



Cabinet

Members are invited to a **Meeting of the Cabinet** to be held in the Conference Room, Riverside, Lowestoft, on **Tuesday, 5 March 2024 at 6.00pm.**

This meeting will be broadcast to the public via the East Suffolk YouTube Channel at <https://youtube.com/live/UOuLdpCIf90?feature=share>.

Members:

Councillor Caroline Topping (Leader of the Council), Councillor David Beavan (Deputy Leader and Housing), Councillor Paul Ashton (Corporate Services – Digital, Customer Services, HR and Assets), Councillor Jan Candy (Community Health), Councillor Tom Daly (Energy and Climate Change), Councillor Toby Hammond (Economic Development and Transport), Councillor Vince Langdon-Morris (Resources and Value for Money), Councillor Rachel Smith-Lyte (The Environment), Councillor Sarah Whitelock (Communities, Leisure and Tourism), Councillor Kay Yule (Planning and Coastal Management)

An Agenda is set out below.

Part One – Open to the Public

Pages

1 Apologies for Absence

To receive apologies for absence, if any.

2 Declarations of Interest

Members and Officers are invited to make any declarations of interests, and the nature of that interest, that they may have in relation to items on the Agenda and are also reminded to make any declarations at any stage during the Meeting if it becomes apparent that this may be required when a particular item or issue is considered.

3 Announcements

To receive any announcements.

4 Minutes

To confirm as a correct record the minutes of the meeting held on 6 February 2024.

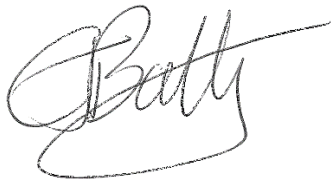
1 - 12

KEY DECISION

Part One – Open to the Public		Pages
5	Statutory five-year review assessment of the East Suffolk Council - Waveney Local Plan and Local Development Scheme update ES/1869 Report of the Cabinet Member with responsibility for Planning and Coastal Management.	13 - 141
 NON-KEY DECISIONS		
6	Reports from the Overview & Scrutiny Committee ES/1870 Report of the Chair of the Overview and Scrutiny Committee.	142 - 164
7	Simpler Recycling - Food Collections ES/1871 Report of the Cabinet Member with responsibility for the Environment.	165 - 173
8	Exempt/Confidential Items It is recommended that under Section 100A(4) of the Local Government Act 1972 (as amended) the public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A of the Act.	

Part Two – Exempt/Confidential		Pages
9	Exempt Minutes <ul style="list-style-type: none"> • Information relating to the financial or business affairs of any particular person (including the authority holding that information). 	

Close



Chris Bally, Chief Executive

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Unconfirmed



Minutes of a Meeting of the **Cabinet** held in the Deben Conference Room, East Suffolk House, Melton, on **Tuesday, 6 February 2024 at 6.00pm.**

Members of the Cabinet present:

Councillor Paul Ashton, Councillor David Beavan, Councillor Jan Candy, Councillor Tom Daly, Councillor Toby Hammond, Councillor Vince Langdon-Morris, Councillor Rachel Smith-Lyte, Councillor Caroline Topping, Councillor Sarah Whitelock, Councillor Kay Yule

Other Members present:

Councillor Seamus Bennett, Councillor Peter Byatt, Councillor Mike Deacon, Councillor Louise Gooch, Councillor Alan Green, Councillor Mark Jepson, Councillor Mark Packard, Councillor Craig Rivett, Councillor Sheryl Rumble, Councillor Tim Wilson

Officers present:

Chris Bing (Head of Legal and Democratic Services), Kate Blakemore (Strategic Director), Kerry Blair (Head of Operations), Katy Cassidy (Democratic Services Officer (Regulatory)), Martin Clarke (Licensing Manager and Housing Lead Lawyer), Lorraine Fitch (Democratic Services Manager), Phil Harris (Strategic Communications and Marketing Manager), Andy Jarvis (Strategic Director), Nick Khan (Strategic Director), Chirs King (Design Champion & Specialist Services Manager), Matt Makin (Democratic Services Officer (Regulatory)), Marie McKissock (Acting Deputy Chief Finance Officer), Fiona Quinn (Head of Environmental Services and Port Health), Lorraine Rogers (Chief Finance Officer), Paul Wood (Head of Economic Development & Regeneration)

1 Apologies for Absence

No apologies for absence were received.

2 Declarations of Interest

Councillor Caroline Topping declared Disclosable Pecuniary Interests, as a member of Suffolk County Council, in respect of items 7, 8, 9 and 10.

Councillor Craig Rivett declared Disclosable Pecuniary Interests, as a member of Suffolk County Council, in respect of items 7, 8, 9 and 10.

Councillor Seamus Bennett declared Disclosable Pecuniary Interests, as a member of Suffolk County Council, in respect of items 7, 8, 9 and 10.

In respect of the above Disclosable Pecuniary Interests, dispensations were granted by the Monitoring Officer, under Section 33 of the Localism Act 2011, for Councillors Topping, Rivett and Bennett to participate in items 7, 8, 9 and 10.

3 Announcements

Leader of the Council

There were no announcements from the Leader.

Cabinet Members

There were no announcements from Cabinet Members.

4 Minutes

On the proposition of Councillor Langdon-Morris, seconded by Councillor Candy, it was by a unanimous vote

RESOLVED

That the minutes of the meeting held on 2 January 2024 be agreed as a correct record and signed by the Chair.

5 East Suffolk Council Compliance and Enforcement Policy

Councillor Candy, Cabinet Member with responsibility for Community Health, introduced report ES/1837 which related to the East Suffolk Council Compliance and Enforcement Policy. The purpose of the report was to review and approve a revised Compliance and Enforcement Policy in order to take account of updated guidance, codes of practice and new regulatory sanctions which have been introduced since the Council's Compliance and Enforcement policy was last reviewed in 2014. Councillor Candy outlined that the new policy document had been simplified and restructured to be easier to read for Members, Officers and Community Members.

If approved the policy would be added to East Suffolk Council's website and cascaded to service areas.

There were no questions from Cabinet Members, Members in attendance or Members attending online.

On the proposition of Councillor Candy, seconded by Councillor Yule, it was by a unanimous vote

RESOLVED

1. That the report be noted.
2. That the Compliance and Enforcement Policy be approved.

6 Endorsement and adoption of the Suffolk & Essex Coast & Heaths Area of Outstanding Natural Beauty Management Plan 2023-28

Councillor Rachel Smith-Lyte, Cabinet Member with responsibility for the Environment, introduced report ES/1838 which related to the Endorsement and adoption of the Suffolk & Essex Coast & Heaths Area of Outstanding Natural Beauty Management Plan 2023-28.

The purpose of the report was to seek endorsement and adoption of the Suffolk & Essex Coast & Heaths Area of Outstanding Natural Beauty Management Plan 2023-28.

The Countryside and Rights of Way Act (2000) (CRoW Act) placed a duty on local authorities to prepare and publish a Management Plan at five year intervals. The Management Plan had been reviewed and published, and the endorsement and adoption of the authority was now being sought under the provisions of the CRoW Act (2000).

The recommendation would ensure East Suffolk Council could support and help deliver the vision, themes and management policies set out within the Suffolk & Essex Coast & Heaths Area of Outstanding Natural Beauty Management Plan 2023-28.

Councillor Smith-Lyte advised East Suffolk Council, as a Member of the Suffolk & Essex Coast and Heaths AONB Partnership, along with other constituent Councils had been consulted on the emerging plan since June 2023 with comments and recommendations provided to help shape and deliver the updated plan. East Suffolk Council were satisfied that comments provided had been addressed.

The renewed AONB Management Plan was attached to report as Appendix A. The AONB Management Plan set out a Vision, Themes and Policies for the Suffolk & Essex Coast & Heaths in the mid-2040s. Councillor Smith-Lyte outlined the following areas which were included:

Management Plan Vision included:

- Environmental Vision
- Social Vision
- Economic Vision

Management Plan Themes included:

- Landscape
- Coast and Estuaries
- Nature Recovery
- Land Use and Planning
- Farming
- Forestry and Woodland
- Landscapes for All
- Climate Change
- Working Together

Management Plan Policies included:

Landscape
Coasts and Estuaries
Nature Recovery
Lands Use and Planning
Landscapes for All
Climate Change
Working Together

Councillor Daly queried how the AONB, and the National Landscape connected and why the report was outlined from the AONB rather than the National Landscape.

Councillor Smith-Lyte responded to state it could be confusing. The AONB was part of National Landscape and was a rebranding of the organisation.

The Design Champion and Specialist Services Manager advised that the National Landscape was now the AONB following a rebrand at the end of last year. The AONB only referenced matters within a planning context and National Landscapes was the public face to what was previously the AONB.

Councillor Byatt referred Place Services screening report and queried if they were the only company that were approached for the work.

The Design Champion and Specialist Services Manager responded that the commissioning of the report was from the National Landscape Partnership. There would have to be an assumption that a suitable a tender process was completed.

On the proposition of Councillor Smith-Lyte, seconded by Councillor Beavan, it was by a unanimous vote.

RESOLVED

That the Suffolk & Essex Coast & Heaths Area of Outstanding Natural Beauty Management Plan 2023-2028 (“the AONB Management Plan”), as attached at Appendix A to the report, be endorsed and adopted by East Suffolk Council.

7 General Fund Budget and Council Tax Report 2024/25

Councillor Langdon-Morris, Cabinet Member with responsibility for Resources and Value for Money, introduced the report which related to the General Fund Budget and Council Tax Report 2024/25.

At the end of the 2024/25 budget process, the Council was required to approve a balanced budget for the following financial year and set the Band D rate of Council Tax. The report set out the context and initial parameters in order to achieve that objective and contribute towards a sustainable position for the next financial year.

The report brought together all the relevant information to enable Members to review, consider and comment upon the Council’s General Fund revenue budgets before making recommendations to Council on 21 February 2024.

There were no questions from Cabinet Members, Members in attendance or Members attending online.

Councillor Beavan congratulated the portfolio holder and the finance team from bringing the report with a balanced budget and hoped that it would be approved at Full Council.

On the proposition of Councillor Langdon-Morris, seconded by Councillor Hammond, it was by a unanimous vote

RESOLVED

That it be recommended to Full Council that it approves:

1. The 2024/25 General Fund Revenue Budget as set out in this report and summarised in Appendix A5 to the report and notes the budget forecast for 2025/26 and beyond;
2. The reserves and balances movements as presented in Appendix A6 to the report;
3. A proposed Band D Council Tax for East Suffolk Council of £186.57 for 2024/25, an increase of £5.40 or 2.98%;
4. That the following Council Tax premiums be applied, following the enactment of the Levelling Up and Regeneration Bill on 26 October 2023:
 - the 100% premium for properties which have been empty and unfurnished for a period of between 1 and 2 years from 1 April 2024, an
 - the 100% premium for second homes from 1 April 2025; and
5. That the Chief Finance Officer and Section 151 Officer be granted delegated authority to implement the introduction of the additional Council Tax premiums.

8 Capital Programme 2023/24 to 2027/28

Councillor Langdon-Morris, Cabinet Member with responsibility for Resources and Value for Money, introduced report ES/1841 which related to the Capital Programme 2023/24 to 2027/28.

As part of the budget setting process, the Council was required to agree a programme of capital expenditure for the coming four years. The capital programme plays an important part in the delivery of the Council's Medium-Term Financial Strategy (MTFS), which in turn supports wider service delivery. The report set out the Council's capital programme including revisions to the current programme for the financial years 2023/24 to 2027/28. The report also formed the basis of Scrutiny Committee's review of the Budget at its meeting on 18 January 2024 as required under the Budget and Policy Framework.

There were no questions from Cabinet Members, Members in attendance or Members attending online.

Councillor Langdon-Morris thanked the Finance team for their work in preparing the reports and for their work on preparing the budgets for consideration.

On the proposition of Councillor Langdon-Morris, seconded by Councillor Hammond, it was by a unanimous vote

RESOLVED

1. That the General Fund capital programme for 2023/24 to 2027/28 including revisions as shown in Appendix B to the report be approved, and recommended for approval by Full Council.

2. That the Housing Revenue Account capital programme for 2023/24 to 2027/28 including revisions as shown in Appendix G to the report be approved, and recommended for approval by Full Council.

9 Housing Revenue Account (HRA) Budget Report 2024/25 to 2027/28

Councillor Beavan, Deputy Leader and Cabinet Member with responsibility for Housing, introduced report ES/1842 which related to the Housing Revenue Account (HRA) Budget Report 2024/25 to 2027/28.

The report provided the relevant information to enable Cabinet to review, consider, and comment upon the Council's proposed 2024/25 to 2027/28 Housing Revenue Account (HRA) budget, before making recommendations to Council on 21 February 2024 as required under the Budget and Policy Framework.

Councillor Beavan talked through some of the financial information provided in the attached report. The report detailed how rents and service charges are determined, and the proposed increases for 2024/25 were set out for approval.

Councillor Beavan highlighted the 2020 Rent Standards which permitted the Council to increase its rents for at least five years to 2024/25 by up to CPI for September of the previous year, plus 1%.

Due to high inflation, CPI was 6.7% in September 2023, which resulted in social housing landlords having the ability to increase rents by up to 7.7% (6.7% CPI + 1%). In line with government guidance a 7.75% increase was being proposed for 2024/2025 and was deemed necessary for the HRA to meet its' required investment in the housing stock and delivering the required services tenants.

Councillor Beavan outlined that every five to six years there were 53 Mondays in the rent year and 2024/25 was a 53-week rent year. It was proposed to continue to collect rents over the weeks as normal and still provide two rent free weeks over the Christmas period. To cover the Christmas period, rent would be increased to an

average weekly social rent of £96.78 for 2024/2025 an increase of £6.92 compared to the previous year.

Councillor Byatt queried whether there would local companies would be used where possible for future works and would there be a list of who had been commissioned to complete work in the past available.

Councillor Beavan responded to stated that local companies would be used where possible, and a list could be provided if required.

On the proposition of Councillor Beavan, seconded by Councillor Langdon-Morris, it was by a unanimous vote

RESOLVED

That it be recommended to Full Council that it approves:

1. The draft HRA budget for 2024/25, and the indicative figures for 2025/26 to 2027/28;
2. Movements in HRA Reserves and Balances;
3. Proposed rent increase of up to 7.7%. In line with the Rent Standard September 2023 CPI + 1%.
4. Service charges and associated fees for 2024/25;
5. Rent and Service Charges to be charged over a 51-week period unless being used for Temporary Accommodation when a 53-week period will be applied, due to 2024/25 being a 53-week year.

That the following be noted:

6. Projected outturn position for 2023/24;
7. Changes affecting public and private sector housing and welfare;
8. Effects of the cost-of-living crisis to the HRA.

10 Southwold Harbour Management Committee - Budget 2024/25

Councillor David Beavan, Deputy Leader and Cabinet Member with responsibility for Housing, introduced report ES/1843 which related to the Southwold Harbour Management Committee – Budget 2024/25.

Councillor Beavan stated that moving forwards there would be more activity in the Harbour area and Caravan Site with an intention to generate income. There would be a consultation process to ascertain what people wanted from the Harbour and Caravan site.

There were no questions from Cabinet Members or Members in attendance.

Councillor Byatt offered thanks officers and the Deputy Leader for bringing the report and stated it was good to see the work concentrated in Southwold to improve the Harbour area.

On the proposition of Councillor Beavan, seconded by Councillor Yule, it was by a unanimous vote

RESOLVED

That it be recommended to Full Council that it approves the 2024/25 Budget for Southwold Harbour, and the Caravan Site and Campsite in Appendix A to the report, as recommended by the Southwold Harbour Management Committee, as part of the overall Council budget at its meeting on 21 February 2024.

11 2023/24 Quarter 3 Financial Performance Report

Councillor Langdon-Morris, Cabinet Member with responsibility for Resources and Value for Money, introduced report ES/1844 which related to the 2023/24 Quarter 3 Financial Performance Report.

The report provided an overview of Council's Financial performance, comparing the actual expenditure and income position at the end of Quarter three (April – December 2023), to the approved General Fund budget for 2023/24 for both Revenue and Capital.

The report provided a summary of the Housing Revenue Account's (HRA) Revenue and Capital Position at the end of December 2023, which includes a forecast position of reserves.

The report summarised details of the key risks highlighted within 2023/24, which may lead to future General Fund and HRA financial implications over the duration of the Medium Term Financial Strategy (MTFS).

There were no questions from Cabinet Members, Members in attendance or Members attending online.

Councillor Topping offered thanks to the Finance Team, Councillor Langdon-Morris and Councillor Tim Wilson for their ongoing work.

On the proposition of Councillor Langdon-Morris, seconded by Councillor Whitelock, it was by a unanimous vote

RESOLVED

1. That the Council's financial position for the period April – December 2023 against the profiled General Fund budget, and the forecast position for the end of the year, be noted.

2. That the approved budget change variations following the original 2023/24 budget approval in February 2023 and the impact on the General fund for 2023/24 be noted.

3. That the areas of financial risk identified, the impact of which is reflected in the Medium-Term Financial Strategy, be noted.

12 The Suffolk Coast Business Plan 2024-27

Councillor Sarah Whitelock, Cabinet Member with responsibility for Communities, Leisure & Tourism, introduced report ES/1845 which related to the Suffolk Coast Business Plan 2024-27.

East Suffolk Council jointly established The Suffolk Coast Destination Management Organisation (DMO) with representatives of the local tourism sector in 2012. Since that time the Council had agreed rolling 3-year funding agreements to support the delivery of the DMO's Business Plan which has contributed significantly to sustainably growing the visitor economy in East Suffolk. The current business plan was due to expire in March 2024 and the purpose of the report was to present to Cabinet the new plan which will cover 2024-27 period.

The DMO provided brand and destination marketing services, performed well delivering excellent visitor information website services, a growing membership base, engaged in energy projects tourism mitigation, and highly effective individual and joint marketing campaigns. It continues to provide advice and guidance to the sector as it recovers from the unprecedented economic shock that pandemic trading restrictions caused.

There were no questions from Cabinet Members or Members present in the room.

Councillor Byatt queried if an impact assessment was required to review the impact on tourism from Lowestoft not getting the flood barrier and if that would deter people from going to Lowestoft. Councillor Byatt queried if there was a plan to increase tourism to the North of the district.

Councillor Whitelock responded to state that there were two separate issues, uplift of funding and increasing tourism into Lowestoft. The Head of Economic Development and Regeneration responded to state the tidal barrier was not expected to have a negative impact on tourism in Lowestoft.

In connection to wider tourism in the area, there was the First Light festival and wider investment into the Town Centre which expected to see an increase in visitor numbers to Lowestoft.

The Head of Economic Development and Regeneration concluded that the DMO had significant social media activity build into it and a wider marketing plan. He believed that tourism was still recovering from COVID and it was hoped it would pre COVID levels would be re established.

Councillor Jepson questioned how confident the team were in the delivery of the company doing what was expected and was there evidence regarding delivery outcomes available.

Councillor Whitelock responded to state that in another capacity she had found the DMO to be highly effective and whilst anecdotal she believed it was deserving of the uplift in funding and concluded that there had not been an increase in funding since 2015.

The Head of Economic Development and Regeneration concluded that the membership was part of a wider story and whilst 250 was not the majority in terms of businesses there was a plan to grow the figure to 300.

The Head of Economic Development and Regeneration highlighted that the work of the DMO was to benefit the whole of the business and economy and the DMO was funded to deliver on behalf of tourism for the whole district. He confirmed there were KPIs in place.

On the proposition of Councillor Whitelock, seconded by Councillor Candy, it was by a unanimous vote

RESOLVED

That funding of £182k to support the delivery of The Suffolk Coast's new 3 year business plan covering the period April 2024 to March 2027 be approved.

13 Application for Taxi Fare Increase for the south of the District

Councillor Candy, Cabinet Member with responsibility for Community Health, introduced report ES/1846 which related to the application for Taxi Fare increases in the south of the District.

Councillor Candy outlined that a proposal was received from a group of licensed hackney carriage drivers in the South of the East Suffolk district for an increase to the hackney carriage fares tariff for the South of the district.

Councillor Candy outlined the proposed changes:

In relation to Tariff 1 for journeys carried out between 5.30am and 10.30pm - A 20p increase in the minimum fare and a reduction to 700 yards in distance. The increase would result in a minimum fare of £3.80, the current minimum fare is £3.60.

A reduction in the subsequent distance from 220 yards to 200 yards.

In relation to Tariff 2 for journeys carried out between 10.30pm and 5.30am - A 30p increase in the minimum fare and a reduction to 700 yards in distance. The increase would result in a minimum fare of £4.50, the current minimum fare is £4.20.

There should be a reduction in the subsequent distance from 196 yards to 180 yards.

In relation to additional charges Councillor Candy outlined the following proposed increased charges

Extra passengers an increase to the charge for extra passengers in excess of 3 from 20p to 30p

Luggage an increase to the charge for use of the luggage compartment from 20p to 30p.

There were no questions from Cabinet Members or Members present in the room.

Councillor Byatt queried where Uber services fall within the provision of taxi services.

The Licensing Manager and Housing Lead Lawyer advised that Uber were a private hire organisation and did not currently operate in East Suffolk. If Uber was to come into operation the company would be able to set their own fares.

On the proposition of Councillor Candy seconded by Councillor Hammond it was by unanimous vote

RESOLVED

1. That the proposal for the increase to the hackney carriage fare tariff for the south of the district be approved.
2. That authority be delegated to the Licensing Manager and Housing Lead Lawyer, in consultation with the Cabinet Member with responsibility for Community Health, to determine any objection to the proposal arising out of the public consultation.

14 Exempt/Confidential Items

On the proposition of Councillor Ashton, seconded by Councillor Hammond, it was by a unanimous vote

RESOLVED

That under Section 100A(4) of the Local Government Act 1972 (as amended) the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A of the Act.

15 Exempt Minutes

- Information relating to the financial or business affairs of any particular person (including the authority holding that information).
- Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.

