



Committee	Strategic Planning Committee
Date	08/04/2024
Subject	Planning Policy and Delivery Update
Cabinet Member	Councillor Kay Yule Cabinet Member with responsibility for Planning and Coastal Management
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Key Decision?	No
Is the report Open or Exempt?	OPEN

Category of Exempt Information and reason why it is NOT in the public interest to disclose the exempt information.	Not applicable
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Purpose/Summary

This report provides an update on key elements of the current work programme, including the preparation of Supplementary Planning Documents and Neighbourhood Plans, and on housing delivery. Updates, as appropriate, are also included for Specialist Services (Design and Heritage, Arboriculture and Landscape (including Rights of Way) and Ecology) that form part of the Planning Policy and Delivery Team. An update is also provided on the delivery of infrastructure to support growth through the Community Infrastructure Levy (CIL).

Recommendation(s)

That Strategic Planning Committee note the content of the report.

Strategic plan

How does this proposal support Our Direction 2028?

Environmental Impact	The work programme relates to a number of the aims under the Environmental Impact theme. Work to prepare for and implement Biodiversity Net Gain will further the aim of restoring ecosystems and biodiversity. The work programme of the Design and Heritage team will directly contribute to preserving and maintaining the district's beauty and heritage. The preparation of the Healthy Environments Supplementary Planning Document will support sustainable transport, alongside the implementation of the East Suffolk Cycling and Walking Strategy.
Sustainable Housing	The work programme supports the delivery of the Council's Local Plans which set out a strategy to deliver housing needed. Neighbourhood Plans also support this aim, in particular where they include policies on housing or allocate sites for housing. The work programme includes the update to the Housing Action Plan, which includes actions for supporting the delivery of the housing planned for.
Tackling Inequalities	The preparation of the Healthy Environments Supplementary Planning Document supports this theme, through providing guidance on supporting health and wellbeing through new development.
Thriving Economy	The work programme supports the aim of ensuring Local Plans work for local people, including through the provision of guidance to support the implementation of the current Local Plans and supporting communities to prepare their own Neighbourhood Plans. The work on the Kirkley Waterfront Planning Position Statement will help to guide decisions on the planning applications for the site, and the redevelopment of the site will help to support the viability and vitality of Lowestoft.
Our Foundations / governance of the organisation	'Our Foundations' refer to the use of digital technology. The Planning Delivery Dashboard referred to in this report is an example of how digital technology is being used to improve the delivery of and access to our services.

Justification for recommendations

1. Background

- 1.1. This report provides an update on the current Planning Policy and Delivery work programme, which continues to focus on the delivery of the Council's adopted Local Plans – the Suffolk Coastal Local Plan (September 2020) and the Waveney Local Plan (March 2019).
- 1.2. The current work programme contains a number of projects to support the delivery of the Local Plans, including providing guidance to support the implementation of planning policies through the preparation of Supplementary Planning Documents (SPDs) and monitoring the implementation of the plans. The Design and Heritage service has a programme of projects including Conservation Area Appraisal and Management Plan reviews and the review of Article 4 directions in Conservation Areas. The Specialist Services Team, which comprises the Design and Heritage, Ecology, and Landscape and Arboriculture (including Public Rights of Way) services, is continuing to provide ongoing expert input across the Planning Service including in respect of development management, Nationally Significant Infrastructure Projects and planning policy, as well as on wider Council projects.
- 1.3. The updates in this report focus on projects and include the progress being made on the preparation of Supplementary Planning Documents and Neighbourhood Plans, as well as projects in the Design and Heritage Team and in relation to Biodiversity Net Gain. The report also covers the recent statutory five year review of the Waveney Local Plan, and the publication of a new Local Development Scheme for East Suffolk. An update is also provided on housing delivery towards meeting the requirements set out in the adopted Local Plans.
- 1.4. An update on the work of the Infrastructure Team relating to the collection and spend of the Community Infrastructure Levy and Section 106 monies is also provided in this report.

2. Introduction

- 2.1. This report provides an update on key milestones achieved over the past three to four months since the last update report to Strategic Planning Committee and also sets out the key project milestones over the next three months or so.

Key milestones achieved over the past three to four months

Neighbourhood Plans

- 2.2. Recent progress on [Neighbourhood Plans](#):
 - **Carlton Colville** Neighbourhood Plan – Examiner's report received 15th January 2024
 - **Easton** Neighbourhood Plan – Regulation 16 consultation undertaken between 10th November 2023 and 19th January 2024. Examination currently underway.

