested in being involved with river restoration and community engagement with the river. We also believe that the Tin River has high potential for restoration higher up the catchment, incorporating natural flood management into the design. Currently the surrounding landscape has little potential to hold back

water in times of high rainfall and most slopes are intensively drained arable land which add to the issues of flooding.

Suffolk County Council

Thank you for consulting Suffolk County Council (SCC) on the Submission Consultation version of the Bungay Neighbourhood Plan.

SCC welcome the changes made to the plan in response to comments made at the Reg. 14 pre-submission consultation stage.

As this is the submission draft of the Plan the County Council response will focus on matters related to the Basic Conditions the plan needs to meet to proceed to referendum. These are set out in paragraph 8(2) Schedule 4B to the Town and Country Planning Act. The basic conditions are:

- a) having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the neighbourhood plan
- b) the making of the neighbourhood plan contributes to the achievement of sustainable development.
- c) the making of the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area)
- d) the making of the neighbourhood plan does not breach, and is otherwise compatible with, EU obligations.

Where amendments to the plan are suggested added text will be in italics and deleted text will be in ~~strikethrough~~.

We note that the Consultation Statement published as part of the Submission Consultation briefly summarises the issues raised by consultees. We note that several of the comments and suggested amendments provided by the County Council during the Reg14 consultation have not been discussed in the published Consultation Statement.

Archaeology and Heritage

During the pre-submission consultation, SCC raised that the plan was factually incorrect in section 7.2, which refers to the National heritage List for England. The National Heritage list that Historic England maintain referenced here is currently being integrated into the Suffolk HER.

The plan should state that the Historic Environment Record is held by Suffolk County Council Archaeological Service (SCCAS), with publicly accessible records viewable on the Suffolk Heritage Explorer, which can be viewed at <https://heritage.suffolk.gov.uk/>.

In section 7.2 the following wording is requested to be added:

“Suffolk County Council manages the Historic Environment Record for the county. Non-designated archaeological heritage assets would be managed through the National Planning Policy Framework. Suffolk County Council Archaeological Service advises that there should be early consultation of the Historic Environment Record and assessment of the archaeological potential of the area at an appropriate stage in the design of new developments, in order that the requirements of the National Planning Policy Framework, East Suffolk Core Strategy (Strategic Priority 15) and Waveney Local Plan (policy WLP8.40) are met. Suffolk County Council Archaeological Service is happy to advise on the level of assessment and appropriate stages to be undertaken.”

Natural Environment

Biodiversity

SCC raises the concern over the opening sentence of Policy ENV4 Biodiversity, which states “Where reasonable...”.

The term “where reasonable” potentially reduces the weight given to protection of the natural environment in paragraph 174 of the NPPF. We would suggest removing the phrase “where reasonable” for the policy to meet the basic condition of aligning with national policy.

Key Views

During the pre-submission consultation, SCC noted that views were mentioned in the plan, but there were no specific policies. We note that East Suffolk council also raised this during the informal “health check”, as mentioned on page 9 of the Consultation Statement.

Policy H4 part I) refers in particular to ‘preserve any important key views’, and Policy CH1 refers to ‘Important views within, into and out of the area ... are respected’, however there are no identified key or important views in the plan.

Paragraph 16, part d, of the NPPF states: “plans should ... contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”. SCC believes these sporadic references to key views throughout the plan, without being specifically defined in policy, is unclear.

Therefore, in order to provide clear guidance for developers and decision makers, and to remove ambiguity, it is recommended that the plan state explicitly where the key/important views are, and that these are identified on a map.

Rights of Way

Policy TM4 Sustainable Transport and Highways Safety refers in the second paragraph to an “expanded cycling and footpath network”. During the Pre-Submission Consultation, SCC recommended that it would better refer to the “*public rights of way network*”, as footpaths alone limit the scope of this policy.

Footpaths are limited to the access of pedestrians only. By amending the wording to say “*public rights of way network*” this can provide flexibility for the designations of the rights of way, to allow access for pedestrians, cyclists, equestrians, and mobility vehicles/wheelchairs on bridleways.

The designations of Public Rights of Way are as follows:

- Footpath: access for pedestrians only
- Bridleway: access for pedestrians, cyclists, and horse-riders
- Restricted Byway: access for all of the above, and horse-drawn vehicles (non-motorised)
- Byway Open To all Traffic (BOAT): all of the above, and motorised vehicles.

Paragraph 100 of the NPPF indicates that policies should “protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users”.

Waveney, Lower Yare and Lothingland Internal Drainage Board (Water Management Alliance)

Thank you for your email. As you may be aware the Parish of Bungay is partially within the Internal Drainage District (IDD) of the Waveney, Lower Yare and Lothingland Internal Drainage Board (IDB). Please see our website (https://www.wlma.org.uk/uploads/WLYLIDB_Index_Map.pdf) for detailed mapping of each Board's District, specifically catchment CMT275G here (https://www.wlma.org.uk/uploads/WLYLIDB_CMT275G-EllinghamBungay.pdf). These maps also show which watercourses have been designated as 'Adopted Watercourses' by the Board. The adoption of a watercourse is an acknowledgement by the Board that the watercourse is of arterial importance to the IDD and as such will normally receive maintenance from the IDB. This maintenance is not necessarily carried out on an annual basis but on a recurrence deemed necessary to meet water level management requirements. Please be aware that the designations are made under permissive powers (meaning there is no obligation for IDBs to fulfil any formal maintenance requirement and there is no change in the ownership or liability associated with the watercourse).

In order to avoid the potential for future conflict between the Neighbourhood Plan and the Board's regulatory regime and consenting process please be aware of the following:

- For any development site within the Board's Internal Drainage District (IDD), the Board's byelaws apply. The Byelaws for the Board are available on the development pages of our website (https://www.wlma.org.uk/uploads/WMA_Planning_and_Byelaw_Policy.pdf).

Specifically please be aware of the following byelaws:

- If a surface water (or treated foul water) discharge is proposed to a watercourse within an IDD (either directly or indirectly), then the proposed development will require a land drainage consent in line with the Board's byelaw 3. Any consent granted will likely be conditional, pending the payment a surface water development contribution fee, calculated in line with the Board's [charging policy](#).
- If the proposals include works within 7 m of a Board adopted watercourse, consent is required under byelaw 10. Byelaw 10 restricts works within 7 metres of drainage or flood risk infrastructure (including adopted watercourses), the principle aim being to ensure watercourses can be maintained by the Board now and in the future without restrictions being placed on the Boards access, and to

ensure operatives are aware of third party structures when undertaking maintenance.

- If proposals include works to alter a watercourse (including culverting for access) then Land Drainage Consent is required under Section 23 of the Land Drainage Act 1991. If inside the IDD then the IDB would be the consenting authority. If outside the IDD, then Suffolk County Council (Lead Local Flood Authority) would be the consenting authority.

I hope the above is useful.