16 Procurement of Planned Maintenance Contract

- Information relating to the financial or business affairs of any particular person (including the authority holding that information).

17 70 Shed, Oysterbed Road, The Docks, Felixstowe, Suffolk

- Information relating to the financial or business affairs of any particular person (including the authority holding that information).

The meeting concluded at 7:20pm

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Chair

Committee	Cabinet
Date	05/03/2024
Subject	Statutory five-year review assessment of the East Suffolk Council - Waveney Local Plan and Local Development Scheme update
Cabinet Member	Councillor Kay Yule Cabinet Member with responsibility for Planning and Coastal Management
Report Author(s)	Andrea McMillan Planning Manager (Policy, Delivery and Specialist Services) Andrea.mcmillan@eastsoffolk.gov.uk Laura Mundy Principal Planner (Policy and Delivery) Laura.mundy@eastsoffolk.gov.uk
Head of Service	Philip Ridley Head of Planning and Coastal Management Philip.ridley@eastsoffolk.gov.uk
Director	Nick Khan Strategic Director Nick.khan@eastsoffolk.gov.uk

Key Decision?	Yes
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

The East Suffolk Council - Waveney Local Plan was adopted on 20th March 2019. Regulation 10A of the Town and Country Planning (Local Planning) (England) Regulations 2012 introduced in 2017, states that local planning authorities must review their plans within five years from the date of adoption.

Review in this context means an assessment to determine whether a plan needs to be updated. The [National Planning Policy Framework](#) (December 2023) states that “Policies in local plans and spatial development strategies should be reviewed to assess whether they need updating at least once every five years, and should then be updated as necessary.” (paragraph 33).

Section 17 of the Planning and Compulsory Purchase Act 2004 requires local planning authorities to publish their reasons if they consider that no update is necessary.

A review assessment has been carried out and concludes that the policies are effective, and a local plan review is not considered to be necessary.

The report also considers the recommendation of the recent Overview and Scrutiny Committee meeting which is to “Review the Strategic Housing Market Assessment and Local Plan documents in relation to affordable housing supply sooner rather than later and include environmental sustainability.”

Whilst not a part of the review assessment of the Waveney Local Plan, the report also provides information on the forthcoming planning reforms and their likely implications for a future Local Plan review. Further, in response to the [Written Ministerial Statement](#) of the Secretary of State for Levelling Up, Housing and Communities dated 19th December 2023, an update to the Local Development Scheme has been prepared to set out the Council’s current position on plan-making, an indicative timescale for a future Local Plan and information on the preparation of other planning policy documents.

Recommendation(s)

That Cabinet:

1. Approves the content and conclusions of the review assessment of the East Suffolk Council – Waveney Local Plan (Appendix A of this report) and agrees that the Local Plan is effective and that a local plan update is not necessary.
2. Agrees that the review assessment of the East Suffolk Council – Waveney Local Plan (Appendix A of this report) be published.
3. Notes the information contained in this report relating to the forthcoming planning reforms.
4. Approves the Local Development Scheme (Appendix B of this report) and agrees to its publication, replacing the Council's existing Local Development Schemes, and that this will take effect from Friday 15th March 2024.
5. Authorises the Head of Planning and Coastal Management, in consultation with the Cabinet Member with responsibility for Planning and Coastal Management, to make any presentational and typographical changes to the Waveney Local Plan review assessment and the Local Development Scheme prior to them being published.
6. Notes the recommendations of the Overview and Scrutiny Committee meetings of 19th October 2023 and 16th November 2023 (as set out in paragraph 2.38 of this report), and that the approval of the Local Development Scheme (Appendix B) setting out an indicative timeline for a future local plan review responds to this recommendation.

Strategic plan

How does this proposal support Our Direction 2028?

Environmental Impact

The review assessment (Appendix A) considers the policies in relation to the Environmental Impact aims of Our Direction 2028, where applicable.

The East Suffolk Council – Waveney Local Plan contains many policies which are broadly aligned with the ambitions of the Environmental Impact theme of Our Direction 2028, including:

WLP1.1 Scale and Location of Growth (focuses development largely into the main urban areas, one aim of which is to reduce reliance on the private car)

WLP8.21 Sustainable Transport

WLP8.26 Relocation and Replacement of Development Affected by Coastal Change

WLP8.27 Renewable and Low Carbon Energy

WLP8.28 Sustainable Construction

WLP8.34 Biodiversity and Geodiversity

WLP8.35 Landscape Character

WLP8.37 Historic Environment

	<p>The Local Plan was informed by a robust Strategic Environmental Assessment and was also subject to assessment under the Habitats Regulations.</p>
Sustainable Housing	<p>The review assessment (Appendix A) considers the policies in relation to the Sustainable Housing aims of Our Direction 2028, where applicable.</p> <p>The East Suffolk Council – Waveney Local Plan contains policies to support the delivery of a mix of housing, including affordable homes, self and custom build homes and housing for older people. This includes site allocations for residential development, and the identification of the infrastructure needed to support the delivery of those homes.</p> <p>Policies such as WLP8.28 Sustainable Construction act alongside the housing policies, and the Council has prepared a number of Supplementary Planning Documents to aid the implementation of the plan, such as on Affordable Housing, Sustainable Construction and Healthy Environments (the latter currently under preparation).</p>
Tackling Inequalities	<p>The review assessment (Appendix A) considers the policies in relation to the Tackling Inequalities aims of Our Direction 2028, where applicable.</p> <p>The East Suffolk Council – Waveney Local Plan was subject to an Equalities Impact Assessment as part of its preparation. The Local Plan recognises that in particular Lowestoft has high levels of deprivation and sets out a vision and policies to seek to address this including through encouraging investment into the town. Policies on affordable housing are delivering homes to help to meet needs, with 554 new affordable homes developed in the Waveney Local Plan area between 1.4.2014 and 31.3.2023 (the plan period so far).</p>
Thriving Economy	<p>The review assessment (Appendix A) considers the policies in relation to the Thriving Economy aims of Our Direction 2028, where applicable.</p> <p>The Thriving Economy theme of Our Direction 2028 refers to ensuring that Local Plans work for local people through a vision to provide affordable housing, good public services and a healthy environment. The East Suffolk Council – Waveney Local Plan contains policies aligned with this such as WLP8.2 Affordable Housing and WLP8.30 Design of Open Spaces. The Infrastructure Delivery Framework, which is an integral part of the plan, informs the delivery of infrastructure to support the growth planned for in the plan.</p>
Our Foundations / governance of the organisation	<p>The delivery of the East Suffolk Council – Waveney Local Plan (along with the delivery of the East Suffolk Council – Suffolk Coastal Local Plan) is continually monitored, and this is reported each year through the publication of the Authority Monitoring Report. Data on delivery of the Local Plans is available digitally,</p>

including through the recent publication of the Planning Delivery Dashboard.

The Local Plan preparation involved significant and extensive public consultation, including consultation on Issues and Options, consultation on a first draft plan, consultation on a final draft plan and a consultation on 'main modifications' as part of the Examination. Implementation of the Local Plan has included the preparation of a number of Supplementary Planning Documents and the East Suffolk Cycling and Walking Strategy which have involved further public consultations.

The preparation of the Local Plans was overseen by cross-party Local Plan Working Groups. Many actions associated with implementation of the Local Plans, such as the preparation of Supplementary Planning Documents, continue to be overseen by Local Plan Working Group.

A draft of the East Suffolk Council – Waveney Local Plan review assessment at Appendix A has been considered by the Local Plan Working Group.

Justification for recommendations

1. Background

- 1.1. The East Suffolk Council – Waveney Local Plan was adopted on 20th March 2019. The Local Plan covers the period 2014 – 2036 and sets out a strategy and policies to guide development in the former Waveney area (outside of the Broads).
- 1.2. The East Suffolk Council – Waveney Local Plan forms a part of the development plan for East Suffolk, along with the East Suffolk Council – Suffolk Coastal Local Plan which was adopted on 23rd September 2020, ‘made’ Neighbourhood Plans and the Minerals and Waste Local Plan prepared by Suffolk County Council. The Broads Authority prepare their own Local Plan, as the planning authority for their area.
- 1.3. Regulation 10A of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended), states that local planning authorities must review their plans every five years from the date of adoption. Section 17 of the Planning and Compulsory Purchase Act 2004 requires them to publish their reasons if they consider that no update is necessary.
- 1.4. The National Planning Policy Framework (NPPF) (2023) states that “Policies in local plans and spatial development strategies should be reviewed to assess whether they need updating at least once every five years, and should then be updated as necessary.” (paragraph 33).
- 1.5. The word ‘review’ in the context of the 2004 Act and the 2012 Regulations therefore relates to the process of considering whether a plan needs to be updated.
- 1.6. A review of the Waveney Local Plan, to consider whether it needs to be updated, needs to be undertaken by 20th March 2024. There is no requirement at present to undertake the same assessment of the Suffolk Coastal Local Plan, which is only around three and a half years old.
- 1.7. At its meetings on 19th October 2023 and 16th November 2023, the Council’s Overview and Scrutiny Committee considered items entitled ‘Review of Affordable Housing Planning Requirements’ and ‘Review of the Provision of Social Housing in East Suffolk’, respectively. Due to the related nature of the two items, the Recommendations of both of the Committee meetings were set at the November meeting. This included the following recommendation:

“Review the Strategic Housing Market Assessment and Local Plan documents in relation to affordable housing supply sooner rather than later and include environmental sustainability.”
- 1.8. On 19th December 2023, the Secretary of State for Levelling Up, Housing and Communities published a Ministerial Statement entitled [‘The next stage in our long term plan for housing update’](#). In this Ministerial Statement the Secretary of State stated that he expects all local planning authorities to provide a copy of their up to date Local Plan

timetables to him within 12 weeks (i.e. by 12th March). It is therefore timely to cover this alongside the review assessment of the Waveney Local Plan within this report.

2. Introduction

East Suffolk Council Waveney Local Plan – statutory five year review assessment

- 2.1 As stated above, the East Suffolk Council – Waveney Local Plan forms a part of the development plan. The development plan is the starting point for the consideration of planning applications and legislation requires that applications be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF emphasises the importance of the plan-led system to development stating that “the planning system should be genuinely plan-led.” (para 15).
- 2.2 The Waveney Local Plan covers the period 2014 – 2036. The Local Plan sets out a vision, strategic objectives and priorities, a strategy for growth including an approach for main towns and for the rural areas, site allocations to meet needs, and a comprehensive suite of development management policies on a range of topics including affordable housing, employment development, climate change, sustainable transport, community services and facilities, design, natural environment and historic environment. The Local Plan also contains an Infrastructure Delivery Framework, setting out the infrastructure that will support planned growth, and a Monitoring Framework to guide how the implementation of the Local Plan is monitored.
- 2.3 The preparation of the Local Plan was underpinned by a comprehensive and robust evidence base covering a wide range of topics such as housing needs, economic needs, viability, transport assessment, sustainability appraisal and habitats regulations assessment.
- 2.4 The preparation of the Local Plan took almost four years, and involved four rounds of public consultation (Issues and Options, First Draft Local Plan, Final Draft Local Plan and, during the Examination, Main Modifications consultation).
- 2.5 The Local Plan was subject to a rigorous Examination by an independent planning Inspector, who considered the representations and evidence as well as national policy and legal compliance, before concluding that the plan was ‘sound’ (subject to modifications which were made upon adoption).
- 2.6 To support the implementation of the Local Plan, the Council has adopted eight [Supplementary Planning Documents](#) since adoption of the Plan, on topics such as Affordable Housing, Sustainable Construction, Historic Environment and Coastal Adaptation. A further three are currently under preparation covering Rural Development, Custom and Self Build Housing and Healthy Environments, and a Planning Position Statement is currently being prepared to support the delivery of the Kirkley Waterfront and Sustainable Urban Neighbourhood strategic site.
- 2.7 Monitoring of the Local Plan is reported each year through the [Authority Monitoring Report](#), and key data is now also provided on the new [Planning Delivery Dashboard](#).
- 2.8 Local Plans must look ahead at least 15 years from the point of adoption, and it is inevitable that there will be changes over that time. Therefore, plans are written to have a degree of flexibility to respond to changing circumstances. Equally, it isn’t expected

that an authority would wait until the end of the Local Plan period before reviewing a plan (2036 in this case), hence the provision for reviewing and monitoring throughout.

- 2.9 Over time national policy changes and other changed circumstances can become weightier material considerations. Paragraph 11 of the NPPF sets out how decisions should be taken where any relevant local plan policies are considered 'out of date' – stating that the 'presumption in favour of sustainable development' would apply under which planning permission should be granted unless “the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole”. Having an up to date local plan in place is therefore important in ensuring that the plan-led approach to development can be maintained. This also provides a degree of certainty to communities, developers and other organisations, such as infrastructure providers, about where development is expected to come forward and what is required of that development.
- 2.10 In terms of the review assessment, the National Planning Policy Framework (NPPF) (2023) states that “Policies in local plans and spatial development strategies should be reviewed to assess whether they need updating at least once every five years, and should then be updated as necessary.” Further guidance is provided in the national [Planning Practice Guidance on Plan Making](#). The Planning Advisory Service have also provided tools to assist with undertaking an assessment. There is however no prescribed way in which an assessment must be carried out.
- 2.11 The review assessment of the East Suffolk Council – Waveney Local Plan is contained at Appendix A of this report. This comprises consideration of the Local Plan against key factors, using the Planning Advisory Service template, supported by an assessment of each Local Plan policy. Whether or not a policy is up to date is not a matter of chronology and it is important to acknowledge that the focus of the assessment is on the effectiveness of the policies, not solely on whether anything has changed.
- 2.12 The Planning Practice Guidance sets out a list of factors that can be considered. These are:
- conformity with national planning policy;
 - changes to local circumstances; such as a change in Local Housing Need;
 - their Housing Delivery Test performance;
 - whether the authority can demonstrate a 5 year supply of deliverable sites for housing;
 - whether issues have arisen that may impact on the deliverability of key site allocations;
 - their appeals performance;
 - success of policies against indicators in the Development Plan as set out in their Authority Monitoring Report;
 - the impact of changes to higher tier plans;
 - plan-making activity by other authorities, such as whether they have identified that they are unable to meet all their housing need;
 - significant economic changes that may impact on viability.; and
 - whether any new social, environmental or economic priorities may have arisen.

Each of these factors has been considered in the accompanying tables in Appendix A of this report. However, it is not the case that any one of these factors would automatically lead to a conclusion of the need to update a plan – they inform a judgement as to whether policies are effective.

- 2.13 There is no requirement to consult on the assessment, which is largely a technical exercise. However, in line with the guidance in the Planning Practice Guidance, under the Duty to Cooperate officers have engaged with local planning authorities that adjoin the Waveney Local Plan area, and any matters raised have been captured in the assessment in Appendix A where relevant.
- 2.14 The assessment has been undertaken using the Planning Advisory Service’s review toolkit. Whilst there is no prescribed way in which the assessment must be carried out, a number of authorities have used this toolkit and it provides a helpful framework for considering matters that would be pertinent to a local plan review.
- 2.15 A key purpose behind the five year review relates to housing needs and delivery. Paragraph 33 of the NPPF refers explicitly to the local housing need figure – “Relevant strategic policies will need updating at least once every five years if their applicable local housing need figure has changed significantly; and they are likely to require earlier review if local housing need is expected to change significantly in the near future.” The Waveney Local Plan sets a housing requirement of delivering at least 374 dwellings per year, based on the Objectively Assessed Need assessed in the Strategic Housing Market Assessment which was a key evidence document underpinning the Local Plan. The standard method for calculating housing need was introduced in the 2018 National Planning Policy Framework. For the Waveney Local Plan area the local housing need has been consistently slightly higher or slightly lower than the 374 requirement in the Local Plan, and is therefore not considered to have changed significantly. As at 1.2.2024, the local housing need figure for the Waveney area is 388 dwellings per year, as calculated using the national standard methodology. In terms of future housing need, it is understood that the Government will review the approach to assessing housing need once the new household projections based on the 2021 Census are produced, currently expected to be during 2025.
- 2.16 The latest [Housing Delivery Test](#) result for East Suffolk is 104% (2022 result published December 2023).
- 2.17 The latest update to the Council’s [Housing Land Supply Statement](#) (published November 2023) shows that the Council can demonstrate a five year supply of deliverable sites, with the Waveney Local Plan area having a 5.62 year supply.
- 2.18 The above factors, Housing Delivery Test performance and five year supply, are key considerations in determining for decision making purposes whether policies relating to the provision of housing are out of date, under paragraph 11 of the NPPF, whereby a Housing Delivery Test result of below 75% or the lack of a five year supply would render policies relating to the provision of housing out of date. This is not the case in East Suffolk.
- 2.19 It is acknowledged however that the annual requirement of 374 dwellings per year for the Waveney Local Plan area has not been met in any year. There have been wider

issues affecting the development sector such as the Covid pandemic, high inflation, some significant cost increases for (and availability of) materials. Five years following adoption, the plan is however still relatively early into its lifetime in terms of delivery (i.e. housing completions resulting from the Plan). Paragraph 1.7 of the Local Plan explains that the level of housing planned for in this plan is significantly higher than the previous plan and represents a significant step change, from the 290 dwellings per year requirement in the previous plan. The plan acknowledges that it will be challenging to remedy the shortfall from the start of the plan period in 2014 within the first five years following adoption. This position is reflected in the delivery figures over the plan period to date, as set out in the review assessment in Appendix A to this report, and is therefore not surprising.

- 2.20 Much of the housing in the Plan is expected to come forward on strategic sites including the Beccles and Worlingham Garden Neighbourhood, North of Lowestoft Garden Village, Land South of the Street Carlton Colville, and the Kirkley Waterfront and Sustainable Urban Neighbourhood. As strategic sites, these sites will have relatively long lead in times from adoption of the Plan. The Housing Land Supply Statement sets out the current position in relation to the sites, with some completions anticipated in the next five years. The Council's Major Sites team provides a dedicated resource to support these sites coming forward. The Council has recently begun the preparation of a planning position statement, including through regular engagement with the landowners, to bring forward delivery of the brownfield Kirkley Waterfront site (the Council is also part-owner of this site). The Masterplanning process for both Beccles and Worlingham Garden Neighbourhood and North of Lowestoft Garden Village has begun, ahead of future planning applications for those new communities.
- 2.21 Of the site allocations excluded from the 5 year supply in the Housing Land Supply Statement, in most cases this relates to lack of evidence or an expectation that completions will take place beyond five years and for the most part it is still expected that these sites will come forward in the plan period. The Housing Land Supply identifies 78 dwellings on major sites with full permission excluded from the supply and 70 on small sites with permission excluded. These dwellings may still come forward, however if they don't this is a small proportion of the total requirement and easily accounted for within the buffer. Windfall also makes up part of the future housing supply, on top of the 12% buffer in the local plan, and we have seen an average of 58 windfall completions per year of the type that would be supported by policies in the plan, over the past five years (to 31.3.2023). If that was extrapolated forward, we could forecast that windfalls will provide in the region of an additional 750 dwellings between 2023 and 2036.
- 2.22 The Council's [Housing Action Plan](#) provides a means to assess any issues with sites coming forward and to consider any suitable actions to address this. An update to the Housing Action Plan is currently being prepared.
- 2.23 Appeals performance data shows that 11 out of 13 appeals in the Waveney Local Plan area were dismissed in the 2022/23 year (85%) indicating that the policies are performing well on appeal.

- 2.24 East Suffolk Council adopted a new Strategic Plan 'Our Direction 2028' in November 2023, following the establishment of a new Administration in May 2023. Our Direction 2028 sets out four key themes which are – Environmental Impact, Sustainable Housing, Tackling Inequalities and Thriving Economy. The Local Plan complements the ambitions set out in the Strategic Plan in many respects, including through the provision of affordable housing, delivery of sustainable transport infrastructure, preserving heritage and enhancing biodiversity.
- 2.25 The Council seeks to be ambitious in addressing climate change, including through the 2019 Climate Emergency as well as the new 'Our Direction 2028' Strategic Plan. The Local Plan is not inconsistent with this including through policies on, for example, flood risk, sustainable construction and sustainable transport, along with associated guidance such as the [Sustainable Construction Supplementary Planning Document](#) (April 2022) and the [Cycling and Walking Strategy](#) (November 2022). Alongside the Local Plan, higher requirements on energy efficiency in new buildings are being introduced through the Future Homes Standards, implemented through the Building Regulations.
- 2.26 The Environment Act has introduced mandatory 10% Biodiversity Net Gain for new developments, applying initially to major development from February 2024 and subsequently to smaller developments from April 2024 (some developments will be exempt). This will act alongside the Waveney Local Plan policies on biodiversity, and new policy is not needed to implement this requirement.
- 2.27 The assessment shows that, whilst there are some policies where future updates would be desirable, none of these are considered to be necessary at the present time and through the application of planning judgement these policies remain effective and the plan can continue to provide a robust plan-led approach to development.
- 2.28 The assessment will be a relevant material consideration in taking decisions on planning applications, in particular in the small number of cases where it outlines that changes to a policy or a part of a policy would be desirable. To assist, the assessment indicates where other considerations may be relevant such as through reference to other relevant policies in the plan.
- 2.29 The conclusions of the assessment will also be relevant to future Housing Land Supply and Housing Delivery Test calculations.
- 2.30 Housing Land Supply calculations are undertaken by the Council annually in accordance with the policy contained in the NPPF and guidance contained in the [PPG on Housing Supply and Delivery](#). If a five year supply cannot be demonstrated, for decision taking on planning applications involving housing provision the 'presumption in favour of sustainable development' would apply under paragraph 11 of the NPPF. Under recent revisions to the NPPF, it is no longer a requirement to demonstrate a five year supply of housing land where a local plan is less than five years old. This new provision will not apply to the Waveney Local Plan area from 20th March 2024, and therefore for the Waveney Local Plan area this provision has been short-lived, only applying from 19th December 2023. From 20th March it will therefore be necessary to continue to demonstrate a five year supply of housing and to update this annually. Paragraph 77 of the NPPF states that "The supply should be demonstrated against either the housing

requirement set out in adopted strategic policies, or against the local housing need where the strategic policies are more than five years old”, with footnote 42 adding that “Unless these strategic policies have been reviewed and found not to require updating. Where local housing need is used as the basis for assessing whether a five year supply of specific deliverable sites exists, it should be calculated using the standard method set out in national planning guidance”. The Housing Land Supply will continue to therefore be assessed, as currently, against the housing requirement of 374 dwellings per year (with appropriate consideration given to past under supply).