- **Playford** Neighbourhood Plan - Regulation 16 consultation undertaken between 10th November 2023 and 19th January 2024. Examiner's report received on 4th March 2024.
- **Lowestoft** Neighbourhood Plan - A second regulation 14 consultation was undertaken between 30th October and 11th December 2023.
- **Westerfield** Neighbourhood Plan – Regulation 14 consultation undertaken between 25th November 2023 and 19th January 2024
- **Otley** Neighbourhood Plan – Regulation 14 consultation underway until 15th April 2024.
- **Ufford** Neighbourhood Plan – Regulation 14 consultation began on 14th March 2024 and runs until 3rd May 2024.
- **Saxmundham** Town Council have applied to review their Neighbourhood Plan area, preceding a review of their Neighbourhood Plan. Consultation is taking place from 23rd February until 5th April 2024.
- Preparation of Neighbourhood Planning housing guidance is underway.

Supplementary Planning Documents

2.3. Recent progress on preparation of [Supplementary Planning Documents](#):

- Public consultation was held on the Draft **Healthy Environments Supplementary Planning Document** between 15th November 2023 and 10th January 2024
- Public consultation was held on the Draft **Rural Development Supplementary Planning Document** between 15th November 2023 and 10th January 2024
- Work has continued on considering and addressing the comments received on the Draft **Custom and Self Build Supplementary Planning Document**, following consultation held in September and October 2023.

Kirkley Waterfront Planning Position Statement

2.4. Work has continued on reviewing guidance for the Kirkley Waterfront and Sustainable Urban Neighbourhood. Under the reforms to the planning system introduced through the Levelling Up and Regeneration Act 2023, it is unlikely that new Supplementary Planning Documents will be able to be adopted after Autumn 2024. Therefore, and in order to provide timely guidance, a [Planning Position Statement](#) is being prepared for the site, which will provide updated guidance alongside the existing 2013 Supplementary Planning Document. An Initial Consultation is underway between 6th March and 3rd April, seeking views on what should be included in the Planning Position Statement.

Waveney Local Plan – Statutory five year review assessment

2.5. There is a requirement to undertake an assessment of a local plan prior to the fifth anniversary of adoption to consider whether it needs to be updated. The Waveney Local Plan was adopted on 20th March 2019, and this review must therefore be undertaken by 20th March 2024. The [review](#) has been undertaken and concluded that

the policies are effective, and a local plan review is not considered to be necessary at this time. The review was approved by Cabinet at its meeting on 5th March 2024.

Local Development Scheme

- 2.6. A Written Ministerial Statement entitled 'The next stage in our long term plan for housing update', published 19th December 2023, asked all local authorities to provide an up to date local plan timetable to the Department of Levelling Up, Housing and Communities within 12 weeks. Alongside the Waveney Local Plan five year review assessment referred to in paragraph 2.5 above, an updated Local Development Scheme was therefore also presented to and considered by Cabinet on 5th March 2024. Alongside updates on the preparation of other planning policy documents, the [Local Development Scheme](#) sets out an indicative timetable for a future East Suffolk Local Plan. It is anticipated that work could begin in spring/summer 2025, subject to the national planning reforms allowing for this. Through the Levelling Up and Regeneration Act 2023, the Government is proposing significant reforms to the plan-making process as well as to the content of future Local Plans, which are proposed to be brought in from Autumn 2024. The indicative timetable is therefore subject to further consideration pending secondary legislation, policy and guidance related to the planning reforms and will therefore be kept under review. Early discussions will take place through Local Plan Working Group in the short term to consider Members' aspirations and considerations for a future Local Plan.

Authority Monitoring Report

- 2.7. The [Authority Monitoring Report](#) was approved by Strategic Planning Committee on 8th January 2024, and subsequently published along with the [Planning Delivery Dashboard](#).

Design and Heritage

- 2.8. Recent progress on [Design and Heritage projects](#):

- The proposals to amalgamate and extend the existing Southwold Conservation Area and Southwold Harbour Conservation Area and the draft new **Southwold Conservation Area Appraisal and Management Plan** were approved by Strategic Planning Committee on 8th January 2024, and came into effect on 12th January 2024.
- Proposals to incorporate the Walberswick Quay Conservation Area as an extension to the **Walberswick Conservation Area** were approved by Strategic Planning Committee on 8th January 2024, and came into effect on 12th January 2024.
- Consultants have been commissioned to undertake the review of the **Halesworth Conservation Area Appraisal and Management Plan**.
- Proposals relating to the cancellation of the existing Article 4 directions in **North Lowestoft Conservation Area** and **South Lowestoft and Kirkley Conservation Area** and confirmation of new ones were presented to Strategic Planning Committee on 8th January 2024. Public consultation has subsequently taken place between 22nd January and 1st March 2024, and a report is being brought to the Strategic Planning Committee on 8th April for consideration of their confirmation.
- Consultants' fieldwork in support of the ongoing review of the other existing Article 4 directions in place in the Waveney area, plus a pilot in the Suffolk Coastal area, taking account of changes in the 2021 National Planning Policy Framework (NPPF)

on their use, is underway and ongoing. The year 1 review covers Southwold, Wangford and Homersfield in the former Waveney area, and a pilot in Marlesford in the former Suffolk Coastal area. The fieldwork is complete for year 1 and officers are reviewing the outputs.

Biodiversity Net Gain

- 2.9. Mandatory Biodiversity Net Gain came into force on 12th February 2024 for major developments, with smaller developments to follow from 2nd April (some categories of development will be exempt). Recruitment of an Ecologist and Assistant Ecologist has taken place in advance of the requirements coming in, as part of preparation. The Council is also engaging with other authorities in Suffolk on the preparation of the Local Nature Recovery Strategy.

Housing Delivery

- 2.10. Housing growth planned for in the Local Plans has continued to come forward, with many sites either under construction, consented, subject to planning applications or subject to early discussion with the Planning Service. The annual housing requirement figure for East Suffolk is 916 dwellings, based on the figures in the two adopted Local Plans for the District. For the year 2022/23, 812 dwellings were delivered, 155 of which were for affordable housing. During the first three quarters of 2023/24 (April to December) 567 net additional dwellings were reported as completed (of which 204 were affordable) (provisional figures), compared to 578 completed in the same period of the previous year. A comparison of dwellings under construction shows that as at 31st December 2023 1,194 dwellings were under construction compared to 1,249 at the same point in the previous year, showing a slight decrease. Of those under construction 222 are affordable homes. We saw a decrease in the number of dwellings starting post June 2023, which is understood to coincide with changes to Building Regulations in June 2023, however this has risen in recent months.
- 2.11. Following the publication of the Housing Land Supply Statement in November 2023, demonstrating that over five years of supply can be demonstrated, work has taken place on the update to the Council's Housing Action Plan.

CIL collection and spend

- 2.12. Updates for the past three to four months:
- £6,326,619.48 total CIL has now been collected through the Infrastructure Team since the start of the financial year (1 April 2023). This is in line with previous years and represents the large number of developments that have commenced and are paying CIL, in recent years.
 - Neighbourhood CIL (NCIL) allocations are due to be made to the Town and Parish Councils just before the deadline of 28 April 2024. Preparation work to enable this to be a smooth process was commenced in February.
 - Since November we have been reviewing Neighbourhood CIL spend and reporting compliance and offering support to parish councils to ensure they are complying with the CIL Regulations. A number of councils are still reporting back to us using either out of date templates or are not reporting the information required, and a number of errors within reports have been identified. Officers have provided regular training, downloadable (compliant) report templates, written guidance and a dedicated Parish CIL webpage and are available for support and questions.

- Recently local authorities were designated as Building Safety Levy (BSL) Collection Authorities, this means that as well as collecting CIL the Team will collect and report on BSL. From a recent DLUHC Technical Consultation, it is noted that the collection processes are similar to those of CIL, although proposed reporting requirements differ, and it is not currently proposed that BSL Reporting will be part of the Infrastructure Funding Statement (the statutory report on Developer Contributions).
- Activity in the Infrastructure Team is focussed on working towards the financial year end and the activities required to produce statutory reports for internal verification processes.
- The Team has also been very busy supporting statutory and other infrastructure providers to ensure timely and accurate bids are submitted/received for the April 2024 District CIL Bid Round.
- Over the last few months, a number of District CIL funded infrastructure projects have been completed, and the buildings and facilities have been formally opened. We continue to promote the benefits of CIL Funding where these opportunities arise.
- The Team have been working in collaboration with other internal teams, external organisations, and central government teams to prepare for the impacts of new legislation. We are currently focussed on implementation of Biodiversity Net Gain, the Building Safety Levy, and the full phase 2 rollout of First Homes requirements.