- 2.31 The Housing Delivery Test is calculated each year by the Government, following the approach set out in the [Housing Delivery Test Rule Book](#). The consequences are that – result below 95% - preparation of housing action plan; result below 85% - application of 20% buffer in housing land supply assessment; result below 75% - presumption in favour of sustainable development would apply to applications relating to housing provision under paragraph 11 of the NPPF. Where the latest adopted housing requirement is more than 5 years old, the figure used will be the minimum annual housing need figure, unless the strategic policies have been reviewed and found not to require updating. Following the conclusions of the five year review assessment, the latter will apply to the Waveney Local Plan area and the Housing Delivery Test will be calculated based on the housing requirement of 374 dwellings per year for the period from 20th March 2024 onwards.
- 2.32 The assessment highlights a number of ongoing areas of work which are important in ensuring the effective implementation of the Local Plan, including the preparation of Supplementary Planning Documents, maintaining and updating the Housing Action Plan and the preparation of an Employment Land Action Plan.
- 2.33 East Suffolk Council was formed on 1st April 2019, covering the area of the former Suffolk Coastal District Council and former Waveney District Council. This assessment relates to the Waveney Local Plan to meet regulatory requirements as it is approaching its fifth anniversary of adoption. It should be noted that any reference to future updates does not imply that the Council would prepare future Local Plans on the basis of former authority boundaries, and it is expected that a future Local Plan would cover the East Suffolk area (outside of the Broads) (see section of report below on Local Development Scheme and future Local Plan preparation).
- 2.34 The assessment has been undertaken at a point in time, and officers will continue to monitor the effectiveness of policies and the delivery of the local plan.

Future reforms of the planning system

- 2.35 Whilst there is a requirement to review a local plan to consider whether it needs to be updated within five years of adoption, in theory a local authority can decide to prepare a Local Plan at any time regardless of whether the current local plan has been identified as being out of date or not. This report recommends that the East Suffolk Council – Waveney Local Plan remains effective and it is not necessary to update the plan.

- 2.36 Regardless of this, and noting that although not necessary some changes would be desirable, Cabinet should be aware of the current reforms to the planning system taking place, as this will have a bearing on the timing for preparing a new Local Plan.
- 2.37 The Government is currently proposing significant changes for Local Plan preparation and content, through the Levelling Up and Regeneration Act which received Royal Assent in October 2023. The reforms will include the introduction of National Development Management Policies which will have the same status as the development plan in decision making. The planning reforms set out in the Levelling Up and Regeneration Act are proposed to be implemented in Autumn 2024, subject to secondary legislation. Transitional arrangements are proposed under which any local plan being prepared under the current system would need to be submitted for Examination by 30 June 2025 and then adopted by 31 December 2026. Plans not submitted by that date would need to be prepared in the new format, with development management policies set nationally. Under the new regime, it is proposed that plans would be prepared within 30 months of starting (with an additional 4 months proposed to be allowed for early preparation and 3 months should there be a need for consultation on main modifications through the Examination). The deadline of June 2025, just under a year and a half away, would not provide sufficient time to prepare (including evidence collation and consultation) and submit a Local Plan. Officers anticipate further consultations to take place over coming months, and for new national policy and regulations to be published prior to the stated Autumn 2024 start date.

Overview and Scrutiny Committee - recommendations of the meetings dated 19th October 2023 and 16th November 2023

- 2.38 At its meetings on 19th October 2023 and 16th November 2023, the Council's Overview and Scrutiny Committee considered items entitled 'Review of Affordable Housing Planning Requirements' and 'Review of the Provision of Social Housing in East Suffolk', respectively. Due to the related nature of the two items, the Recommendations of both of the Committee meetings were set at the November meeting. This included the following recommendation:

"Review the Strategic Housing Market Assessment and Local Plan documents in relation to affordable housing supply sooner rather than later and include environmental sustainability."

- 2.39 The Strategic Housing Market Assessment (SHMA) was prepared in 2017, and relates to both the Suffolk Coastal Local Plan area (as part of the Ipswich Housing Market Area) and the Waveney Local Plan area (as its own Housing Market Area). The Strategic Housing Market Assessment was prepared in accordance with guidance contained in the NPPF and PPG in place at the time. The findings of the SHMA informed the policies in the Local Plans.

- 2.40 [Part 1](#) of the SHMA assessed the overall need for housing, to inform the housing requirement. For the Suffolk Coastal Local Plan, this assessment was superseded by the introduction of the Government's standard method for calculating local housing need with the latter ultimately informing the housing requirement in the Local Plan. As the Waveney Local Plan was prepared earlier and examined against the 2012 NPPF, the 'objectively assessed need' for housing identified in the SHMA informed the housing requirement of 374 dwellings per year. Under current national policy, the standard

method rather than a new SHMA would form the basis for assessing housing need in the future.

2.41 [Part 2](#) of the SHMA assessed the need for different types of housing. Paragraph 63 of the December 2023 NPPF sets out the Government’s overall current policy in relation to assessing the need for different types of housing:

“Within this context of establishing need, the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies. These groups should include (but are not limited to) those who require affordable housing; families with children; older people (including those who require retirement housing, housing-with-care and care homes); students; people with disabilities; service families; travellers; people who rent their homes and people wishing to commission or build their own homes.”

Whilst the requirement to prepare a document specifically called a Strategic Housing Market Assessment no longer exists, the need to establish the housing needs of different sectors of the population remains, and would be an important part of future Local Plan preparation.

2.42 The following amount of affordable housing has been delivered so far over the plan periods:

- Suffolk Coastal Local Plan – 1.4.2018 – 31.3.2023: Total housing completions 2,710, of which 639 are affordable homes = 24%.
- Waveney Local Plan – 1.4.204 – 31.3.2023: Total housing completions 2,156, of which 554 are affordable homes = 26%.

2.43 These figures relate to all housing development, not just sites of 10 or more dwellings (Suffolk Coastal Local Plan area) or sites of 11 or more (Waveney Local Plan area) that are required to provide a policy compliant percentage of affordable housing.

2.44 Both Local Plans over-allocate sites for housing development, and in the case of the Waveney Local Plan this is expressly stated as being to help to address the need for affordable housing.

2.45 The Recommendation refers to ‘including environmental sustainability’. Whilst this is a broad term, both Local Plans contain policies on Sustainable Construction (SCLP9.2 of the Suffolk Coastal Local Plan and WLP8.27 of the Waveney Local Plan), and a Sustainable Construction Supplementary Planning Document was adopted in April 2022, to support implementation of those policies in particular.

2.46 The recommendation refers to reviewing the SHMA and Local Plans sooner rather than later. Whilst there is not currently considered to be a need to review the SHMA, as the policies are performing well in terms of the delivery of housing and affordable housing, the section of this report on the Local Development Scheme and indicative future Local Plan timetable addresses this recommendation.

Local Development Scheme

2.47 On 19th December 2023, the Secretary of State for Levelling Up, Housing and Communities issued a Ministerial Statement entitled ‘[The next stage in our long term plan for housing update](#)’. Within this statement, alongside a direction to seven specific named planning authorities to send a copy of their Local Plan timetable to him within 12 weeks, he stated “...I expect all other authorities to make sure that they have an up-

to-date plan timetable in place within the same timeframe, with a copy provided to my department.” This has been reiterated in the recent [Chief Planners Newsletter](#) dated 30th January 2024. Informal advice from the Planning Advisory Service (a part of the Local Government Association) is that Local Development Schemes should be updated to comply with this expectation. A Local Development Scheme is required under the Planning and Compulsory Purchase Act 2004 when preparing development plan documents (i.e. Local Plans), to set out key information including the timetable. Government guidance is that these should be kept up to date, and the Government encourages local authorities to include details of other documents that form part of the development plan for the area such as Neighbourhood Plans. The Council’s [Local Development Schemes](#) were last prepared, as required, in 2018 relating the preparation of the now-adopted Waveney Local Plan and in 2015 (updated 2020) for the now-adopted Suffolk Coastal Local Plan.

- 2.48 To reflect the current Local Plan position outlined in this report, an updated Local Development Scheme is attached as Appendix B to this report, setting out that a review assessment of the Waveney Local Plan has taken place within the required timescale under Regulation 10A of the 2012 Regulations and this has found the Plan to be effective, and that an update is not necessary.
- 2.49 As set out above, the Council does not need to wait until it is considered necessary to review a plan to prepare a new Local Plan. The NPPF sets out the importance of maintaining up to date local plans. To provide clarity on the intention to prepare a Local Plan for East Suffolk, the Local Development Scheme therefore provides an indicative timetable for the preparation of a new East Suffolk Local Plan. This is subject to further detail of the planning reforms, in particular the timeframe within which the reforms will enable plan preparation to begin. The indicative timetable anticipates formally beginning a review in Spring/Summer 2025, prior to the Suffolk Coastal Local Plan reaching its fifth anniversary since adoption. This could be brought forward if the planning reforms allow, and will be kept under review. The timescales proposed for Local Plan preparation under the new system are challenging, with the Government proposing that new local plans should be prepared within 30 months (plus scoping and early participation and an additional 3 months for Examination where ‘main modifications’ consultation is needed). The Council’s two existing Local Plans each took around three and half to four years to prepare, and this involved significant commitment and momentum to meet this timetable (the Government has quoted that under the current system local plans take at least seven years on average to prepare).
- 2.50 In the meantime to inform commencement of a review, officers will work with Members to consider the scope and ambitions for a new Local Plan, informing early evidence gathering, detailed timetabling and the needs for resources. The Council’s cross-party Local Plan Working Group provides a forum for this, alongside wider forums for Members at appropriate points, as well as engagement with other service areas in the Council.
- 2.51 A key future consideration will be the resourcing of a new Local Plan. The preparation of the Council’s two current adopted Local plans cost over £700,000 in evidence base and Examination costs alone (excluding other important costs such as staff). This highlights the importance of ensuring that there is clarity and certainty on what is

required under a new planning system, to avoid abortive work. A reserve of £400,000 is held for the purposes of future Local Plan preparation, and an annual budget of £61,200 per annum for planning policy consultancy work is currently allocated within the Council's medium term financial strategy. However based on the costs of previous Local Plans and anticipating increased costs given the passage of time additional financial resource would be needed to fully fund a new Local Plan beyond the 2024/25 year. Early work would identify the resource needed and a further paper will be brought to Members at the appropriate time setting out the resource needed.

- 2.52 The evidence needed to inform a new Local Plan will cover a range of topics and is anticipated to include assessment of matters such as housing needs, employment needs, retail studies, and environmental matters such as flood risk and water supply. Engaging with adjoining planning authorities and other key stakeholders under the Duty to Co-operate (or replacement provision under the reforms) would take place throughout.
- 2.53 The preparation of the updated Local Development Scheme also responds to the recommendation of the Overview and Scrutiny Meeting at its meeting on 16th November 2023, set out in paragraphs 2.38 to 2.47 above.
- 2.54 Officers will keep under review the position and timetable for local plan preparation once further details of the national reforms are available.
- 2.55 Although not a requirement, we have also taken the opportunity to provide updates in the Local Development Scheme on the preparation of other key planning policy documents, such as Neighbourhood Plans and Supplementary Planning Documents. It is important to note that, since the adoption of the current Local Plans, the Council has invested significant effort in ensuring the right guidance and strategies are in place to support delivery of the Local Plans, such as Supplementary Planning Documents on a range of topics including affordable housing and sustainable construction, and the East Suffolk Cycling and Walking Strategy which is now being taken forward for implementation through the cross-party Cycling, Walking and Wheeling Working Group.
- 2.56 The Local Development Scheme also includes reference to the future preparation of a Design Code, under the forthcoming requirement of the Levelling Up and Regeneration Act for authorities to prepare a Design Code for their area.
- 2.57 The Local Development Scheme is attached at Appendix B, and will replace the previous Local Development Schemes referred to in paragraph 2.48 above, and be published on the Council's website. A copy of the updated Local Development Scheme will be provided to the Department for Levelling Up, Housing and Communities, as requested. Town and Parish Councils and neighbouring authorities will also be notified, in accordance with the Council's Statement of Community Involvement. The Local Development Scheme will take effect from Friday 15th March 2024, following the Cabinet call-in period, and in the interim DLUHC will be notified of the Cabinet papers.

3 Proposal

- 3.1 The Council has a statutory duty to review the East Suffolk Council – Waveney Local Plan to consider whether it needs to be updated, by 20th March 2024. This review has been undertaken as set out in Appendix A, and concludes that the Local Plan remains effective and that it is not necessary to begin a review at this time. It is proposed that this assessment is published on the Council’s website to meet the statutory requirements.
- 3.2 Cabinet are also asked to note the upcoming planning reforms, which will have a bearing on when work on a future Local Plan can begin.
- 3.3 Cabinet are also asked to approve the updated Local Development Scheme, setting out an indicative timetable for future preparation of an East Suffolk Local Plan.

4 Financial Implications

- 4.1 The cost of undertaking and publishing the East Suffolk Council – Waveney Local Plan review assessment is met through the current budget of the Planning Policy and Delivery Team.
- 4.2 The need for additional resources associated with preparing a new Local Plan would be subject to future reports and decisions. A reserve of £400,000 is held for the purposes of future Local Plan preparation, and an annual budget of £61,200 per annum for planning policy consultancy work is currently within the Council’s medium term financial strategy, however based on the costs of previous Local Plans (see paragraph 2.51 above) additional financial resource would be needed to fully fund a new Local Plan beyond the 2024/25 year. Early work on scoping a new Local Plan would identify the resource needed and this would be subject to a future decision.

5 Legal Implications

- 5.1 It is a requirement of the Planning and Compulsory Purchase Act 2004 to review a local plan prior to the fifth anniversary of it being adopted to consider whether it needs to be updated. Not undertaking and publishing the assessment would be a breach of the Council’s statutory duty in this regard.
- 5.2 There are also legal requirements related to the content of a Local Development Scheme, as set out in Section 15 of the Planning and Compulsory Purchase Act 2004. These have been complied with in the Local Development Scheme at Appendix B of this report.
- 5.3 Legal input has been provided to the Council in drafting this report, Waveney Local Plan Review Assessment and the Local Development Scheme.

6 Risk Implications

- 6.1 The risks associated with taking this decision lie primarily in any decision not to publish the review assessment. This would be a breach of the Council’s statutory duties. In a planning application appeal situation, an Inspector may give weight to the fact a review

had not been undertaken and would not have the benefit of the Council's assessment in coming to his or her own view on whether a policy is or is not out of date.

6.2 A further risk would lie in any decision not to update the Local Development Scheme and not to provide this to the Secretary of State for Levelling Up, Housing and Communities. This may cast doubt on whether the Council intends to prepare a new Local Plan in the future, and in the extreme the Secretary of State could intervene in the Council's plan making processes.

6.3 A risk assessment, using the Council's risk assessment framework, is included in the Local Development Scheme.

7 Options

7.1 The alternative option to the recommendation of this report is to not undertake and publish a review assessment. This is not considered a viable option given the statutory requirement to undertake this assessment.

7.2 Cabinet could also decide not to publish an updated Local Development Scheme. This would however fail to meet the expectations of the Secretary of State for Levelling Up, Housing and Communities.

8 Recommendations

8.1 That Cabinet:

1. Approves the content and conclusions of the review assessment of the East Suffolk Council – Waveney Local Plan (Appendix A of this report) and agrees that the Local Plan is effective and that a local plan update is not necessary.
2. Agrees that the review assessment of the East Suffolk Council – Waveney Local Plan (Appendix A of this report) be published.
3. Notes the information contained in this report relating to the forthcoming planning reforms.
4. Approves the Local Development Scheme (Appendix B of this report) and agrees to its publication, replacing the Council's existing Local Development Schemes, and that this will take effect from Friday 15th March 2024.
5. Authorises the Head of Planning and Coastal Management, in consultation with the Cabinet Member with responsibility for Planning and Coastal Management, to make any presentational and typographical changes to the Waveney Local Plan review assessment and the Local Development Scheme prior to them being published.
6. Notes the recommendations of the Overview and Scrutiny Committee meetings of 19th October 2023 and 16th November 2023 (as set out in paragraph 2.38 of this report), and that the approval of the Local Development Scheme (Appendix B) setting out an indicative timeline for a future local plan review responds to this recommendation.

9 Reasons for Recommendations

9.1 The reasons for the recommendations are:

- To meet the statutory requirement to review a local plan within five years from the date of adoption to consider whether it needs updating, and to publish the reasons if it is considered that no update is necessary;
- That based on the assessment contained in Appendix A, it is not necessary to commence an update to the East Suffolk Council – Waveney Local Plan.
- The forthcoming planning reforms should be noted given their relevance to considering the timing of a future Local Plan;
- The publication of the updated Local Development Scheme will address the expectations in the Ministerial Statement of 19th December 2023;
- To respond to the recommendations of the meetings of Overview and Scrutiny Committee on 19th October 2023 and 16th November 2023.

10 Conclusions/Next Steps

10.1 Should the decision be taken as recommended, the review assessment contained at Appendix A of this report will be published on the Council's website.

10.2 The updated Local Development Scheme contained at Appendix B will also be published on the Council's website, replacing the former Local Development Schemes as outlined in paragraph 2.48, and will also be provided to the Department of Levelling Up, Housing and Communities as the Council's current position. Town and Parish Councils and neighbouring authorities will also be notified, in accordance with the Council's Statement of Community Involvement.

10.3 The introduction of the planning reforms will be kept under review, and Members advised accordingly in relation to the implications and timing of future Local Plan preparation.

Areas of consideration comments

Section 151 Officer comments:

There are no budget impacts as a result of the recommendations in this report. As highlighted in Section 4, any financial implications associated with preparing a new Local Plan would be the subject of a separate report and decision.

Monitoring Officer comments:

The legal position is summarised in the report. There are no additional comments.

Equality, Diversity and Inclusion/EQIA:

An Equality Impact Assessment was undertaken as part of the preparation of the Waveney Local Plan. For the purpose of preparing this report, an Equality Impact Assessment has been undertaken the outcome of which is that the decision will not have equalities impacts. The assessment reference is EQIA584051664.

Safeguarding:

Not applicable

Crime and Disorder:

Policy WLP8.29 of the East Suffolk Council – Waveney Local Plan sets out that the design of development should take account of the need to promote public safety and deter crime and disorder.

Corporate Services implications:

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

Legal services officers have been consulted during the preparation of the review assessment and the report, but there are no identified impacts on the service arising from agreement to the recommendations in this report.

Residents and Businesses consultation/consideration:

There is no requirement to consult on the review assessment. However, residents and businesses were extensively consulted during the preparation of the Local Plan, and would also be extensively consulted as part of the preparation of any future Local Plan.

Appendices:

Appendix A	East Suffolk Council – Waveney Local Plan – Five year statutory review assessment (March 2024)
Appendix B	East Suffolk Local Development Scheme (March 2024)

Background reference papers:

Date	Type	Available From
2019	East Suffolk Council – Waveney Local Plan	Adopted-Waveney-Local-Plan-including-Erratum.pdf (eastsuffolk.gov.uk)
2023	National Planning Policy Framework	National Planning Policy Framework (publishing.service.gov.uk)
2023	Written Ministerial Statement – The Next Stage in our Long Term Plan for Housing Update	Written statements - Written questions, answers and statements - UK Parliament
2020	East Suffolk Council – Suffolk Coastal Local Plan	eastsuffolk.gov.uk/assets/Planning/Planning-Policy-and-Local-Plans/Suffolk-Coastal-Local-Plan/Adopted-Suffolk-Coastal-Local-Plan/East-Suffolk-Council-Suffolk-Coastal-Local-Plan.pdf
Various	Supplementary Planning Documents and other guidance	Supplementary Planning Documents and other guidance » East Suffolk Council
Various – most recent 2022/23	Authority Monitoring Reports, and Planning Delivery Dashboard	Open data, monitoring and housing supply » East Suffolk Council
2021	Planning Practice Guidance on Plan-Making	Plan-making - GOV.UK (www.gov.uk)
2023	2022 Housing Delivery Test result	Housing Delivery Test: 2022 measurement - GOV.UK (www.gov.uk)
2023	Housing Land Supply Statement	Housing Land Supply » East Suffolk Council
Various	Housing Action Plan	Housing Action Plan » East Suffolk Council
2023	East Suffolk Council Strategic Plan - 'Our Direction 2028'	East Suffolk Strategic Plan » East Suffolk Council
2022	East Suffolk Cycling and Walking Strategy	East Suffolk Cycling and Walking Strategy » East Suffolk Council
2024	Planning Practice Guidance on Housing Supply and Delivery	Housing supply and delivery - GOV.UK (www.gov.uk)
2018	Housing Delivery Test Rule Book	Housing Delivery Test Rule Book
2017	Strategic Housing Market Assessment Part 1	Strategic-Housing-Market-Assessment-Part-1.pdf (eastsuffolk.gov.uk)
2012	National Planning Policy Framework (now superseded)	[ARCHIVED CONTENT] UK Government Web Archive - The National Archives
2017	Strategic Housing Market Assessment Part 2	Microsoft Word - SHMA Pt2 24th May - ERRATA (eastsuffolk.gov.uk)
2024	DLUHC Chief Planner Newsletter	Planning newsletter 30 January 2024 (publishing.service.gov.uk)
2018	Waveney Local Development Scheme	CONTENTS (eastsuffolk.gov.uk)
2015 (updated 2020)	Suffolk Coastal Local Plan Local Development Scheme	CONTENTS (eastsuffolk.gov.uk)
2021	East Suffolk Statement of Community Involvement	Statement-of-Community-Involvement.pdf (eastsuffolk.gov.uk)
2024	Equalities Impact Assessment ref EQIA584051664	By request to andrea.mcmillan@eastsuffolk.gov.uk

East Suffolk Council - Waveney Local Plan Statutory 5 year Review Assessment



March 2024

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Introduction

The East Suffolk Council - Waveney Local Plan was adopted on 20th March 2019. Regulation 10A of the Town and Country Planning (Local Planning) (England) Regulations 2012 introduced in 2017, states that local planning authorities must review their plans within five years from the date of adoption.

Review in this context means an assessment to determine whether updates to the plan are currently necessary. The National Planning Policy Framework (2023) states that “Policies in local plans and spatial development strategies should be reviewed to assess whether they need updating at least once every five years, and should then be updated as necessary.”

The Council has completed the review assessment using the Planning Advisory Service (PAS) Toolkit Part 1, supported by an assessment of each policy contained in the Waveney Local Plan.

The review assessment was agreed by Cabinet on 5th March 2024, and concludes that an update is not required at the present time.

PAS Local Plan Route Mapper Toolkit Part 1: Local Plan Review Assessment

	Matters to consider	Agree / Disagree	Extent to which the local plan meets this requirement
A	PLAN REVIEW FACTORS		
A1.	<p>The plan policies still reflect current national planning policy requirements.</p> <p>PROMPT: As set out above in the introductory text, in providing your answer to this statement consider if the policies in your plan still meet the ‘content’ requirements of the current NPPF, PPG, Written Ministerial Statements and the National Model Design Code (completing Part 2 of the toolkit will help you determine the extent to which the policies in your plan accord with relevant key requirements in national policy).</p>	Agree	<p>Reason (with reference to plan policies, sections and relevant evidence): The policies have been considered in relation to the most recent National Planning Policy Framework (NPPF) (December 2023), as well as changes in the national Planning Practice Guidance (PPG) and Written Ministerial Statements, and other national policy as appropriate including the National Model Design Code.</p> <p>The Waveney Local Plan was prepared and examined under the 2012 NPPF and whilst there have been changes to the policies in the NPPF, the overall aims of the NPPF remain consistent with the Waveney Local Plan. Any relevant areas of change are explained in answering the questions in this matrix, and identified against individual policies in the detailed assessment table at Appendix A where relevant.</p> <p>A key area of change in national policy is the introduction of the standard method for calculating local housing need, which was initially introduced in the 2018 NPPF. However, over this time the local housing need has remained very similar to the housing requirement of 374 dwellings per year contained in the Waveney Local Plan, either slightly above or slightly below (as at 1.2.2024 the housing need calculated under the standard method was 388 dwellings per year). This is considered in more detail under A2 below.</p>
A2.	<p>There has not been a <u>significant</u> change in local housing need numbers from that specified in your plan (accepting there will be some degree of flux).</p>	Agree	<p>Reason (with reference to plan policies, sections and relevant evidence sources):</p>

	Matters to consider	Agree / Disagree	Extent to which the local plan meets this requirement
	<p>PROMPT: Look at whether your local housing need figure, using the standard methodology as a starting point, has gone up significantly (with the measure of significance based on a comparison with the housing requirement set out in your adopted local plan).</p> <p>Consider whether your local housing need figure has gone down significantly (with the measure of significance based on a comparison with the housing requirement set out in your adopted local plan). You will need to consider if there is robust evidence to demonstrate that your current housing requirement is deliverable in terms of market capacity or if it supports, for example, growth strategies such as Housing Deals, new strategic infrastructure investment or formal agreements to meet unmet need from neighbouring authority areas.</p>		<p>As stated above, the local housing need has remained very similar to the housing requirement of 374 dwellings per year contained in the Waveney Local Plan, either slightly above or slightly below (as at 1.2.2024 the housing need calculated under the standard method was 388 dwellings per year). The calculations for each year from the adoption of the Local Plan are set out at Appendix B.</p> <p>The Council have consulted the authorities adjoining the Waveney Local Plan area¹ through the Duty to Co-operate and through that ongoing liaison the Council is not aware of any unmet needs at this time. There are no agreements in place to meet any unmet demand from adjoining authorities. The housing requirement of 8,223 dwellings over the plan period includes the part of the Waveney Local Plan area in the Broads (who produce their own Local Plan). The adopted Broads Local Plan identifies a figure of 57 in the Waveney part of the Broads over the whole plan period 2015-2036. This forms part of the objectively assessed need and housing delivered in the Broads will meet this part of the need. The Broads Authority are currently reviewing their Local Plan, however given the relatively small contribution made by housing delivery in the Broads it is not expected that this would lead to any significant effects on meeting the Waveney requirement.</p> <p>There is no evidence to suggest that over the plan period the Local Plan housing requirement is not deliverable. Since the adoption of the Local Plan, housing completions have been rising overall (barring years impacted by Covid). The plan contains an over-allocation of 12% to provide a buffer against some sites not coming forward or coming forward more slowly than anticipated.</p>

¹ The Broads Authority, Great Yarmouth Borough Council, Mid Suffolk District Council, Norfolk County Council, South Norfolk District Council and Suffolk County Council.

	Matters to consider	Agree / Disagree	Extent to which the local plan meets this requirement
A3.	<p>You have a 5-year supply of housing land</p> <p>PROMPT: Review your 5-year housing land supply in accordance with national guidance including planning practice guidance and the Housing Delivery Test measurement rule book</p>	Agree	<p>Reason (with reference to plan policies, sections and relevant evidence sources):</p> <p>The Housing Land Supply as at 31.3.2023² was published in November 2023. This demonstrates there is a 5.62 year supply of deliverable housing land in the Waveney Local Plan area. The latest NPPF and recent changes to the PPG on Housing Supply and Delivery post-date the publication of the Housing Land Supply assessment. The changes introduced the removal of the 5% buffer in the calculations, with the only buffer requirement now being to apply 20% where the latest Housing Delivery Test result is below 85% (this is not the case for East Suffolk). This change would have a positive effect on the land supply figure.</p>
A4.	<p>You are meeting housing delivery targets</p> <p>PROMPT: Use the results of your most recent Housing Delivery Test, and if possible, try and forecast the outcome of future Housing Delivery Test findings. Consider whether these have/are likely to trigger the requirement for the development of an action plan or trigger the presumption in favour of sustainable development. Consider the reasons for this and whether you need to review the site allocations that your plan is reliant upon. In doing so you need to make a judgement as to whether updating your local plan will support</p>	Agree	<p>The toolkit refers to the Government's measure of housing delivery. The most recent result for East Suffolk was 104% (2022 result published in December 2023).</p> <p>Figures for housing delivery in the Waveney Local Plan area are set out below. Whilst the annual requirement of 374 dwellings per year has not been met, it is evident that following the adoption of the plan in 2019 completions have begun to increase in recent years, whilst also recognising that the housing requirement in the current Local Plan is significantly higher than in the previous Local Plan of 290 dwellings per year. Wider matters beyond the Local Plan have had an impact on housing delivery including the Covid pandemic, high inflation, some</p>

² <https://www.eastsuffolk.gov.uk/planning/planning-policy-and-local-plans/open-data/housing-land-supply/>

	Matters to consider	Agree / Disagree	Extent to which the local plan meets this requirement
	<p>delivery or whether there are other actions needed which are not dependent on changes to the local plan.</p>		<p>significant cost increases for (and availability of) materials. Although not necessary as the Housing Delivery Test has been passed, the Council updates its Housing Action Plan each year to identify ways in which the Council can further support the delivery of housing.</p> <p>Housing Delivery since start of Local Plan period to date (number of dwellings):</p> <p>2014/15 – 136 2015/16 – 135 2016/17 – 264 2017/18 – 284 2018/19 – 297 2019/20 – 156 2020/21 – 201 2021/22 – 323 2022/23 – 360</p> <p>There is therefore a total shortfall of 1,210 dwellings against the requirement as at 31.03.2023. Five years following adoption, the plan is still relatively early into its lifetime in terms of delivery (i.e. housing completions resulting from the Plan). Paragraph 1.7 of the Local Plan explains that the level of housing planned for in this plan is significantly higher than the previous plan and represents a significant step change. The plan acknowledges that it will be challenging to remedy the shortfall from the start of the plan period (in 2014) within the first five years following adoption. This position is reflected in the figures above, and is therefore not surprising. Much of the housing in the Plan is expected to come forward on strategic sites including the Beccles and Worlingham Garden Neighbourhood, North of Lowestoft Garden Village, Land South of the Street Carlton Colville, and the Kirkley Waterfront and Sustainable Urban Neighbourhood. As strategic sites, these sites will have relatively long lead in times from adoption of the Plan. The Housing Land Supply Statement sets out the current position</p>

	Matters to consider	Agree / Disagree	Extent to which the local plan meets this requirement
			<p>in relation to the sites, with some completions anticipated in the next five years. The Council's major sites team provides a dedicated resource to support these sites coming forward. The Council has recently begun the preparation of a planning position statement, including through regular engagement with the landowners, to bring forward delivery of the brownfield Kirkley Waterfront site (the Council is also part-owner of this site). Of the site allocations excluded from the 5 year supply in the Housing Land Supply Statement, in most cases this relates to lack of evidence or an expectation that completions will take place beyond five years and for the most part it is still expected that these sites will come forward in the plan period.</p> <p>The Housing Land Supply Statement identifies 78 dwellings on major sites with full permission excluded from the supply and 70 on small sites with permission excluded. These dwellings may still come forward, however if they don't this is a small proportion of the total requirement and easily accounted for within the buffer.</p> <p>Windfall also makes up part of the future housing supply, on top of the 12% buffer in the local plan, and we have seen an average of 58 windfall completions per year of the type that would be supported by policies in the plan, over the past five years (to 31.3.2023). If that was extrapolated forward, we could forecast that windfalls will provide in the region of an additional 750 dwellings between 2023 and 2036.</p>
A5.	<p>Your plan policies are on track to deliver other plan objectives including any (i) affordable housing targets including requirements for First Homes; and (ii) commercial floorspace/jobs targets over the remaining plan period.</p> <p>PROMPT: Use (or update) your Authority Monitoring Report to assess delivery.</p>	Agree	<p>Affordable housing</p> <p>Policy WLP8.2 of the Waveney Local Plan sets out the following affordable housing requirements:</p> <ul style="list-style-type: none"> • 20% in Lowestoft and Kessingland (excluding Corton) • 40% in Southwold and Reydon • 30% elsewhere <p>Affordable housing is being delivered, as shown in the figures below. The Local Plan acknowledges that to meet the full identified needs for</p>

	Matters to consider	Agree / Disagree	Extent to which the local plan meets this requirement
			<p>affordable housing of 208 dwellings per year (as evidenced in the Strategic Housing Market Assessment) would not be viable.</p> <p>Housing completions (number of affordable dwellings in brackets):</p> <ul style="list-style-type: none"> • 2014/15 – 136 (24 affordable) • 2015/16 – 135 (13 affordable) • 2016/17 – 264 (88 affordable) • 2017/18 – 284 (120 affordable) • 2018/19 – 297 (89 affordable) • 2019/20 – 156 (25 affordable) • 2020/21 – 201 (42 affordable) • 2021/22 – 323 (111 affordable) • 2022/23 – 360 (42 affordable) <p>26% of all dwellings completed between 2014-23 were affordable housing (554 of 2,156 new homes), demonstrating that affordable housing is being delivered under WLP 8.2. The figure of 26% relates to the proportion of <i>all</i> housing completions, which will include those on sites of 10 or fewer dwellings where affordable housing is not required by policy.</p> <p>Whilst policy WLP8.2 includes provision for the level and tenure of affordable housing to be varied in exceptional circumstances, in reality this part of the policy is only vary rarely applied.</p> <p>Policy WLP8.2 expects 50% of affordable housing provided on a residential sites to be affordable rent, with the policy not specifying a tenure for the remaining 50%. Therefore the First Homes policy requirement of 25% of provision being for First Homes can be delivered within the current policy, as explained in the Affordable Housing Supplementary Planning Document.</p> <p>Commercial development</p>

	Matters to consider	Agree / Disagree	Extent to which the local plan meets this requirement
			<p>In relation to commercial floorspace, a total of around 10,000sqm has been delivered on allocated sites, albeit there have been losses elsewhere. The Local Plan does not include an annual target for delivery, reflecting the way in which employment land generally comes forward. Further the Local Plan over-allocates land for employment recognising that not all allocated sites may deliver. The employment strategy, focused largely on Lowestoft plus the market towns, remains appropriate. The Lowestoft area is expected to remain the main driver of employment and a focus of regeneration.</p> <p>A significant proportion of the allocated employment land is expected to come forward as part of larger mixed-use sites (such as Garden Neighbourhoods / Villages). Accordingly, this employment land is likely to be realised at a late stage of the plan period. To support the delivery of employment land, the Council is preparing an Employment Land Action Plan (on a similar basis to the Housing Action Plan) which will provide a basis for closely monitoring, and taking action where needed and appropriate, to support employment sites coming forward.</p> <p>Since the adoption of the Local Plan, there have been changes to the Use Classes Order with the introduction of Class E and removal of B1 along with A Class uses. This represents an area of the plan where future updates would be desirable, however the policies can be operated effectively in the meantime for Development Management purposes.</p> <p>In terms of town centre uses, the role of retail is likely to be less dominant in the future in the town centre, and whilst there are no necessary changes needed to the policy as it is broadly performing well and is reflective of the NPPF policy, changes may be desirable in the longer term to reflect economic and social trends.</p>

	Matters to consider	Agree / Disagree	Extent to which the local plan meets this requirement
A6.	<p>There have been no significant changes in economic conditions which could challenge the delivery of the Plan, including the policy requirements within it.</p> <p>PROMPT: A key employer has shut down or relocated out of the area.</p> <p>Unforeseen events (for example the Covid-19 Pandemic) are impacting upon the delivery of the plan.</p> <p>Up-to-date evidence suggests that jobs growth is likely to be significantly more or less than is currently being planned for.</p> <p>Consider if there is any evidence suggesting that large employment allocations will no longer be required or are no longer likely to be delivered.</p> <p>You will need to consider whether such events impact on assumptions in your adopted local plan which have led to a higher housing requirement than your local housing need assessment indicates.</p> <p>Consider what the consequences could be for your local plan objectives such as the balance of in and out commuting and the resultant impact on proposed transport infrastructure provision (both capacity and viability), air quality or climate change considerations.</p>	Agree	<p>Reason (with reference to plan policies, sections and relevant evidence sources):</p> <p>In terms of housing delivery, economic conditions are monitored through the annual updates to the Housing Action Plan. Whilst there have been impacts on the economy from a range of external factors including the Covid pandemic, costs and availability of materials and the cost of living crisis, housing delivery has increased over the last couple of years and there is nothing to suggest that long term delivery of the housing growth set out in the Local Plans will not be achieved.</p> <p>The Local Plan’s employment Strategy focuses largely on delivering growth in Lowestoft as well as Beccles plus the other market towns. This strategy remains appropriate and the Lowestoft area is expected to remain the main driver of employment and a focus of regeneration. A significant proportion of the allocated employment land is expected to come forward as part of comprehensive mixed-use sites. Accordingly, this employment land is likely to be realised at a later stage of the plan period.</p> <p>The objectives for Lowestoft are being broadly met through the Town Centre Masterplan, Cycling and Walking Strategy, London Road Lowestoft High Street Heritage Action Zone, London Road Lowestoft High Street Heritage Action Zone and Seafront Masterplan, Seafront Delivery Project, Towns Fund, and North Lowestoft Heritage Action Zone SPD.</p> <p>In addition, Neighbourhood Plans such as the made Halesworth Neighbourhood Plan provides support to the Local Plan’s employment ambitions.</p> <p>The housing requirement in the Local Plan was not increased above the Objectively Assessed Need to reflect forecast jobs growth – this was</p>

	Matters to consider	Agree / Disagree	Extent to which the local plan meets this requirement
			<p>assessed in the Strategic Housing Market Assessment and not considered to be necessary.</p> <p>Since adoption of the Plan, a number of Nationally Significant Infrastructure Projects (NSIPs) have been proposed and are coming forwards in the area, many however beyond the Waveney Local Plan area in terms of physical development. Development of the Sizewell C new nuclear power station, in East Suffolk but in the current Suffolk Coastal Local Plan area, has very recently commenced, with much of the associated development also proposed for within the former Suffolk Coastal Local Plan area. A number of off-shore wind energy developments are also coming forward, as anticipated by the Waveney Local Plan – the Local Plan vision and a number of policies plan for the growth of the sector around Lowestoft. Decisions on NSIPs themselves are taken by the Secretary of State and are informed by National Policy Statements which are produced by Government outside of the Local Plan process, and the Local Plan does not therefore need to set the full policy framework for consideration of NSIPs.</p>
A7.	<p>There have been no significant changes affecting viability of planned development.</p> <p>PROMPT: You may wish to look at the Building Cost Information Service (BCIS) All-in Tender Price Index, used for the indexation of Community Infrastructure Levy (CIL), or other relevant indices to get a sense of market changes.</p> <p>Consider evidence from recent planning decisions and appeal decisions to determine whether planning policy requirements, including affordable housing, are generally deliverable.</p>	Agree	<p>Reason (with reference to plan policies, sections and relevant evidence sources):</p> <p>The Council recently undertook and adopted a review of its Community Infrastructure Levy Charging Schedule. The new rates have been informed by viability evidence which considered the policy requirements of the Local Plan.</p> <p>Policy WLP8.2 Affordable Housing provides for the level and tenure of affordable housing to be varied where it can be satisfactorily demonstrated that a lower level is needed for viability reasons. There have been very few occasions where this or provision of a commuted sum in lieu of provision on site has been agreed.</p>

	Matters to consider	Agree / Disagree	Extent to which the local plan meets this requirement
	Ongoing consultation and engagement with the development industry may highlight any significant challenges to delivery arising from changes in the economic climate.		The Council regularly engages with the development industry, in particular through its annual Housing Land Supply surveys and also through developer forums. Strategic economic challenges highlighted are considered through the annual Housing Action Plan.
A8.	<p>Key site allocations are delivering, or on course to deliver, in accordance the local plan policies meaning that the delivery of the spatial strategy is not at risk.</p> <p>PROMPT:</p> <p>Identify which sites are central to the delivery of your spatial strategy. Consider if there is evidence to suggest that lack of progress on these sites (individually or collectively) may prejudice the delivery of housing numbers, key infrastructure or other spatial priorities. Sites may be deemed to be key by virtue of their scale, location or type in addition to the role that may have in delivering any associated infrastructure.</p>	Agree	<p>Reason (with reference to plan policies, sections and relevant evidence sources):</p> <p>The Local Plan allocated land for 6,202 houses (additional to sites with planning permission already as at 1.4.17). Of those, a number now have permission or are being developed, as indicated in the policy assessment table in Appendix A. As mentioned above, the Waveney Local Plan area has a Housing Land Supply of 5.62 years (as published in November 2023) demonstrating that sites are coming forward.</p> <p>The Local Plan contains four strategic sites – Kirkley Waterfront and Sustainable Urban Neighbourhood; North of Lowestoft Garden Village; Beccles and Worlingham Garden Neighbourhood and Land South of the Street, Carlton Colville. The Council’s Major Sites team provides a dedicated resource to facilitate and support these sites in coming forward, such as ongoing liaison in regards to masterplanning. Preparation of a planning position statement for the Kirkley Waterfront and Sustainable Urban Neighbourhood is underway, to provide up to</p>

	Matters to consider	Agree / Disagree	Extent to which the local plan meets this requirement
			date guidance to support the delivery of this large, brownfield site. Strategic sites were not anticipated to deliver completions in the early part of the plan period, and the current focus on supporting these sites in coming forward under the Local Plan policies remains appropriate.
A9.	<p>There have been no significant changes to the local environmental or heritage context which have implications for the local plan approach or policies.</p> <p>PROMPT: You may wish to review the indicators or monitoring associated with your Sustainability Appraisal (SA) / Strategic Environmental Assessment (SEA) / Habitats Regulations Assessment (HRA).</p> <p>Identify if there have been any changes in Flood Risk Zones, including as a result of assessing the effects of climate change.</p> <p>Consider whether there have been any changes in air quality which has resulted in the designation of an Air Quality Management Area(s) or which would could result in a likely significant effect on a European designated site which could impact on the ability to deliver housing or employment allocations.</p> <p>Consider whether there have been any changes to Zones of Influence / Impact Risk Zones for European sites and Sites of Special Scientific Interest or new issues in relation to, for example, water quality.</p> <p>Consider whether there have been any new environmental or heritage designations which could impact on the delivery of housing or employment / jobs requirements / targets.</p>	Agree	<p>Reason (with reference to plan policies, sections and relevant evidence sources):</p> <p>There have been no changes in relation to international designations (Special Protection Areas and Special Areas of Conservation). The Habitats Regulations Assessment for the Local Plan concluded that the housing development within 13km of some Special Protection Areas and Special Areas for Conservation will cause recreational disturbance. In accordance with the policy, a Recreational disturbance Avoidance and Mitigation Strategy and accompanying Supplementary Planning Document were prepared and a Delivery Manager is being recruited to manage the delivery of the mitigation measures through the partnership agreement with other relevant authorities.</p> <p>A Coastal Adaptation Supplementary Planning Document was adopted in 2023, providing guidance on implementing the coastal change policies in the plan. The underlying data on which the Coastal Change Management Area is based, as set out in the Shoreline Management Plan (SMP), would benefit from being updated (the short-term risk zone (i.e. changes to the coast expected within 20 years) is identified within SMP7 (Lowestoft to Felixstowe) as ending in 2025) but this change is not considered to necessitate review of the policy and is not directly within the control of the Council anyway, as SMPs are prepared on a partnership basis by a number of bodies.</p> <p>There are no designated AQMAs in the Local Plan area.</p>