Key project milestones over the next three to four months

Neighbourhood Plans

2.13. Progress with [Neighbourhood Plans](#) over the next three to four months:

- **Carlton Colville** Neighbourhood Plan – Progress to be made towards referendum
- **Playford** Neighbourhood Plan – Progress to be made towards referendum
- **Easton** Neighbourhood Plan – Examination will conclude
- **Lowestoft** Neighbourhood Plan – Progress to be made towards Submission
- **Westerfield** Neighbourhood Plan – Progress to be made towards Submission
- **Otley** Neighbourhood Plan – Progress to be made towards Submission
- **Ufford** Neighbourhood Plan – Following the end of the Regulation 14 consultation on 3rd May 2024, it is anticipated that work towards Submission will progress
- **Saxmundham** Neighbourhood Plan – Neighbourhood Area consultation to have concluded and Neighbourhood Plan Area decision to have been published by East Suffolk Council.

2.14. Guidance for Neighbourhood Plan groups on delivering new housing through their plans will be progressed with consultation anticipated in the spring.

Supplementary Planning Documents

2.15. Progress with the preparation of [Supplementary Planning Documents](#) over the next three to four months:

- The Rural Development Supplementary Planning Document is anticipated to be adopted by Cabinet in April 2024;
- The Custom and Self Build Supplementary Planning document is anticipated to be adopted by Cabinet in May 2024;
- The Healthy Environments Supplementary Planning Document is anticipated to be adopted by Cabinet in June 2024.

Kirkley Waterfront Planning Position Statement

2.16. Initial Consultation on the scope and content of the Planning Position Statement will have taken place between 6th March and 3rd April 2024. The draft Planning Position Statement will be prepared in advance of public consultation taking place in June / July 2024.

Authority Monitoring Report

2.17. Following the year end (31st March 2024) monitoring and survey work will take place to inform the 2023/24 Authority Monitoring Report, which will subsequently be prepared in the Autumn for publication in January 2025. Work will also commence on the annual update of the Housing Land Supply Statement.

Design and Heritage

2.18. Progress with [Design and Heritage projects](#) over the next three to four months:

- Subject to approval by Strategic Planning Committee the cancellation of the Article 4 direction and Confirmation of a new Article 4 direction for the **North Lowestoft Conservation Area** and for the **South Lowestoft and Kirkley Conservation Area** will come into effect from Friday 15th April 2024.
- Work on the **Halesworth Conservation Area** draft appraisal and boundary review will continue. It is expected that the review will take place during 2024 with consultation in early 2025.
- The Article 4 review being rolled out across other Conservation Areas in the former Waveney area will continue (Southwold, Wangford and Homersfield), along with the pilot in Marlesford in the former Suffolk Coastal area. Year 2 of the review starts in April and will include the Conservation Areas in Beccles, Holton, Wissett, Thorpeness and Walberswick.
- Nominations for the 2024 Quality of Place Awards will open on 2nd April 2024.

Biodiversity Net Gain

2.19. Ongoing establishment of arrangements for Biodiversity Net Gain will continue, with the mandatory requirements for smaller developments coming in from 2nd April. Guidance will be made available as needed. The Council will also continue to engage with other authorities across Suffolk on the preparation of the Local Nature Recovery Strategy.

Housing Delivery

- 2.20. As stated in paragraph 2.10 above, there were 1,194 dwellings under construction as at 31st December 2023, albeit this is slightly lower than at the same time in the previous year. It is currently anticipated that completions for 2023/24 will be similar to 2022/23, based on a similar number of completions as at 31st December for both years. Over the coming months, the Planning Service will continue to support the delivery of housing set out in the Local Plans, including through the determination of planning applications and through ongoing support for bringing forward strategic sites such as supporting master-planning and through the preparation of the Planning Position Statement for the Kirkley Waterfront.
- 2.21. Whilst the Council is not currently required to prepare a Housing Action Plan due to having 'passed' the most recent Housing Delivery Test (2022 results published in December 2023), the Housing Action Plan is reviewed annually and the latest review is anticipated to be published shortly.

CIL Collection and Spend

- 2.22. Progress over the next three to four months:
- The end of the financial year marks the start of the busiest 6-month period for the Infrastructure Team with the finalisation of CIL income, Neighbourhood CIL Payments to be made, the 2024 District CIL bid round to manage, and Infrastructure Funding Statement to produce and potentially new CIL Spending Working Group Members to train.
 - It is expected that new Infrastructure Levy Draft Regulations are to be consulted on later in 2024, as referenced at the recent Infrastructure Levy national conference.
 - We will be reviewing roles and responsibilities and the Infrastructure Team resource to ensure the team is equipped and is agile to address the new demands.