	Matters to consider	Agree / Disagree	Extent to which the local plan meets this requirement
	<p>Consider any relevant concerns being raised by statutory consultees in your area in relation to the determination of individual planning applications or planning appeals which may impact upon your plan - either now or in the future.</p>		<p>The Zones of Influence for European sites remain as identified in the Recreational disturbance Avoidance and Mitigation Strategy which is being implemented in accordance with the Local Plan. Amendments to SSSI Impact Risk Zones are considered on a site-by-site basis through the development management system, and consultation with Natural England is carried in accordance with the latest advice.</p> <p>The Waveney Local Plan area is not affected by nutrient neutrality.</p> <p>The local list of parks and gardens has been extended in 2022 to include five historic parklands in the Waveney Local Plan area (it formerly covered the Suffolk Coastal Local Plan area only). The identification of these does not present any issues in relation to the delivery of the Local Plan strategy. Reference to the locally listed parks and gardens would provide clarity in the policy approach for these areas however in the meantime, national policy in paragraph 209 of the NPPF will apply to proposals.</p> <p>There have been changes to the boundaries of some Conservation Areas in the Waveney Local Plan area and reviews of the Conservation Area Appraisals and Management Plans since adoption of the Local Plan, including in North Lowestoft, South Lowestoft, Bungay and Southwold. Paragraph 8.228 recognises that Conservation Area Appraisals and Management Plans are regularly updated. It is not thought that the nature of the revisions would have an impact on the delivery of the Local Plan's housing and employment requirements.</p>
A10.	<p>No new sites have become available since the finalisation of the adopted local plan which require the spatial strategy to be re-evaluated.</p> <p>PROMPT:</p>	Agree	<p>Reason (with reference to plan policies, sections and relevant evidence sources):</p> <p>No significant new sites have become available or been granted permission which would affect the delivery of the Local Plan strategy.</p>

	Matters to consider	Agree / Disagree	Extent to which the local plan meets this requirement
	<p>Consider if there have been any new sites that have become available, particularly those within public ownership which, if they were to come forward for development, could have an impact on the spatial strategy or could result in loss of employment and would have a significant effect on the quality of place if no new use were found for them.</p> <p>Consider whether any sites which have now become available within your area or neighbouring areas could contribute towards meeting any previously identified unmet needs.</p>		
A11.	<p>Key planned infrastructure projects critical to plan delivery are on track and have not stalled / failed and there are no new major infrastructure programmes with implications for the growth / spatial strategy set out in the plan.</p> <p>PROMPT: You may wish to review your Infrastructure Delivery Plan / Infrastructure Funding Statement, along with any periodic updates, the Capital and Investment programmes of your authority or infrastructure delivery partners and any other tool used to monitor and prioritise the need and delivery of infrastructure to support development.</p> <p>Check if there have been any delays in the delivery of critical infrastructure as a result of other processes such as for the Compulsory Purchase of necessary land.</p> <p>Identify whether any funding announcements or decisions have been made which materially impact upon the delivery of key planned infrastructure, and if so, will this impact upon the delivery of the Local Plan.</p>	Agree	<p>Reason (with reference to plan policies, sections and relevant evidence sources):</p> <p>Major infrastructure projects listed in the policy are all well-advanced or completed:</p> <ul style="list-style-type: none"> • Third crossing (Gull Wing bridge) approved and due to complete in early 2024 • Beccles Southern Relief Road completed • A12 improvements being made (Brightwell Lakes, Sizewell-related), MRN bid for Martlesham corridor) <p>Other infrastructure (schools, open space etc) is being secured and delivered as appropriate on a site-related basis, or via CIL funding.</p> <p>A tidal barrier Transport and Works Act Order application was made in October 2023, for the proposed Lowestoft tidal barrier, but work on the whole tidal barrier project was stopped in January 2024 due to insufficient funding. Cessation of the Tidal Barrier project will not directly affect the Local Plan implementation, as the Tidal Barrier project was not sufficiently advanced at the time to specifically be mentioned in the Local Plan.</p>

	Matters to consider	Agree / Disagree	Extent to which the local plan meets this requirement
			<p>A new East Suffolk Community Infrastructure Levy Charging Schedule was adopted in June 2023, and came into effect on 1st August 2023. This reflects the growth planned and policies in the Local Plan, with CIL rates set accordingly. The Council has a robust CIL Spending Strategy focussed on essential plan-led infrastructure delivery and a rigorous annual Infrastructure Funding Statement process. In a review undertaken by the Planning Advisory Service in 2022, East Suffolk was found to be achieving 'Best Practice' in respect of CIL governance and spending.</p> <p>The Council adopted the Cycling and Walking Strategy in October 2022 and has recently established a cross-party member working group to progress with improvements.</p>

	Matters to consider	Agree / Disagree	Extent to which the local plan meets this requirement
A12.	<p>All policies in the plan are achievable and effective including for the purpose of decision-making.</p> <p>PROMPT: Consider if these are strategic policies or those, such as Development Management policies, which do not necessarily go to the heart of delivering the Plan’s strategy.</p> <p>Identify if there has been a significant increase in appeals that have been allowed and /or appeals related to a specific policy area that suggest a policy or policies should be reviewed.</p> <p>Consider whether there has been feedback from Development Management colleagues, members of the planning committee, or applicants that policies cannot be effectively applied and / or understood.</p>	Agree	<p>Reason (with reference to plan policies, sections and relevant evidence sources):</p> <p>Whilst there are discrete parts of development management policies that would benefit from being updated, for example due to changes in the Use Classes Order, these remain operational and do not affect the overall delivery of the Local Plan strategy. Whilst they may be desirable, updates are not therefore considered necessary.</p> <p>Supplementary Planning Documents have been prepared or updated to assist in the implementation of a number of Development Management policies. These SPDs are:</p> <ul style="list-style-type: none"> • North Lowestoft Heritage Action Zone Design Guide SPD (2020) • Recreational Disturbance and Avoidance Mitigation Strategy SPD (2021) • Historic Environment SPD (2021) • Residential Development Brief for Land North of Union Lane (policy WLP2.14) SPD (2021) • Sustainable Construction SPD (2022) • Affordable Housing SPD (2022) • Housing in Clusters and Small Scale Residential Development in the Countryside SPD (2022) • Coastal Adaptation SPD (2023) <p>Under preparation:</p> <ul style="list-style-type: none"> • Custom and Self Build SPD • Healthy Environments SPD • Rural Development SPD • Preparation of a Planning Position Statement for the Kirkley Waterfront and Sustainable Urban Neighbourhood

	Matters to consider	Agree / Disagree	Extent to which the local plan meets this requirement
			<p>Appeals performance – 11 out of 13 appeals in the Waveney Local Plan area were dismissed in 2022/23 (85%) indicating the Local Plan is performing well and being upheld in appeals.</p>

	Matters to consider	Agree / Disagree	Extent to which the local plan meets this requirement
A13.	<p>There are no recent or forthcoming changes to another authority's development plan or planning context which would have a material impact on your plan / planning context for the area covered by your local plan.</p> <p>PROMPT: In making this assessment you may wish to:</p> <ul style="list-style-type: none"> ● Review emerging and adopted neighbouring authority development plans and their planning context. ● Review any emerging and adopted higher level strategic plans including, where relevant, mayoral/ combined authority Spatial Development Strategies e.g. The London Plan. ● Review any relevant neighbourhood plans ● Consider whether any of the matters highlighted in statements A1- A12 for their plan may impact on your plan - discuss this with the relevant authorities. ● Consider any key topic areas or requests that have arisen through Duty to Cooperate or strategic planning discussions with your neighbours or stakeholders - particularly relating to meeting future development and /or infrastructure needs. 	Agree	<p>Reason (with reference to plan policies, sections and relevant evidence sources):</p> <p>The Council regularly liaises with authorities adjoining the Waveney Local Plan area (Broads Authority, Great Yarmouth Borough Council, South Norfolk District Council and Mid Suffolk District Council). These authorities are at varying stages in Local Plan preparation. There are no matters identified that would have a material impact on the Plan.</p> <p>The district has good levels of neighbourhood plan activity including made plans; plans under review; and plans being prepared. It is not considered that any of these plans would have a material impact on the Local Plan or the planning context in general.</p> <p>The Waveney Local Plan covers the part of East Suffolk formerly covered by Waveney District. East Suffolk Council was created on 1st April 2019, very shortly after the adoption of the Waveney Local Plan. The Suffolk Coastal Local Plan (covering the southern part of the district) was adopted on 23rd September 2020, and is therefore only around three and a half years into its delivery. It is expected that a future Local Plan would cover the full district (outside of the Broads which is its own planning authority) however in the meantime the two Local Plans provide a framework for plan-led development to come forward.</p>

	Matters to consider	Agree / Disagree	Extent to which the local plan meets this requirement
A14.	<p>There are no local political changes or a revised / new corporate strategy which would require a change to the approach set out in the current plan.</p> <p>PROMPT: In making this assessment you may wish to:</p> <ul style="list-style-type: none"> ● Review any manifesto commitments and review the corporate and business plan. ● Engage with your senior management team and undertake appropriate engagement with senior politicians in your authority. ● Consider other plans or strategies being produced across the Council or by partners which may impact on the appropriateness of your current plan and the strategy that underpins it, for instance, Growth Deals, economic growth plans, local industrial strategies produced by the Local Economic Partnership, housing/ regeneration strategies and so on. 	Agree	<p>Reason (with reference to plan policies, sections and relevant evidence sources):</p> <p>Shortly after adoption of the Local Plan, the Council declared a climate emergency in July 2019.</p> <p>Following the election of the new Administration in May 2023, a new Strategic Plan ‘Our Direction 2028’ has been adopted. This sets out four themes – environmental impact, sustainable housing, tackling inequalities and thriving economy. This assessment has considered the Local Plan in terms of whether the new Strategic Plan requires a change to the approach in the Local Plan.</p> <p>The Local Plan complements the ambitions set out in the Strategic Plan in many respects, including through the provision of affordable housing, delivery of sustainable transport infrastructure, preserving heritage and enhancing biodiversity. The Council seeks to be ambitious in addressing climate change, including through the 2019 Climate Emergency and the new Strategic Plan, and the Local Plan is not inconsistent with this including through policies on, for example, flood risk, sustainable construction and sustainable transport. Through a future review consideration could be given to whether there are further opportunities consistent with national planning policy and other considerations such as viability.</p>

	ASSESSING WHETHER OR NOT TO UPDATE YOUR PLAN POLICIES	YES/NO (please indicate below)	
A15.	You AGREE with <u>all</u> of the statements above	Yes	<p>If no go to question A16.</p> <p>If yes, you have come to the end of the assessment. However, you must be confident that you are able to demonstrate and fully justify that your existing plan policies / planning position clearly meets the requirements in the statements above and that you have evidence to support your position.</p> <p>Based on the answers you have given above please provide clear explanation and justification in section A17 below of why you have concluded that an update is not necessary including references to evidence or data sources that you have referenced above. Remember you are required to publish the decision not to update your local plan policies. In reaching the conclusion that an update is not necessary the explanation and justification for your decision must be clear, intelligible and able to withstand scrutiny.</p>
A16.	You DISAGREE with one or more of the statements above and the issue can be addressed by an update of local plan policies		If yes, based on the above provide a summary of the key reasons <u>why</u> an update to plan policies is necessary in section A17 below and complete Section B below.
A17.	<p><u>Decision:</u> Update plan policies / No need to update plan policies (delete as necessary)</p> <p>Reasons for decision on whether or not to update plan policies (clear evidence and justification will be required where a decision not to update has been reached):</p> <p>As detailed in the responses to questions A1 to A14 above, and further supported by the individual policy screenings set out in Appendix A below, the policies within the East Suffolk Council - Waveney Local Plan remain effective.</p>		

Paragraph 33 of the NPPF refers explicitly to the local housing need figure – “Relevant strategic policies will need updating at least once every five years if their applicable local housing need figure has changed significantly; and they are likely to require earlier review if local housing need is expected to change significantly in the near future.”

Local housing need, calculated using the Government’s standard methodology, has remained very similar to the housing requirement of 374 dwellings per year contained in the Waveney Local Plan, and as calculated on 1.2.2024 would be 388 dwellings per year.

The Waveney Local Plan area has a 5.62 year supply of deliverable housing land (as published in November 2023) and the latest Housing Delivery Test result for East Suffolk is 104% (2022 result published December 2023). The Local Plan anticipated a significant step change in housing delivery to meet the housing requirement, which is substantially greater than the housing requirement in the former Local Plan of 290 dwellings per year. The Plan acknowledges that it will be challenging to remedy the shortfall from the start of the plan period within the first five years following adoption. Completions have increased in recent years, indicating that delivery is moving in the right direction. The information in the Council’s most recent Housing Land Supply Statement, combined with the fact that a 12% buffer was planned in and that windfall development is providing additional dwellings, provides confidence that the overall housing requirement for the plan period will be achieved.

The assessment shows that, whilst there are some policies where future updates would be desirable, under present circumstances none of these are currently necessary and through the application of planning judgement these policies remain effective and the plan can continue to provide a robust plan-led approach to development.

Other actions that may be required in addition to or in place of an update of plan policies

In addition to the Local Plan, the Council continues to produce additional guidance to support the implementation of planning policies. This includes Supplementary Planning Documents (a number of which are currently in production), strategies and topic specific action plans as detailed in the table at Appendix A in relation to specific policies.

In addition to the ongoing implementation of the Waveney Local Plan, the Council will continue to monitor the delivery of the plan including consideration of future Local Plan review options.

	B. POLICY UPDATE FACTORS	YES/NO (please indicate below)	Provide details explaining your answer in the context of your plan / local authority area
B1	Your policies update is likely to lead to a material change in the housing requirement which in turn has implications for other plan requirements / the overall evidence base.	N/A	N/A
B2	The growth strategy and / or spatial distribution of growth set out in the current plan is not fit for purpose and your policies update is likely to involve a change to this.	N/A	N/A
B3	Your policies update is likely to affect more than a single strategic site or one or more strategic policies that will have consequential impacts on other policies of the plan.	N/A	N/A
	You have answered yes to one or more questions above.	N/A	You are likely to need to undertake a full update of your spatial strategy and strategic policies (and potentially non-strategic policies). Use your responses above to complete Section B4.
	You have said no to <u>all</u> questions (B1 to B3) above	N/A	If you are confident that the update can be undertaken without impacting on your spatial strategy and other elements of the Plan, you are likely to only need to undertake a partial update of policies. Complete Section B4 to indicate the specific parts / policies of the plan that are likely to require updating based on the answers you have given above.
B4	Decision: Full Update of Plan Policies/ Partial Update of Plan Policies (delete as necessary) Reasons for scope of review: N/A		

Date of assessment:	February 2024
Assessed by:	Planning Policy and Delivery Team
Checked by:	Andrea McMillan – Planning Manager (Policy, Delivery and Specialist Services)
Comments:	

Appendix A – East Suffolk Council- Waveney Local Plan Review Screening

In addition to the PAS template, all policies (and the vision and objectives) within the East Suffolk Council - Waveney Local Plan have been individually screened to make an assessment of their ongoing effectiveness. This includes consideration of the following:

Changed circumstances: including new East Suffolk strategies adopted since the Local Plan, new evidence, new designations and delivered infrastructure.

Appeal information: brief summary of relevant appeal decisions.

NPPF or other national policy change implications: brief summary of relevant changes in the National Planning Policy Framework and/ or Planning Practice Guidance. This has considered the most recent NPPF changes, published in December 2023.

Changes to legislation, including PD/Use Class Order changes: brief summary of relevant changes to legislation since adoption of the Waveney Local Plan. This includes changes to permitted development rights and the Use Classes Order which are particularly relevant in relation to retail and employment uses. As part of the screening, consideration has also been given the Levelling up and Regeneration Act 2023 although, for the most part, the implications of this cannot be taken into account until full commencement of the Act along with secondary legislation.

The consideration of these aspects has then fed into a conclusion of the overall effectiveness of the policy.

Section/Policy	Any changes in circumstance (not including national policy changes)	Tested on appeal?	NPPF or other national policy change implications	Changes to legislation, including PD/Use Class Order changes	Conclusion: Are any changes necessary?
Vision	New Strategic Plan 'Our Direction 2028' adopted by Council in November 2023. This contains the theme 'Thriving Economy' which includes ensuring 'local plans work for local people',	No.	As a high-level vision, no implications from changes to the NPPF since adoption of the plan. Specific amendments to the NPPF are considered against relevant policies below.	Range of legislation changes covered under specific topics. Environment Act 2021 – brings in mandatory Biodiversity Net Gain from February 2024.	The vision covers the relevant topics and is broadly aligned with more recently adopted strategies, including the Council's new Strategic Plan. The Council seeks to be ambitious in addressing climate change, including through the 2019 Climate Emergency and the new Strategic Plan, and whilst the Local Plan is not inconsistent with this through a future review consideration could be given to whether there are further opportunities consistent with national planning policy and other considerations such as viability.

Section/Policy	Any changes in circumstance (not including national policy changes)	Tested on appeal?	NPPF or other national policy change implications	Changes to legislation, including PD/Use Class Order changes	Conclusion: Are any changes necessary?
	<p>as well as other themes covering Environmental Impact, Sustainable Housing and Tackling Inequalities, which are considered in relation to the specific policies throughout the assessment.</p> <p>Climate Emergency declared by East Suffolk Council in July 2019.</p> <p>East Suffolk Economic Strategy adopted in 2022 – Lowestoft identified as an</p>			<p>Changes to the Use Classes Order and Permitted Development rights are considered in relation to relevant policies.</p>	<p>The place specific elements of the Vision are realised through implementation of relevant policies for those places.</p> <p>As the Local Plan policies reflect the vision, the analysis of policies below are also relevant to consideration of the vision.</p>

Section/Policy	Any changes in circumstance (not including national policy changes)	Tested on appeal?	NPPF or other national policy change implications	Changes to legislation, including PD/Use Class Order changes	Conclusion: Are any changes necessary?
	<p>area of focus in the former Waveney area. The Visitor Economy Strategy (2022 – 2027) and Clean Hydrogen Strategy (2023 – 2028) also adopted.</p> <p>The Housing Development Strategy (2020 – 2024) and Housing Enabling Strategy (2020 – 2025) have been published since the Local Plan was adopted.</p> <p>Climate Action Framework adopted March 2023.</p>				
Strategic Priorities and Objectives	New Strategic Plan 'Our Direction 2028'	No.	As high level priorities, there are no	Range of legislation changes covered	The Strategic Priorities and Objectives cover the relevant topics and are broadly consistent with more recently adopted strategies, including the

Section/Policy	Any changes in circumstance (not including national policy changes)	Tested on appeal?	NPPF or other national policy change implications	Changes to legislation, including PD/Use Class Order changes	Conclusion: Are any changes necessary?
	<p>adopted by Council in November 2023.</p> <p>Climate Emergency declared by East Suffolk Council in July 2019.</p> <p>Other strategies as referenced in the row above on the Vision.</p>		<p>implications from changes to the NPPF since adoption of the plan</p>	<p>under specific topics.</p> <p>Environment Act 2021 – brings in mandatory Biodiversity Net Gain from February 2024.</p> <p>Changes to the Use Classes Order and Permitted Development rights are considered in relation to relevant policies.</p>	<p>Council’s new Strategic Plan. The Council seeks to be ambitious in addressing climate change, including through the 2019 Climate Emergency and the new Strategic Plan, and whilst the Local Plan is not inconsistent with this through a future review consideration could be given to whether there are further opportunities consistent with national planning policy and other considerations such as viability.</p> <p>As the Local Plan policies reflect the strategic priorities, the analysis of policies below are also relevant to consideration of the priorities.</p>
WLP1.1 Scale and Location of Growth	<p>New Strategic Plan ‘Our Direction 2028’ adopted by Council in November 2023. This contains the theme ‘Thriving Economy’ which includes ensuring ‘local plans work for local people’</p>	<p>7 dismissed, 3 upheld.</p> <p>Many appeals where WLP1.1 is referenced relate to relatively small scale development and the decisions reinforce the</p>	<p>The housing requirement of 374 dwellings per annum is based on Objectively Assessed Need (assessed in the Strategic Housing Market Assessment) rather than the Government’s</p>	<p>Policy reference to Use Class B1, B2 and B8 out of date following the changes to the Use Class Order in 2020. Use Classes A and B1 now fall within Use Class E.</p>	<p>The housing requirement remains similar to the housing need calculated under the current PPG for Housing and Economic Needs Assessment. As at 1.2.2024 this is 388 dwellings per year. This is not considered to be a significant change in housing need in the context of Paragraph 33 of the NPPF.</p> <p>A five year supply of housing land can be demonstrated for the Waveney Local Plan area. The latest annual update to the Housing Land Supply was published in November 2023 and</p>

Section/Policy	Any changes in circumstance (not including national policy changes)	Tested on appeal?	NPPF or other national policy change implications	Changes to legislation, including PD/Use Class Order changes	Conclusion: Are any changes necessary?
	<p>and the theme ‘reduce health inequality and improve wellbeing’ which includes ensuring residents have access to services.</p> <p>Climate Emergency declared by East Suffolk Council in July 2019.</p> <p>East Suffolk Economic Strategy adopted in 2022 – Lowestoft identified as an area of focus in the former Waveney area. Visitor Economy Strategy and Clean Hydrogen Strategy also adopted.</p>	<p>strategy of the plan overall.</p> <p>Decisions that relate primarily to other specific policies in the Local Plan are covered against those policies. An appeal was allowed in Halesworth in 2023 (Land West of Norwich Road, APP/X3540/W/22/3301868) for 80 Assisted Living Units and within his report the Inspector considered that the resultant shift of growth in Halesworth from 8% to 9% would not be unacceptable.</p>	<p>standard method, as the WLP was prepared and adopted under the 2012 NPPF. However, the standard method housing need figure has remained very similar to the housing requirement since adoption – as at 1.2.2024 the standard method figure is 388 dpa, as calculated under the current Planning Practice Guidance on Housing and Economic Needs Assessments.</p>		<p>shows a supply of 5.62 years as at 31st March 2023.</p> <p>The most recent Housing Delivery Test result for East Suffolk was 104% (published December 2023).</p> <p>Whilst actual housing completions each year have been below the annual requirement of 374, this has been rising and was close to 374 (at 360) in 2022/23. The Local Plan anticipated that it would be challenging to address the shortfall from earlier in the plan period within the first five years following adoption and recognises that the housing requirement of 374 per year is a significant step change from the requirement of 290 per year in the previous local plan.</p> <p>The Local Plan over-allocates for housing development by 12%, to provide flexibility should some sites not come forward or be delayed. Much of the housing planned is to come forward on strategic sites that were not anticipated to deliver early in the plan period. Windfall development, averaging 58 completions per year over the past five years for the sorts of development that would be supported by the Local Plan policies, will also provide additional completions over the plan period. There is</p>

Section/Policy	Any changes in circumstance (not including national policy changes)	Tested on appeal?	NPPF or other national policy change implications	Changes to legislation, including PD/Use Class Order changes	Conclusion: Are any changes necessary?
	<p>New Water Resource Management Plans are being prepared by Essex and Suffolk Water and Anglian Water. Whilst a moratorium is proposed on new employment development in the Hartismere Water Resource Zone (in E&SW area) until new supply solutions are delivered, this is largely outside of East Suffolk other than a very marginal area, albeit that supply is challenging across other areas.</p>				<p>therefore confidence that the overall requirement for the plan period will be delivered.</p> <p>The Local Plan's employment Strategy, focused largely on delivering growth in Lowestoft as well as Beccles plus the other market towns. This strategy remains appropriate and the Lowestoft area is expected to remain the main driver of employment and a focus of regeneration. A significant proportion of the allocated employment land is expected to come forward as part of comprehensive mixed-use sites. Accordingly, this employment land is likely to be realised at a late stage of the plan period.</p> <p>The policy aims to create 5,000 additional jobs, but job creation is difficult to monitor compared to floor area. Therefore, completion of floorspace is monitored, demonstrating that a total of 10,024 sqm has come forward since the adoption of the plan within allocated site (Policy WLP3.3 Benacre, Road, Ellough) and protected employment areas. However outside of the protected areas there has been a loss meaning there has to date been a net loss of floorspace. It is anticipated that many of the allocated sites (particularly those that are part of a larger strategic site) will deliver later in the plan period. The Council is producing an Employment Action Plan to consider ways in which the delivery of the</p>

Section/Policy	Any changes in circumstance (not including national policy changes)	Tested on appeal?	NPPF or other national policy change implications	Changes to legislation, including PD/Use Class Order changes	Conclusion: Are any changes necessary?
	<p>The role of retail in town centres will likely be less dominant in the future. Potential alterations to the town centre policies to reflect national and local trends may result in the demand and expected growth in this sector to be reduced.</p> <p>Furthermore, the proportion of retail and leisure development directed to Lowestoft could also change.</p>				<p>allocated sites could be further supported. The Local Plan over-allocates land for employment development, on the basis that not all sites may deliver.</p> <p>A future review of the Local Plan would consider the appropriateness of the location of town centre boundaries and the approach to new uses within them.</p> <p>There are no necessary changes needed to the policy as it is broadly performing well, but changes may be desirable in the longer term to reflect economic and social trends. The situation regarding water supply will also continue to be monitored through engagement with the water companies.</p> <p>The policy continues to effectively set the overall strategy for the Plan.</p>
WLP1.2 Settlement Boundaries	None.	Policy generally upheld: 10 dismissed, 2 allowed.	None.	None.	Amending the policy to include C2 uses would be desirable but is not necessary, as other policies also form part of the consideration of applications for C2 uses in countryside locations, including WLP8.21 Sustainable Transport and WLP8.35 Landscape Character. Potential

Section/Policy	Any changes in circumstance (not including national policy changes)	Tested on appeal?	NPPF or other national policy change implications	Changes to legislation, including PD/Use Class Order changes	Conclusion: Are any changes necessary?
		<p>APP/X3540/W/19/3232531 (Hill Farm Cottage Englishes Lane, Ilketshall St John, Beccles, Suffolk) – Allowed on the basis that any harm would be outweighed by benefits of bringing a redundant building back into use. WLP8.11 (Conversion of redundant rural buildings in the Countryside to residential use) considered too restrictive compared to the NPPF.</p> <p>APP/X3540/W/22/3301868 (Land West Of Norwich Road Halesworth</p>			<p>amendment identified but policy remains effective for C3 and C4 development, and there are other policies in the Plan that would relate to applications for C2 uses (such as policies on sustainable transport and landscape).</p>

Section/Policy	Any changes in circumstance (not including national policy changes)	Tested on appeal?	NPPF or other national policy change implications	Changes to legislation, including PD/Use Class Order changes	Conclusion: Are any changes necessary?
		Suffolk) development for 80 Assisted Living Units allowed with conditions – Inspector interpreted WLP1.2 to allow for C2 development in the Countryside due to the closed list in footnote 1 for residential uses which refers to only C3 and C4.			
WLP1.3 Infrastructure	New Strategic Plan ‘Our Direction 2028’ adopted by Council in November 2023. This contains the theme ‘reduce health inequality and improve wellbeing’ which includes ensuring residents have	No.	The December 2023 NPPF refers to the delivery of infrastructure as a part of sustainable development (Paragraph 7)	The Levelling Up and Regeneration Act introduces the Infrastructure Levy. The Infrastructure Levy will have an effect (if/when enabled), however this is not expected in the short term.	No fundamental changes, although new infrastructure related to Sizewell C (and possibly rail improvements and other schemes) could be mentioned if the Local Plan is updated. East Suffolk CIL Charging Schedule (adopted in 2023) was tested at Examination and supports the implementation of the adopted Local Plan. Cessation of the Tidal Barrier project will not directly affect the Local Plan implementation, as the Tidal Barrier project was not sufficiently

Section/Policy	Any changes in circumstance (not including national policy changes)	Tested on appeal?	NPPF or other national policy change implications	Changes to legislation, including PD/Use Class Order changes	Conclusion: Are any changes necessary?
	<p>access to services.'</p> <p>Major infrastructure projects listed in the policy are all well-advanced or completed:</p> <ul style="list-style-type: none"> • Third crossing (Gull Wing bridge) approved and due to complete in early 2024. • Tidal barrier TWAO application made in Oct 2023 but work on the whole tidal barrier project was stopped in January 2024 due to insufficient funding. 				<p>advanced at the time to specifically be mentioned in the Local Plan.</p> <p>Policy remains effective.</p>

Section/Policy	Any changes in circumstance (not including national policy changes)	Tested on appeal?	NPPF or other national policy change implications	Changes to legislation, including PD/Use Class Order changes	Conclusion: Are any changes necessary?
	<ul style="list-style-type: none"> • Beccles Southern Relief Road completed. • A12 improvements being made (Brightwell Lakes, Sizewell-related), MRN bid for Martlesham corridor. <p>Other infrastructure (schools, open space etc) secured and delivered as appropriate on a site-related basis, or via CIL funding to SCC.</p> <p>East Suffolk CIL Charging Schedule adopted 2023 - reflects the growth</p>				

Section/Policy	Any changes in circumstance (not including national policy changes)	Tested on appeal?	NPPF or other national policy change implications	Changes to legislation, including PD/Use Class Order changes	Conclusion: Are any changes necessary?
	planned and policies in the Local Plan.				
WLP 2.1 Central and Coastal Lowestoft Regeneration	<p>Lowestoft Town Centre Masterplan published by East Suffolk Council in 2020 (Regeneration led masterplan).</p> <p>Gull Wing bridge due for completion in early 2024.</p> <p>Tidal barrier Transport Works Act Order (TWAO) application made in Oct 2023 but work on the whole tidal barrier project was stopped in January 2024 due to insufficient funding.</p>	No	None.	Introduction of Use Class E and other Permitted Development measures, (like office to residential and retail to residential conversion) which reduce the effective degree of control over town centre regeneration schemes.	<p>Objectives are being broadly met through means such as the Town Centre Masterplan, Cycling and Walking Strategy, Seafront Delivery Project, Towns Fund, and North Lowestoft Heritage Action Zone SPD.</p> <p>Cessation of the Tidal Barrier project will not directly affect the Local Plan implementation, as the Tidal Barrier project was not sufficiently advanced at the time to specifically mentioned in the Local Plan.</p> <p>Policy remains effective.</p>

Section/Policy	Any changes in circumstance (not including national policy changes)	Tested on appeal?	NPPF or other national policy change implications	Changes to legislation, including PD/Use Class Order changes	Conclusion: Are any changes necessary?
WLP 2.2 PowerPark	<p>Nexus scheme (re-development of ESC buildings for clean energy users under application DC/22/4533/FUL) is now under construction. Conrad Energy scheme (DC/21/5329/FUL) nr Gulliver also permitted.</p> <p>Scores project has improved connectivity to East of England Park.</p> <p>Lowestoft Town Centre Masterplan published by East Suffolk Council in 2020 (Regeneration led masterplan)</p>	No.	None.	B1 use class no longer exists and has become part of Use Class E(g) in the 2020 amendments to the Use Classes Order.	Changes to the Use Classes Order means that updating references to B1 uses in the policy would be desirable, but this change is not considered currently necessary as decisions can be taken with reference to the new Use Classes Order.

Section/Policy	Any changes in circumstance (not including national policy changes)	Tested on appeal?	NPPF or other national policy change implications	Changes to legislation, including PD/Use Class Order changes	Conclusion: Are any changes necessary?
WLP 2.3 Peto Square	<p>Lowestoft Town Centre Masterplan published by East Suffolk Council in 2020. (Regeneration led masterplan)</p> <p>Gull Wing bridge due for completion in early 2024.</p> <p>Tidal barrier TWAO application made in Oct 2023 but work on the whole tidal barrier project was stopped in January 2024 due to insufficient funding.</p>	No.	None.	A1, A3, A4 and D1 Use Class no longer exists and has become part of Use Class E(g) in the 2020 amendment to the Use Classes Order.	<p>Changes to the Use Classes Order means that updating references to A and D uses in the policy would be desirable, but this change is not considered currently necessary as decisions can be taken with reference to the new Use Classes Order.</p> <p>Cessation of the Tidal Barrier project will not directly affect the Local Plan implementation, as the Tidal Barrier project was not sufficiently advanced at the time to be specifically mentioned in the Local Plan.</p> <p>Amending the policy would be desirable but is not necessary</p>
WLP2.4 Kirkley Waterfront and Sustainable Urban Neighbourhood	Gull Wing bridge due for completion in early 2024.	No.	None.	B1 use class no longer exists and has become part of Use Class E(g) in the 2020	Changes to the Use Classes Order means that updating references to B1 uses in the policy would be desirable, but this change is not considered currently necessary as decisions can

Section/Policy	Any changes in circumstance (not including national policy changes)	Tested on appeal?	NPPF or other national policy change implications	Changes to legislation, including PD/Use Class Order changes	Conclusion: Are any changes necessary?
	<p>Tidal barrier TWAO application made in Oct 2023 but work on the whole tidal barrier project was stopped in January 2024 due to insufficient funding.</p> <p>The emerging Lowestoft Neighbourhood Plan includes a policy on this site.</p> <p>East Suffolk Council's Strategic Plan is set out in Our Direction 2028. This includes a theme 'to promote housing developments which enhance wellbeing and protect the</p>			<p>amendment to the Use Classes Order.</p>	<p>be taken with reference to the new Use Classes Order.</p> <p>Cessation of the Tidal Barrier project will not directly affect the Local Plan implementation, as the Tidal Barrier project was not sufficiently advanced at the time to specifically mentioned in the Local Plan.</p> <p>Emerging preparation of Planning Position Statement for the Kirkley Waterfront and Sustainable Urban Neighbourhood will further support delivery of the site.</p> <p>Amending the policy would be desirable but is not necessary</p>

Section/Policy	Any changes in circumstance (not including national policy changes)	Tested on appeal?	NPPF or other national policy change implications	Changes to legislation, including PD/Use Class Order changes	Conclusion: Are any changes necessary?
	environment.’ This refers to using master planning to engage with our residents.				
WLP 2.5 East of England Park	None.	No.	None.	None.	A significant number of the criteria within the policy have been delivered excluding a café and art work/sculpture, but these may be provided in the future. Policy remains effective.
WLP 2.6 Western End of Lake Lothing	Some small-scale development has taken place (e.g. on Lake View Terrace). Tidal barrier TWAO application made in Oct 2023 but work on the whole tidal barrier project was stopped in January 2024 due to insufficient funding.	No.	None.	None.	Cessation of the Tidal Barrier project will not directly affect the Local Plan implementation, as the Tidal Barrier project was not sufficiently advanced at the time to specifically mentioned in the Local Plan. Policy remains effective.

Section/Policy	Any changes in circumstance (not including national policy changes)	Tested on appeal?	NPPF or other national policy change implications	Changes to legislation, including PD/Use Class Order changes	Conclusion: Are any changes necessary?
WLP 2.7 Former Battery Green Car Park	Lowestoft Town Centre Masterplan published by East Suffolk Council in 2020. (Regeneration led masterplan)	No.	None.	A1, A2, A3, A4 and D2 Use Class no longer exists and has become part of Use Class E in the 2020 amendment to the Use Classes Order.	Changes to the Use Classes Order means that updating references to A and D uses in the policy would be desirable, but this change is not considered currently necessary as decisions can be taken with reference to the new Use Classes Order. Amending the policy would be desirable but is not necessary
WLP 2.8 Former Lowestoft Hospital	DC/21/5015/FUL permission granted for 6 x 2 bed dwellings and demolition of existing building.	No.	None	None.	The 2023 Housing Land Supply identifies that delivery is being hindered by an overage clause. Whilst it is not expected that delivery will take place in the short term, the redevelopment of this brownfield site remains an important policy and is being considered through the Housing Action Plan. Policy remains effective as part of the strategy to meet housing requirements.
WLP 2.9 Historic High Street and Scores Area	North Lowestoft Heritage Action Zone Design Guide published in 2020 provides detailed guidance for this area. Lowestoft Town Centre Masterplan	No.	None.	Introduction of Use Class E in the 2020 amendments to the Use Classes Order means that there is less control about the range of uses within a town or district centre.	Changes to the Use Classes Order means that updating references to A class uses in the policy would be desirable, but this change is not considered currently necessary as decisions can be taken with reference to the new Use Classes Order. Policy requirement for a Design Guide has been fulfilled through the adoption of the North Lowestoft Heritage Action Zone Design Guide

Section/Policy	Any changes in circumstance (not including national policy changes)	Tested on appeal?	NPPF or other national policy change implications	Changes to legislation, including PD/Use Class Order changes	Conclusion: Are any changes necessary?
	published by the Council in 2020 (Regeneration led masterplan).				Supplementary Planning Document in July 2020, and will continue to provide guidance on implementing the policy. Policy remains effective.
WLP 2.10 Inner Harbour Port Area	Lowestoft Town Centre Masterplan published by the Council in 2020 (Regeneration led masterplan). Gull Wing bridge due for completion in early 2024.	No.	None.	None.	Policy remains effective.
WLP 2.11 Oulton Broad District Shopping Centre	None.	No.	None	A1, A2, A3, A4, A5, D2 and B1a Use Classes no longer exist and have become part of Use Class E(g) in the 2020 amendment to the Use Classes Order.	The introduction of Use Class E means that there is less control about the range of uses within a town or district centre. Changes to the Use Classes Order means that updating references to A, B and D class uses in the policy would be desirable, but this change is not considered currently necessary as decisions can be taken with reference to the new Use Classes Order. Amending the policy would be desirable but is not necessary

Section/Policy	Any changes in circumstance (not including national policy changes)	Tested on appeal?	NPPF or other national policy change implications	Changes to legislation, including PD/Use Class Order changes	Conclusion: Are any changes necessary?
WLP 2.12 Kirkley District Shopping Centre	None.	No.	None	A1, A2, A3, A4, A5, D2 and B1a Use Classes no longer exist and have become part of Use Class E(g) in the 2020 amendment to the Use Classes Order.	The introduction of Use Class E means that there is less control about the range of uses within a town or district centre. Changes to the Use Classes Order means that updating references to B1 uses in the policy would be desirable, but this change is not considered currently necessary as decisions can be taken with reference to the new Use Classes Order. Amending the policy would be desirable but is not necessary
WLP 2.13 North of Lowestoft Garden Village	Pre-application discussions are continuing, with some public pre-app consultation in 2022. Emerging Corton Neighbourhood Plan is in its early stages.	No.	None.	B1 Use Class no longer exists and has become part of Use Class E(g) in the 2020 amendment s to the Use Classes Order.	Developer engagement ongoing. No indication that the site won't be delivered in the Local Plan period. Changes to the Use Classes Order means that updating references to B1 uses in the policy would be desirable, but this change is not considered currently necessary as decisions can be taken with reference to the new Use Classes Order. Amending the policy would be desirable but is not necessary
WLP 2.14 Land North of Union Lane, Oulton	Residential development brief for the site	No.	None.	None.	Development brief in place and developer engagement ongoing. No indication that the site won't be delivered in the Local Plan period.

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	<p>adopted by East Suffolk Council in September 2021, as a Supplementary Planning Document.</p> <p>DC/22/4993/FUL Hybrid app for outline for 87 dwellings and full for 45 awaiting decision.</p>				Policy remains effective as part of the strategy to meet housing requirements.
WLP 2.15 Land Between Hall Lane and Union Lane, Oulton	DC/23/3191/FUL - Outline application for 163 dwellings and full application for 34 dwellings awaiting decision.	No.	None.	None.	<p>Developer engagement ongoing. No indication that the site won't be delivered in the Local Plan period.</p> <p>Policy remains effective as part of the strategy to meet housing requirements.</p>
WLP 2.16 Land South of The Street, Carlton Colville/ Gisleham	None.	No.	None	None.	<p>Allocation undeveloped but there is no indication that the site won't be delivered in the Local Plan period.</p> <p>Policy remains effective as part of the strategy to meet housing requirements.</p>

Section/Policy	Any changes in circumstance (not including national policy changes)	Tested on appeal?	NPPF or other national policy change implications	Changes to legislation, including PD/Use Class Order changes	Conclusion: Are any changes necessary?
WLP 2.17 Land at South Lowestoft Industrial Estate	None.	No.	None	B1 Use Class no longer exists and has become part of Use Class E(g) in the 2020 amendment to the Use Classes Order.	Allocation undeveloped but there is no indication that the site won't be delivered in the Local Plan period. Changes to the Use Classes Order means that updating references to B1 uses in the policy would be desirable, but this change is not considered currently necessary as decisions can be taken with reference to the new Use Classes Order. Amending the policy would be desirable but is not necessary
WLP 2.18 Land at Mobbs Way, Oulton	None.	No.	None.	B1 Use Class no longer exists and has become part of Use Class E(g) in the 2020 amendment to the Use Classes Order.	Allocation undeveloped but there no indication that the site won't be delivered in the Local Plan period. Changes to the Use Classes Order means that updating references to B1 uses in the policy would be desirable, but this change is not considered currently necessary as decisions can be taken with reference to the new Use Classes Order.. Amending the policy would be desirable but is not necessary
WLP 2.19 Oakes Farm, Beccles Road Carlton Colville	None.	No.	None.	None.	Allocation undeveloped, but developer engagement is ongoing, and there is no indication that the site won't be delivered in the Local Plan period.

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					Policy remains effective.
WLP 2.20 Gunton Park, off Old Lane, Corton	None.	No.	None.	None.	Allocation undeveloped but there is no indication that the site won't be delivered in the Local Plan period. Policy remains effective as part of the strategy to meet housing requirements.
WLP 3.1 Beccles and Worlingham Garden Neighbourhood	None.	No.	None.	B1 use class no longer exists and has become part of Use Class E(g) in the 2020 amendments to the Use Classes Order.	Allocation undeveloped, but developer engagement is ongoing, with no indication that the site won't be delivered in the Local Plan period. Changes to the Use Classes Order means that updating references to B1 uses in the policy would be desirable, but this change is not considered currently necessary as decisions can be taken with reference to the new Use Classes Order. Updates identified but policy remains effective as part of the strategy to meet housing requirements.
WLP 3.2 Land West of London Road, Beccles	DC/21/0671/FUL & DC/18/4312/FUL permitted for 241 dwellings and associated uses.	No.	None	None.	Site delivery is ongoing, with no indication that the site won't be delivered in the Local Plan period. Policy remains effective as part of the strategy to meet housing requirements.

Section/Policy	Any changes in circumstance (not including national policy changes)	Tested on appeal?	NPPF or other national policy change implications	Changes to legislation, including PD/Use Class Order changes	Conclusion: Are any changes necessary?
WLP 3.3 Land South of Benacre Road at Ellough Airfield, Ellough	None.	No.	None	B1 Use Class no longer exists and has become part of Use Class E(g) in the 2020 amendments to the Use Classes Order.	Allocation remains partially undeveloped with no indication that the site won't be delivered in the Local Plan period. Some development has taken place on the site. Changes to the Use Classes Order means that updating references to B1 uses in the policy would be desirable, but this change is not considered currently necessary as decisions can be taken with reference to the new Use Classes Order. Amending the policy would be desirable but is not necessary
WLP 4.1 Halesworth/Holton Healthy Neighbourhood	Application DC/21/0007/FUL for sport facilities permitted. DC/21/0027/FUL for a retirement community permitted. DC/18/4947/OUT for 190 dwellings permitted.	No.	None.	None.	Site delivery is ongoing, and there is no indication that the site won't be delivered in the Local Plan period. Policy remains effective as part of the strategy to meet housing requirements.
WLP 4.2 Land Adjacent to Chediston Street, Halesworth	DC/21/5669/ARM permitted for 161 dwellings.	No.	None.	None.	Site delivery is ongoing, and there is no indication that the site won't be delivered in the Local Plan period. Policy remains effective as part of the strategy to meet housing requirements.