Design Code

- 2.23. The Levelling Up and Regeneration Act 2023 will require all local authorities to prepare a Design Code for their area. Whilst further legislation and guidance is awaited, some early scoping work will begin in the shorter term to consider the options for an appropriate approach for East Suffolk.

Future Local Plan

- 2.24. As set out in paragraph 2.6 above, the updated Local Development Scheme sets out an indicative timescale for a future East Suffolk Local Plan, subject to review pending further legislation and details of the reforms to plan-making. However in the meantime Local Plan Working Group will provide a forum to give early consideration to Members' aspirations and considerations for a future Local Plan.

National update

- 2.25. The Levelling Up and Regeneration Act received Royal Assent in October 2023. The Act introduces a number of changes, including changes to the preparation of Local Plans; a requirement on authorities to prepare a design code; the introduction of National Development Management Policies; new Supplementary Plans; provision for Neighbourhood Priorities Statements to be prepared by communities; the introduction of Environmental Outcomes Reports and the introduction of Infrastructure Levy.

Secondary legislation to take forward the provisions of the Act is anticipated during 2024.

- 2.26. Some consultation on areas of detail has already taken place by the Government, including a consultation on [plan-making reforms](#) held between July and October 2023, and consultations on [Environmental Outcomes Reports](#) and [Infrastructure Levy](#) earlier in 2023. It is anticipated that there will be further consultations during 2024, in particular on changes to the National Planning Policy Framework and on National Development Management Policies.

3. Proposal

- 3.1. Areas of work underway are outlined above and it is proposed that Strategic Planning Committee note the contents of the report.

4. Financial Implications

- 4.1. The work of the Team is undertaken within existing budgets, with grant income generated through support provided on Neighbourhood Planning. Grant funding is also provided from Defra in relation to Biodiversity Net Gain.

5. Legal Implications

- 5.1. All work outlined above is undertaken in accordance with relevant legal requirements where they exist. There are no legal impacts arising from this update report.

6. Risk Implications

- 6.1. The work programme of the Team is significant and crucial to the delivery of many aspects of the Strategic Plan. Staff capacity is an ongoing risk although recruitment has recently taken place to vacant posts within the team.

7. Options

- 7.1. This report is for information only.

8. Recommendations

- 8.1. That Strategic Planning Committee note the contents of the report.

9. Reasons for Recommendations

- 9.1. This report is for information only.

10. Conclusions/Next Steps

- 10.1. The areas of work outlined above will take place over the next three to four months, and a further update will be brought to the next scheduled Strategic Planning Committee meeting, in July.

Areas of consideration comments

Section 151 Officer comments:

There are no financial implications arising from this report.

Monitoring Officer comments:

No additional comments.

Equality, Diversity and Inclusion/EQIA:

The report is for information only

Safeguarding:

The report is for information only

Crime and Disorder:

The report is for information only

Corporate Services implications:

(i.e., Legal, Finance, Procurement, Human Resources, Digital, Customer Services, Asset Management)

The report is for information only

Residents and Businesses consultation/consideration:

The report is for information only

Appendices:

None.

Background reference papers:

Date	Type	Available From
2019	East Suffolk Council – Waveney Local Plan	Adopted-Waveney-Local-Plan-including-Erratum.pdf (eastssuffolk.gov.uk)
2020	East Suffolk Council – Suffolk Coastal Local Plan	East-Suffolk-Council-Suffolk-Coastal-Local-Plan.pdf (eastssuffolk.gov.uk)
Various	Neighbourhood Plans	Neighbourhood Plans in the area » East Suffolk Council
Various	Supplementary Planning Documents	Supplementary Planning Documents and other guidance » East Suffolk Council
2024	Waveney Local Plan five year review assessment	Waveney-Local-Plan-Review-Assessment-March-2024.pdf (eastssuffolk.gov.uk)
2024	East Suffolk Local Development Scheme	Local-Development-Scheme-March-2024.pdf (eastssuffolk.gov.uk)
2023	Ministerial Statement ‘The next stage in our long term plan for housing update’	Written statements - Written questions, answers and statements - UK Parliament
2024	Authority Monitoring Report	Open data, monitoring and housing supply » East Suffolk Council
Various	Conservation Area Appraisals and Management Plans	Conservation area appraisals » East Suffolk Council
2023	East Suffolk Housing Land Supply Statement	Housing Land Supply » East Suffolk Council
Various	East Suffolk Housing Action Plans	Housing Action Plan » East Suffolk Council