Section/Policy	Any changes in circumstance (not including national policy changes)	Tested on appeal?	NPPF or other national policy change implications	Changes to legislation, including PD/Use Class Order changes	Conclusion: Are any changes necessary?
WLP 4.3 Land North of Old Station Road, Halesworth	None	No.	None.	None.	Allocation undeveloped but there is no indication that the site won't be delivered in the Local Plan period. Policy remains effective as part of the strategy to meet housing requirements.
WLP 4.4 Land West of Lodge Road, Holton	DC/20/3070/FUL for 15 dwellings permitted.	No.	None.	None.	Allocation has permission and is under construction. There is no indication that the site won't be delivered in the Local Plan period. Policy remains effective as part of the strategy to meet housing requirements.
WLP 4.5 Land at Dairy Farm, Saxons Way, Halesworth	DC/21/4501/FUL hybrid permission for retirement living accommodation and community building.	No.	None.	None.	Site delivery is ongoing, with no indication that the site won't be delivered in the Local Plan period. Policy remains effective as part of the strategy to meet housing requirements.
WLP 4.6 Broadway Farm, West of Norwich Road, Halesworth	None.	No.	None.	B1 use class no longer exists and has become part of use class E(g) in the 2020 amendment to the Use Classes Order.	Allocation undeveloped. Changes to the Use Classes Order means that updating references to B1 uses in the policy would be desirable, but this change is not considered currently necessary as decisions can be taken with reference to the new Use Classes Order. Amending the policy would be desirable but is not necessary
WLP 5.1 Land East of St Johns Road, Bungay	None.	No.	None.	None.	Allocation undeveloped but no indication that the site won't be delivered in the Local Plan period.

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					Policy remains effective as part of the strategy to meet housing requirements.
WLP 5.2 Land West of St Johns Road, Bungay	DC/18/4429/ARM for 150 dwellings permitted.	No.	None.	B1 use class no longer exists and has become part of use class E(g) in the 2020 amendment to the Use Classes Order.	Site delivery is ongoing, with no indication that the site won't be delivered in the Local Plan period. Amending the policy would be desirable but is not necessary
WLP 6.1 Land West of Copperwheat Avenue, Reydon	DC/19/1141/OUT for 220 dwelling permitted.	No.	None.	None.	Site has permission, with no indication that the site won't be delivered in the Local Plan period. Policy remains effective as part of the strategy to meet housing requirements.
WLP 6.2 Southwold Harbour	Policy refers to Suffolk Coast and Heaths Area of Outstanding Natural Beauty which is now known as National Landscapes (albeit AONB remains the statutory title).	No.	None.	None.	It would be desirable to update the reference to the AONB and Southwold Harbour Conservation Area but these are minor changes that are not considered to warrant review of the policy. Amending the policy would be desirable but is not necessary.

Section/Policy	Any changes in circumstance (not including national policy changes)	Tested on appeal?	NPPF or other national policy change implications	Changes to legislation, including PD/Use Class Order changes	Conclusion: Are any changes necessary?
	The former Southwold Harbour conservation Area in this location is now part of the Southwold Conservation Area.				
WLP 7.1 Rural Settlement Hierarchy and Housing Growth	None.	Policy largely upheld on appeal – 6 appeals dismissed and 1 allowed with conditions.	None.	None.	No change required. Policy remains effective.
WLP7.2 Land Between The Street and A146, Barnby	None.	No.	None	None	Allocation undeveloped but with no indication that the site won't be delivered in the Local Plan period. Policy remains effective as part of the strategy to meet housing requirements.
WLP7.3 Land South of Lound Road, Blundeston	None.	No.	None	None	Allocation undeveloped but with no indication that the site won't be delivered in the Local Plan period. Policy remains effective as part of the strategy to meet housing requirements.

Section/Policy	Any changes in circumstance (not including national policy changes)	Tested on appeal?	NPPF or other national policy change implications	Changes to legislation, including PD/Use Class Order changes	Conclusion: Are any changes necessary?
WLP7.4 Land North of Pickwick Drive, Blundeston	None.	No.	None	None	Allocation remains undeveloped with no indication that the site won't be delivered in the Local Plan period. Policy remains effective as part of the strategy to meet housing requirements.
WLP7.5 – Land North of The Street, Somerleyton	DC/21/3593/FUL permitted for 9 dwellings.	No.	None	None	Site has planning permission and there is no indication that the site won't be delivered in the Local Plan period. Policy remains effective as part of the strategy to meet housing requirements.
WLP7.6 – Mill Farm Field, Somerleyton	DC/21/4745/FUL permitted for 35 dwellings and open space.	No.	None	None	Site has planning permission and there is no indication that the site won't be delivered in the Local Plan period. Policy remains effective as part of the strategy to meet housing requirements.
WLP7.7 – Land North of Elms Lane, Wangford	Policy refers to Suffolk Coast and Heaths Area of Outstanding Natural Beauty which is now known as National Landscapes (albeit AONB	No.	None	The Levelling Up and Regeneration Act has amended the duty on public bodies in relation to AONBs (National Landscapes) requiring that bodies must seek to 'further the purposes of' the	Allocation undeveloped but there is no indication that the site won't be delivered in the Local Plan period. The change in the general duty on public bodies in relation to AONBs (National Landscapes) is not thought to affect the principle of the existing allocation, and local and national planning policy already places a strong emphasis on protecting the AONB landscape.

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	remains the statutory title).			AONB, amended from 'shall have regard to'.	The out-of-date reference to AONB is a minor change that whilst desirable is not considered necessary. Policy remains effective as part of the strategy to meet housing requirements.
WLP7.8 – Land North of Chapel Road, Wrentham	DC/21/2679/FUL permitted for 65 dwellings.	No.	None	None	Delivery of the site is ongoing and there is no indication that the site won't be delivered in the Local Plan period. Policy remains effective as part of the strategy to meet housing requirements.
WLP7.9 – Land South of Southwold Road, Brampton	None.	No.	None	None	Allocation undeveloped but with no indication that the site won't be delivered in the Local Plan period. Policy remains effective as part of the strategy to meet housing requirements.
WLP7.10 – Land at Toodley Farm, Station Road, Brampton	None.	No.	None	None	Allocation undeveloped but with no indication that the site won't be delivered in the Local Plan period. Policy remains effective as part of the strategy to meet housing requirements.
WLP7.11 – Land South of Hogg Lane, Ilketshall St Lawrence	DC/23/3045/FUL for 25 dwellings awaiting decision.	No.	None.	None.	Allocation undeveloped but with no indication that the site won't be delivered in the Local Plan period. Policy remains effective as part of the strategy to meet housing requirements.

Section/Policy	Any changes in circumstance (not including national policy changes)	Tested on appeal?	NPPF or other national policy change implications	Changes to legislation, including PD/Use Class Order changes	Conclusion: Are any changes necessary?
WLP7.12 – Land East of The Street, Lound	None.	No.	None	None	Allocation undeveloped but with no indication that the site won't be delivered in the Local Plan period. Policy remains effective as part of the strategy to meet housing requirements.
WLP7.13 – Land North of Chapel Road, Mutford	Policy refers to Suffolk Coast and Heaths Area of Outstanding Natural Beauty which is now known as National Landscapes (albeit AONB remains the statutory title). DC/20/3366/OUT permitted for 6 dwellings.	No.	None	The Levelling Up and Regeneration Act has amended the duty on public bodies in relation to AONBs requiring that bodies must seek to 'further the purposes of' the AONB, amended from 'shall have regard to'.	Site has planning permission and there is no indication that the site won't be delivered in the Local Plan period. The change in the general duty on public bodies in relation to AONBs is not thought to affect the principle of the existing allocation, and local and national planning policy already places a strong emphasis on protecting the AONB landscape. The out-of-date reference to AONB is a minor change that whilst desirable is not considered necessary. Policy remains effective as part of the strategy to meet housing requirements.
WLP7.14 – Land North of School Road, Ringsfield	DC/20/1001/OUT permitted for 33 dwellings.	APP/X3540/W/21 /3281602 appeal allowed.	None.	None.	Site has planning permission and there is no indication that the site won't be delivered in the Local Plan period. Policy remains effective as part of the strategy to meet housing requirements.

Section/Policy	Any changes in circumstance (not including national policy changes)	Tested on appeal?	NPPF or other national policy change implications	Changes to legislation, including PD/Use Class Order changes	Conclusion: Are any changes necessary?
WLP7.15 – Land East of Mill Road, Rumburgh	None.	No.	None.	None.	Allocation undeveloped but with no indication that the site won't be delivered in the Local Plan period. Policy remains effective as part of the strategy to meet housing requirements.
WLP7.16 – Land East of Woodfield Close, Willingham	None.	No.	None	None	Allocation undeveloped but with no indication that the site won't be delivered in the Local Plan period. Policy remains effective as part of the strategy to meet housing requirements.
WLP7.17 – Land West of Lock's Road, Westhall	DC/23/1913/FUL for 18 dwellings awaiting decision	No.	None	None	Allocation undeveloped but with no indication that the site won't be delivered in the Local Plan period. Policy remains effective as part of the strategy to meet housing requirements.
WLP8.1 – Housing Mix	New Strategic Plan 'Our Direction 2028' adopted by Council in November 2023. Includes the theme 'sustainable housing' which aims to deliver and support the	No.	The December 2023 NPPF includes specific reference to assessing needs for retirement housing, housing-with-care and care homes. Planning Practice Guidance on	None.	The policy is delivering a mix of housing based on assessed needs, including the delivery of smaller homes. Needs for sheltered, extra care and care homes were assessed through the Strategic Housing Market Assessment which underpins the Local Plan. The PPG on Housing for Older and Disabled People refers to 'Retirement living or sheltered housing' as one category and therefore the reference to 'retirement housing' in the NPPF is likely to be captured by the assessment of

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	right housing developments in the right locations based on all residents' housing needs.		Housing for Older and Disabled People was published in 2019 (after the Local Plan was adopted).		<p>sheltered needs. The strategic sites are expected to further contribute to the delivery of older persons housing.</p> <p>Some Neighbourhood Plans have also set out their own approach to housing type and mix, based on local evidence, as supported by the policy.</p> <p>Policy remains effective.</p>
WLP8.2 – Affordable Housing	<p>A relatively small number of viability cases demonstrating a relaxation of affordable housing percentages have been accepted, although the current (2023) market is becoming more challenging.</p> <p>The three different zones (20% Lowestoft; 40% Southwold and Reydon; and</p>	<p>Some affordable housing amounts have been challenged through applications/appeals, but this reflects the provisions in the policy for varying affordable housing in exceptional circumstances.</p> <p>Halesworth assisted living scheme appeal (APP/X3540/W/2</p>	<p>The WLP sets the threshold at 11 dwellings (based on the 2012 NPPF) but this was subsequently changed to 10 or more dwellings or 0.5ha or more in later NPPF iterations.</p> <p>First Homes were introduced in 2021 as a form of discounted market housing and the PPG expects that 25% of affordable</p>	None.	<p>An Affordable Housing SPD was adopted in 2022 which provides additional detail and guidance to support the implementation of the policy.</p> <p>26% of all dwellings completed between 2014-23 were affordable housing (554 of 2,156 new homes), demonstrating that affordable housing is being delivered under WLP 8.2. The figure of 26% relates to the proportion of <i>all</i> housing completions, which will include those on sites of 10 or fewer where affordable housing is not required by policy.</p> <p>The Affordable Housing SPD explains how the First Homes policy is applied under the existing WLP 8.2.</p> <p>A full viability appraisal would be needed for any Local Plan review, which would help determine</p>

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	<p>30% elsewhere) appear to be broadly appropriate still, and the CIL Charging Schedule viability work had them at different values (£0 per m², £300 per m² and £100 per m² respectively)</p> <p>New Strategic Plan 'Our Direction 2028' adopted by Council in November 2023. Includes the theme 'sustainable housing' which aims to deliver</p>	<p>2/3301868) (Land West Of Norwich Road Halesworth Suffolk) allowed with conditions – one of the contributing reasons that this appeal was allowed was due to the Inspector's consideration of what was meant by "Affordable housing provision will only be reduced on sites which are necessary to the overall supply of housing in the District unless the scheme has wider</p>	<p>housing secured as part of residential development is First Homes.</p> <p>A recent ministerial statement³ encourages flexibility in the consideration of the viability of existing permissions</p>		<p>future affordable housing thresholds and amounts.</p> <p>A recent ministerial statement encourages flexibility in the consideration of the viability of existing permissions, but the existing policy already allows for flexibility based on viability.</p> <p>The Broads Authority Local Plan defaults to Waveney Local Plan policy on affordable housing. The Broads Authority have endorsed the ESC Affordable Housing SPD.</p> <p>Whilst some updates to the policy would be desirable, these are not considered necessary.</p>

³ <https://questions-statements.parliament.uk/written-statements/detail/2023-12-19/hcws161>

Section/Policy	Any changes in circumstance (not including national policy changes)	Tested on appeal?	NPPF or other national policy change implications	Changes to legislation, including PD/Use Class Order changes	Conclusion: Are any changes necessary?
	and support the right housing developments in the right locations based on all residents housing needs.	sustainability benefits”.			
WLP8.3 – Self Build and Custom Build	<p>New Strategic Plan ‘Our Direction 2028’ adopted by Council in November 2023. Includes the theme ‘encourage more self-build housing in East Suffolk’.</p> <p>Demand from the Self-Build Register has grown strongly each year. The register covers the whole of East Suffolk (former Waveney area and former</p>	<p>This policy in the Waveney Local Plan has not been tested at appeal, however there is a policy in the Suffolk Coastal Local Plan which is very similar which has been tested at appeal (APP/X3540/W/21/3276418) (Land west of PROW 21, Woods Lane, Melton). There were no issues found with the policy itself, but the Inspector gave ‘significant weight’ to the proposal meeting</p>	<p>December 23 NPPF includes reference to policies and decisions supporting opportunities for small sites for community led housing and custom and self-build housing.</p>	<p>Changes being introduced through the Levelling Up and Regeneration Act (section 123) are intended to tighten the criteria around what permissions can be counted towards meeting the demand.</p>	<p>The draft Custom and Self-Build Housing SPD which provides further guidance on implementing this policy went out for public consultation in September/ October 2023 and is due to be adopted in Spring 2024.</p> <p>The Self-build and Custom Housebuilding Act 2015 (as amended) places a legal duty on local planning authorities to grant enough planning permissions to meet the demand arising from the Register.</p> <p>Paragraph 63 of the NPPF states that, in establishing the need for housing, the size, type and tenure of housing should be assessed for different groups, including those wishing to build or commission their own homes. The PPG on self and custom build housing (paragraph 11) states that the custom and self-build register and evidence from secondary sources should be used in assessing demand.</p>

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	Suffolk Coastal area). ⁴	a shortfall in custom and self-build home provision. The appeal was however dismissed.			<p>The policy is providing a pipeline of plots as intended, but they are not coming through quickly enough to meet the rising demand.</p> <p>Although demand on the register has risen across East Suffolk, the Waveney Local Plan policy is not being tested or challenged at appeal. Since adoption of the Waveney Local Plan there has not been a significant number of applications for self and custom build housing.</p> <p>The Council continues to maintain the Self-Build register including adding and removing entries as required.</p> <p>As part of a future Local Plan review, consideration should be given to commissioning a custom and self-build demand assessment to bring together register data with other secondary data sources.</p> <p>Alongside WLP8.3 other policies in the plan continue to form part of the consideration of applications for custom and self-build developments (such as design, access, landscape</p>

⁴ <https://www.eastsuffolk.gov.uk/planning/planning-policy-and-local-plans/self-build-and-custom-build/>

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					<p>impact etc) providing an effective policy framework for decision making.</p> <p>Whilst through a future Local Plan review, revisiting the policy approach may be desirable, updates are not considered necessary.</p>
WLP8.4 – Conversion of Properties to Flats	<p>There is an Article 4 Direction covering change of use to HMOs in the Waveney Local Plan area. A review is being considered, in line with revised NPPF policy on Article 4s which expects these to apply to the smallest geographical area possible. This may also assist with provision of appropriate, affordable accommodation for young adults.</p>	<p>APP/T3535/W/18/3208503 (189 Raglan Street, Lowestoft, Suffolk, NR32 2JX) dismissed. Main issue whether dwelling was suitable for HMO.</p> <p>APP/T3535/W/18/3214230 (36 Tennyson Road, Lowestoft, Suffolk, NR32 1PS) dismissed. Main issue whether dwelling was suitable for HMO.</p>	<p>None relating to the policy itself, although the NPPF was amended in 2021 in relation to Article 4 Directions (para 53 of Dec 2023 NPPF) explaining they should be evidenced, necessary and applied to the smallest geographical area possible.</p>	None.	<p>In applying the “exceptional circumstances” policy requirement there is no supporting text to indicate what potential “exceptional circumstances” might be and this might hinder the delivery of more HMOs, which are known to be needed (as cheap accommodation for low-wage employees or those on benefits). Explanation of “Exceptional Circumstances” could be provided through a guidance note.</p> <p>As part of a future local plan review consideration will be given to whether the flat saturation zones are still appropriate, whether the HMO criteria are still justified and, if ‘exceptional circumstances’ provisions are adequate.</p> <p>In the short term, the Article 4 Direction can be reviewed in line with NPPF policy. The need for a policy review will be determined partly by evidence obtained through reviewing the Article 4 Direction.</p>

Section/Policy	Any changes in circumstance (not including national policy changes)	Tested on appeal?	NPPF or other national policy change implications	Changes to legislation, including PD/Use Class Order changes	Conclusion: Are any changes necessary?
					Whilst through a future Local Plan review revisiting the policy approach may be desirable, updates are not considered necessary.
WLP8.5 – Gypsy and Traveller Sites	DC/18/0102/COU Windy Acres, Mutfordwood Lane, Mutford, Lowestoft Change of Use of Land (retrospective) to provide four additional mobile homes for Gypsy/ Travellers, permitted 26/04/2018. (The needs identified in the Local Plan relate to the 2016 – 2036 period).	No.	Planning Policy for Travellers Sites was amended in December 2023, reverting to a definition of Gypsies and Travellers for planning purposes that includes those who have ceased travelling permanently on grounds of education, health or old age.	None.	<p>Any updated Local Plan would need to assess the needs for Gypsy and Traveller accommodation based upon the revised definition.</p> <p>The policy refers to the definition contained in the August 2015 Planning Policy for Traveller Sites – the revised 2023 definition would be a material consideration in decision making.</p> <p>A future assessment of needs for Gypsy and Traveller accommodation would need to consider the current definition, and the level of need going forward.</p> <p>Provision for short stay stopping sites is considered Suffolk wide.</p> <p>In the meantime, the policy provides an effective framework for decision making, to be applied alongside the definition in the revised Planning Policy for Travellers Sites. Amending the policy would be desirable but is not necessary.</p>
WLP8.6 – Affordable	New Strategic Plan ‘Our Direction 2028’	None.	Whilst there have been changes to the exception	None.	An Affordable Housing SPD was adopted in 2022 which provides additional detail and guidance to support the implementation of the policy.

Section/Policy	Any changes in circumstance (not including national policy changes)	Tested on appeal?	NPPF or other national policy change implications	Changes to legislation, including PD/Use Class Order changes	Conclusion: Are any changes necessary?
Housing in the Countryside	adopted by Council in November 2023. Includes the theme 'sustainable housing' which aims to deliver and support the right housing developments in the right locations based on all residents housing needs.		sites policies in national policy, including through the introduction of First Homes exception sites, the principles remain the same. Changes to the NPPF in December 2023 allow for development of community-led housing on sites which otherwise wouldn't be suitable as exception sites.		<p>The policy remains appropriate in light of national policy on affordable housing exception sites.</p> <p>In relation to community led affordable housing, whilst consideration would be given to addressing this specifically through a future policy review, policy in the NPPF would be applied as a material consideration in the meantime alongside other Local Plan policies such as in relation to accessibility and landscape.</p> <p>Amending the policy would be desirable but is not necessary</p>
WLP8.7 – Small Scale Residential Development in the Countryside	New Strategic Plan 'Our Direction 2028' adopted by Council in November 2023. Includes the theme 'sustainable housing' which aims to deliver	APP/X3540/W/21 /3286490 (Former White Willow Barn The Street, St James, Halesworth, South Elmham). Appeal dismissed. WLP 8.7 working effectively	None.	None.	<p>Supplementary Planning Document on Housing in Clusters and Small Scale Residential Development in the Countryside was adopted in 2022, which is assisting in the interpretation and implementation of the policy.</p> <p>Policy remains effective.</p>

Section/Policy	Any changes in circumstance (not including national policy changes)	Tested on appeal?	NPPF or other national policy change implications	Changes to legislation, including PD/Use Class Order changes	Conclusion: Are any changes necessary?
	and support the right housing developments in the right locations based on all residents housing needs.	<p>Appeal heard before the Housing in Clusters and Small Scale Residential Development in the Countryside SPD was adopted (Nov 2022).</p> <p>APP/X3540/W/19/3239124 (Land Adjacent Hall Cottage Church Road Henstead Suffolk NR34 7LD) Conditionally allowed appeal. Main issue was the impact on designated heritage assets and highway safety rather than the principle of this policy.</p>			

Section/Policy	Any changes in circumstance (not including national policy changes)	Tested on appeal?	NPPF or other national policy change implications	Changes to legislation, including PD/Use Class Order changes	Conclusion: Are any changes necessary?
WLP8.8 – Rural Workers Dwellings in the Countryside	None.	APP/X3540/W/21/3281828 (Valley Farm Wash Lane Beccles)- Appeal following decision to refuse removal of agricultural workers conditions. Appeal dismissed. Whilst recognising the unique situation of the current occupant the Inspector found this did not outweigh the need for rural worker dwellings.	None.	None.	The Rural Development SPD which will provide further guidance on implementing this policy is currently under preparation. Policy remains effective.
WLP8.9 – Replacement Dwellings and Extensions in the Countryside	None.	APP/X3540/D/21/3285169 (Heath Farm Barn, London Road, Kessingland) – Appeal for an extension to a house in the countryside was allowed.	None.	None.	Whilst an appeal was allowed it is considered that this relates to a matter of planning judgement on this case and the policy itself remains appropriate. Policy remains effective.

Section/Policy	Any changes in circumstance (not including national policy changes)	Tested on appeal?	NPPF or other national policy change implications	Changes to legislation, including PD/Use Class Order changes	Conclusion: Are any changes necessary?
		Inspector concluded existing building was of limited architectural merit and the extension would be in character with existing dwelling. Noted that whilst the extension will increase the scale of dwelling this is offset by the distance/view from the public realm and its relationship to the surrounding buildings.			
WLP8.10 – Residential Annexes in the Countryside	None.	APP/X3540/W/19/3236570 (Briar House Church Lane, Lound, Lowestoft) dismissed. Policy upheld – Inspector concluded a legal	None	None.	The Rural Development SPD which will provide further guidance on this policy is currently under preparation. Policy remains effective.

Section/Policy	Any changes in circumstance (not including national policy changes)	Tested on appeal?	NPPF or other national policy change implications	Changes to legislation, including PD/Use Class Order changes	Conclusion: Are any changes necessary?
		agreement, while restricting to ancillary accommodation, would not overcome separate appearance of the annex.			
WLP8.11 – Conversion of Rural Buildings to Residential Use	None.	<p>APP/X3540/W/19/3232531 (Hill Farm Cottage, Englishes Lane, Ilketchall St John, Beccles) - allowed. Inspector felt policy was too restrictive compared to the NPPF (para 79c, now 84c), and therefore gave it 'limited weight'.</p> <p>APP/X3540/W/21/3281525 (Mariawood, Hulver Street, Henstead,</p>	None.	Government consultation on proposed changes to Permitted Development Rights took place in 2023. It included proposed changes to Permitted Development rights to convert agricultural buildings to residential use. Awaiting results of consultation.	<p>Whilst in one appeal the Inspector considered that the policy is more restrictive than the NPPF, the NPPF policy has not substantially changed since the 2012 NPPF (was para 55c, now para 84c) and therefore it is considered the policy remains as appropriate as when it was examined and adopted.</p> <p>The policy would still operate alongside any changes to Permitted Development rights as it would apply in those situations where planning permission is needed.</p> <p>The Rural development SPD which will provide further guidance on this policy is currently under preparation.</p> <p>Policy remains effective.</p>

Section/Policy	Any changes in circumstance (not including national policy changes)	Tested on appeal?	NPPF or other national policy change implications	Changes to legislation, including PD/Use Class Order changes	Conclusion: Are any changes necessary?
		Beccles) – dismissed. WLP 8.11 working effectively.			
WLP8.12 – Existing Employment Areas	None. The policy doesn't provide protection for existing employment uses outside of the Existing Employment Areas.	No.	The following has been added to the NPPF in 2018 'and for storage and distribution operations at a variety of scales and in suitably accessible locations.' Planning Policies and decision should address specific locational requirements of different sectors. The specific reference to storage and distribution adds additional recognition to the role of storage and distribution. B8 uses are	B1 Use Class no longer exists and has become part of Use Class E(g) in the 2020 amendment to the Use Classes Order. A1 Use Class no longer exists and has become part of Use Class E(g) in the 2020 amendment to the Use Classes Order.	Changes to the Use Classes Order means that updating references to B1 and A1 uses in the policy would be desirable, but this change is not considered currently necessary as decisions can be taken with reference to the new Use Classes Order. Through a review, consideration would be given to introducing policy which protects employment uses outside of Existing Employment Areas. Amending the policy would be desirable but is not necessary

Section/Policy	Any changes in circumstance (not including national policy changes)	Tested on appeal?	NPPF or other national policy change implications	Changes to legislation, including PD/Use Class Order changes	Conclusion: Are any changes necessary?
			however covered in the policy.		
WLP8.13 – New Employment Development	None.	No.	<p>The following has been added to the NPPF in 2018 ‘and for storage and distribution operations at a variety of scales and in Suitably accessible locations.’ Planning Policies and decisions should address specific locational requirements of different sectors. The specific reference to storage and distribution adds additional recognition to the role of storage and distribution. B8 uses are however covered in the policy.</p>	<p>B1 Use Class no longer exists and has become part of Use Class E(g) in the 2020 amendment to the Use Classes Order.</p> <p>A1 Use Class no longer exists and has become part of Use Class E(g) in the 2020 amendment to the Use Classes Order.</p>	<p>Changes to the Use Classes Order means that updating references to B1 and A1 uses in the policy would be desirable, but this change is not considered currently necessary as decisions can be taken with reference to the new Use Classes Order.</p> <p>Amending the policy would be desirable but is not necessary</p>

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WLP8.14 – Conversion and Replacement of Rural Buildings for Employment Use	None.	No.	In the 2018 revision a paragraph was added (now para 89) stating that policy should recognise that important rural employment may need to be beyond existing settlements and not well served by public transport before setting out a criteria for such development. The current policy is broadly in conformity with this paragraph.	B1 Use Class no longer exists and has become part of Use Class E(g) in the 2020 amendment to the Use Classes Order.	Changes to the Use Classes Order means that updating references to B1 and A1 uses in the policy would be desirable, but this change is not considered currently necessary as decisions can be taken with reference to the new Use Classes Order. Amending the policy would be desirable but is not necessary
WLP8.15 – New Self Catering Tourist Accommodation	None.	APP/X3540/W/19 /3237328 (31 Kessingland Cottages, Rider Haggard Lane, Kessingland) The appeal against a	None.	General Permitted Development Order has added Part 4 Class BC.	The Rural Development SPD which will provide further guidance on this policy is currently under preparation, and is anticipated to be adopted in Spring 2024. A future review of the plan may wish to extend the policy to include all tourism accommodation

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		<p>refusal of 16 self-catered holiday units determined that policy WLP8.15 should only be applied to new tourism accommodation and not used to govern existing holiday accommodation and related conditions that restrict its use.</p> <p>This appeal decision is further supported by APP/X3540/D/21/3275974 (Pakefield Caravan Park, Arbor Lane, Lowestoft)</p>			<p>not just 'new' accommodation to enhance protection of holiday uses important to the local economy.</p> <p>Policy remains effective.</p>
WLP8.16 – New Hotels and Guest Houses	None.	No.	None.	None.	<p>No change required.</p> <p>Policy remains effective.</p>

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WLP8.17 – Existing Tourist Accommodation	None.	APP/T3535/W/19 /3224869 (Part Land North of Alandale Drive, Kessingland)-dismissed. The policy was tested at this appeal and the inspector upheld its use.	None.	None.	No change required. Policy remains effective.
WLP8.18 – New Town Centre Use Development	None. Although retail will probably continue to play an important part in town centres in the future, it is unlikely to dominate as it has in the past.	No.	Whilst specific wording has changed, the NPPF paragraph 90 b) still requires local plans to define the extent of town centres and primary shopping areas, and still promotes the sequential approach to new town centre development i.e. to be located in town centres, then edge of centres and only	Changes to Permitted Development (retail to residential and office to residential) new use class E. This includes converting both retail and office uses to residential. Use Class E also includes industrial processes and offices. These are not normally considered	Key areas of the policy remain appropriate including the sequential approach and impact assessment. Changes to the Use Classes Order means that updating references to use classes in the policy would be desirable, but this change is not considered currently necessary as decisions can be taken with reference to the new Use Classes Order.. A future review of the Local Plan would consider the appropriateness of the location of town centre boundaries and the approach to new uses within them. -. Whilst through a future Local Plan review revisiting the policy approach may be desirable, updates are not considered necessary.

Section/Policy	Any changes in circumstance (not including national policy changes)	Tested on appeal?	NPPF or other national policy change implications	Changes to legislation, including PD/Use Class Order changes	Conclusion: Are any changes necessary?
			out of centre if not suitable sites available. The policy defines primary shopping areas. Paragraph 90c) also states that local plans should retain and enhance existing markets and create new ones where appropriate. This is a new addition to the NPPF.	consistent with town centres	
WLP8.19 – Vitality and Viability of Town Centres	In Lowestoft, town centre vacancy rates have risen from 21% of units in 2020, to 23.9% of units in 2022. In Bungay, the town centre vacancy rate rose from 17% to 19.1% over the same period. Rates have therefore	No.	The policies map defines primary and secondary frontages and the policy explains the extent to which non-retail development will be acceptable in each. Paragraph 90c) of the NPPF also states that local plans should protect the role	New Use Class E. Introduction of PD (class MA) rights for class E to residential. This includes converting both retail and office uses to residential. Use Class E also includes industrial processes and	<p>A future review of the Local Plan would consider the appropriateness of the policy approach towards the primary and secondary shopping frontages.</p> <p>Any future approach would be informed by a review of retail evidence.</p> <p>Changes to the Use Classes Order means that updating references to B1 uses in the policy would be desirable, but this change is not considered currently necessary as decisions can</p>

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	<p>remained high during this period. Although retail will probably continue to play an important part in town centres in the future, it is unlikely to dominate as it has in the past.</p>		<p>of existing markets and create new ones. This is a new addition to the NPPF.</p>	<p>offices. These are not normally considered consistent with town centres.</p>	<p>be taken with reference to the new Use Classes Order. Whilst through a future Local Plan review revisiting the policy approach may be desirable, updates are not considered necessary.</p>
WLP8.20 – Local Shopping Centres	<p>Local centres appear to be generally functioning quite well, and the number of vacancies in Local Shopping Centres has remained relatively low in the period since the plan was drafted.</p>	None.	<p>The policy is consistent with NPPF paragraph 86 a), which requires local plans to define a hierarchy of service centres.</p>	<p>New use class E. Introduction of Permitted Development (Class MA) rights for class E to residential. This includes converting both retail and office uses to residential. Use Class E also includes industrial processes and offices. These are not normally</p>	<p>Future iterations of the policy will need to take account of Permitted Development and Use Classes changes.</p> <p>Any future approach to local shopping centres would be informed by a review of retail evidence.</p> <p>Amending the policy would be desirable but is not necessary</p>

Section/Policy	Any changes in circumstance (not including national policy changes)	Tested on appeal?	NPPF or other national policy change implications	Changes to legislation, including PD/Use Class Order changes	Conclusion: Are any changes necessary?
				considered consistent with local centres.	
WLP8.21 – Sustainable Transport	<p>New Strategic Plan ‘Our Direction 2028’ adopted by Council in November 2023. This contains the theme ‘environmental impact’ which includes ‘supporting sustainable transport’.</p> <p>The East Suffolk Cycling & Walking Strategy was adopted in 2022, which superseded the Waveney Cycle Strategy (2016).</p> <p>Suffolk County Council’s Suffolk Design: Streets</p>	APP/T3535/W/19 /3220502 – limited weight given to cycling and walking routes, only really considering the policy requirement to reduce conflict between users in the context of appropriate approaches to car parking.	Publication of Department for Transport’s ‘Gear Change’ policy document and technical guidance, Cycle Infrastructure Design: Local Transport Note 1/20 (‘LTN 1/20’) in July 2020.	None.	<p>This policy does not expressly refer to the adopted East Suffolk Cycling and Walking Strategy (2022), however, as it superseded the Waveney Cycle Strategy (2016), and the policy includes the wording ‘2016 and subsequent updates’, this is effectively covered by the current policy wording.</p> <p>This policy does not expressly refer to the Department for Transport’s Cycle Infrastructure Design: Local Transport Note 1/20 (‘LTN 1/20’, 2020), as this was published after the WLP was adopted. However, wording of this policy is sufficiently high level that not having an explicit reference to LTN 1/20 does not undermine the policy’s overall aims.</p> <p>This policy includes reference to Suffolk County Council’s Guidance for Parking document ‘2014 and subsequent updates’; this wording therefore provides for subsequent updates to the document and does not need to be updated.</p> <p>Whilst the updates above would be desirable, they are not considered to be necessary.</p>

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	<p>Guide was adopted in 2022.</p> <p>Suffolk Guidance for Parking was updated in October 2023.</p>				
WLP8.22 – Built Community Services and Facilities	None.	<p>No. However, it is acknowledged that the equivalent policy in the Suffolk Coastal Local Plan has been tested on appeal- APP/X3540/W/21/3267667 (Admirals Head Inn Sandy Lane Little Bealings). This concerned an application to convert a public house, which is designated as an asset of community value, to residential use.</p>	None.	None.	<p>The policy states that community facilities designated as an Asset of Community Value (ACV) cannot be converted to non-community uses. The intention of the policy was to mitigate against inflated values which could frustrate a community’s ability to bid for a property, however there is a risk that in certain circumstances it could lead to long term empty properties. There is considered to be sufficient flexibility when taking into account other material considerations to allow for such circumstances if this became needed. Whilst updates would be desirable, they are not considered to be necessary.</p>

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		<p>The inspector concluded that the public house had been vacant for several years, despite efforts to market the business, and that there was no prospect of it being used as a public house in the future. Therefore, the appeal was allowed and conversion to non-community use was permitted.</p>			
WLP8.23 – Protection of Open Space	None.	No.	None, still in close alignment with para 103 of NPPF.	None.	Policy remains effective.
WLP8.24 – Flood Risk	None.	APP/X3540/W/19/3242698 (Land Rear of 21 Birds Lane Lowestoft) – Appeal dismissed in part on flood	None.	None.	The Strategic Flood Risk Assessment was finalised in April 2018, and the underlying data is older. Updated climate change data will need to inform an updated SFRA in identifying flood risk areas as part of a Local Plan review in due course.

Section/Policy	Any changes in circumstance (not including national policy changes)	Tested on appeal?	NPPF or other national policy change implications	Changes to legislation, including PD/Use Class Order changes	Conclusion: Are any changes necessary?
		risk grounds, resulting from failure to appropriately apply the sequential test. Inspector noted WLP8.24 is consistent with national policy.			<p>The Council works with a number of relevant organisations in managing development and flood risk in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015, including the Environment Agency (EA) and Suffolk County Council as the Lead Local Flood Authority (LLFA). The EA, as the responsible body for the strategic overview of flood risk management, plays a central role in delivering the flood risk priorities of the Government and managing flood risk from rivers and the sea. The LLFA has the lead operational role in managing the risk of flooding from surface water, ground water, and ordinary watercourses. The Council engages the LLFA on relevant planning applications where flood risk is a material consideration.</p> <p>The Council’s Strategic Flood Risk Assessment, and the Environment Agency’s national flood risk map provide useful data in understanding flood risk across East Suffolk. To complement this data, site specific flood risk assessments need to be submitted alongside relevant planning applications.</p> <p>Policy remains effective.</p>
WLP8.25 – Coastal Change	New Strategic Plan ‘Our Direction 2028’	No.	None.	None.	A Coastal Adaptation SPD was adopted in 2023 which provides additional detail and guidance to support the implementation of the policy.

Section/Policy	Any changes in circumstance (not including national policy changes)	Tested on appeal?	NPPF or other national policy change implications	Changes to legislation, including PD/Use Class Order changes	Conclusion: Are any changes necessary?
Management Area	adopted by Council in November 2023. This contains the theme 'Environmental Impact which includes working 'in partnership to manage coastal adaption and create resilience'.				<p>The policy is consistent with national policy and development plan policy across those authorities that prepared the joint Coastal Adaptation SPD. However, the underlying data on which the CCMA is based, as set out in the Shoreline Management Plan (SMP), would benefit from being updated; The short-term risk zone (i.e. changes to the coast expected within 20 years) is identified within SMP7 (Lowestoft to Felixstowe) as ending in 2025. However, this change is not considered to necessitate review of the policy and is not directly within the control of the Council anyway, as SMPs are prepared on a partnership basis by a number of bodies.</p> <p>Policy remains effective.</p>
WLP8.26 – Relocation and Replacement of Development Affected by Coastal Erosion	New Strategic Plan 'Our Direction 2028' adopted by Council in November 2023. The Council will work in partnership with stakeholders and communities to manage coastal adaption and	No.	None.	None.	<p>A Coastal Adaptation SPD was adopted in 2023 which provides additional detail and guidance to support the implementation of the policy.</p> <p>It is recognised that issues of the relocation of properties along the coast presents significant challenges.</p> <p>It is expected that outcomes from the Resilient Coasts project will inform future Local Plan policies.</p>

Section/Policy	Any changes in circumstance (not including national policy changes)	Tested on appeal?	NPPF or other national policy change implications	Changes to legislation, including PD/Use Class Order changes	Conclusion: Are any changes necessary?
	<p>create resilience wherever possible.</p> <p>East Suffolk Council, through Coastal Partnership East, are taking forward the Resilient Coasts project⁵ which will work alongside communities to create and pilot a practical Coastal Adaptation Toolkit.</p>				In the interim, the policy continues to provide an effective policy framework for decision making.
WLP8.27 – Renewable and Low Carbon Energy	New Strategic Plan ‘Our Direction 2028’ adopted by Council in November 2023.	No.	The 2023 NPPF allows Supplementary Planning Documents, as well as	A consultation was held in 2023 on Permitted development rights for solar equipment on	<p>No changes are currently required to the policy.</p> <p>Whilst the Council seeks to support green energy technologies through its new Strategic Plan, the more restrictive approach to wind energy</p>

⁵ [Resilient Coasts - Great Yarmouth and East Suffolk | Engage Environment Agency \(engagementhq.com\)](https://www.engagementhq.com/engagements/resilient-coasts-great-yarmouth-and-east-suffolk)

Section/Policy	Any changes in circumstance (not including national policy changes)	Tested on appeal?	NPPF or other national policy change implications	Changes to legislation, including PD/Use Class Order changes	Conclusion: Are any changes necessary?
	<p>The Council is committed to supporting, promoting and implementing green technologies to create energy across the district, contributing to local and national energy infrastructures.</p>		<p>development plans, to identify areas as suitable for wind energy development.</p> <p>The NPPF states that significant weight should be given to the need to support energy efficiency and low carbon heating improvements to existing buildings.</p>	<p>and within the curtilage of domestic and non-domestic buildings. Awaiting the results of the consultation.</p>	<p>development remains reflective of the current policy in the NPPF.</p> <p>Policy remains effective.</p>
WLP8.28 – Sustainable Construction	<p>New Strategic Plan ‘Our Direction 2028’ adopted by Council in November 2023. This includes the theme ‘environmental impact’ which aims to deliver positive climate, nature and environmental impacts. Through</p>	No.	<p>There has been no recent Government advice (PPG) or meaningful changes to the NPPF. The Ministerial Statement issued on 13th December</p>	<p>There have been updates to Approved Document Part L (Conservation of fuel and power) of the Building Regulations which impacts sustainable construction. This policy does not set standards higher than</p>	<p>The Council is committed to delivering sustainable housing and supporting, promoting and implementing green technologies.</p> <p>A Sustainable Construction SPD was adopted in 2022 which provides additional detail and guidance to support the implementation of this policy.</p> <p>Whilst the Council may wish to go further, under current national policy and guidance the policy remains appropriate and is not technically out of date. There is no planning policy reason to change the policy.</p>

Section/Policy	Any changes in circumstance (not including national policy changes)	Tested on appeal?	NPPF or other national policy change implications	Changes to legislation, including PD/Use Class Order changes	Conclusion: Are any changes necessary?
	<p>this the Council is committed to supporting, promoting and implementing green technologies to create energy across the district, contributing to local and national energy infrastructures.</p> <p>A key ambition is the delivery of sustainable housing through tackling fuel poverty and supporting new heating</p>		<p>2023⁶ set out that the Government does not expect plan-makers to set local energy efficiency standards for buildings that go beyond current or planned building regulations. Any planning policies must have a well-reasoned and robustly costed rationale with detailed requirements set out in the ministerial statement.</p>	<p>Building Regulations. The Building Regulations updates have therefore not impacted the implementation of the policy.</p>	<p>Whilst updates would be desirable, they are not considered to be necessary</p>

⁶ <https://questions-statements.parliament.uk/written-statements/detail/2023-12-13/hcws123#:~:text=Statement%20made%20on%2013%20December%202023&text=As%20a%20Government%2C%20we%20continue,the%20homes%20and%20building%20sector.>

Section/Policy	Any changes in circumstance (not including national policy changes)	Tested on appeal?	NPPF or other national policy change implications	Changes to legislation, including PD/Use Class Order changes	Conclusion: Are any changes necessary?
	technologies, and promoting developments which enhance wellbeing and protect the environment.				
WLP8.29 – Design	Suffolk Design – Streets Guide adopted by Suffolk County Council in 2022.	The policy has been successfully used across a number of appeals, the majority of which focus on the design impacts of development proposals on the character of the area, and/or the amenity impacts on existing nearby occupants and future occupants.	<p>Building for Life 12 has been superseded by Building for a Healthy Life, and other resources have also been introduced (e.g. National Design Guide and National Model Design Code).</p> <p>The 2023 NPPF states that local design codes should be the primary means of assessing and improving the design of development.</p>	The Levelling Up and Regeneration Act 2023 (LURA) will require local authorities to set out design requirements within a development plan document that relate to the whole local authority area.	<p>East Suffolk Council does not currently have a design code but, reflecting the new requirement introduced by the LURA, is considering how best to progress this for the district. It is anticipated that further guidance will be provided by the Government alongside the commencement of this part of the LURA. The design code would in time inform future design policy.</p> <p>Amending the policy would be desirable but is not necessary</p>

Section/Policy	Any changes in circumstance (not including national policy changes)	Tested on appeal?	NPPF or other national policy change implications	Changes to legislation, including PD/Use Class Order changes	Conclusion: Are any changes necessary?
			Since the adoption of the Local Plan, the Government has published the National Design Guide and National Model Design Code, both of which provide design guidance which can be applied at the local level.		
WLP8.30 – Design of Open Spaces	None.	No.	Since the adoption of the Local Plan, the Government has published the National Design Guide and National Model Design Code, both of which provide design guidance which can be applied at the local level.	None.	<p>No changes identified.</p> <p>The Healthy Environments SPD which will provide further guidance on implementing this policy, is currently under preparation.</p> <p>Policy remains effective.</p>
WLP8.31 – Lifetime Design	None.	No.	Since the adoption of the	M4(2) is set to become the new	No changes identified.

Section/Policy	Any changes in circumstance (not including national policy changes)	Tested on appeal?	NPPF or other national policy change implications	Changes to legislation, including PD/Use Class Order changes	Conclusion: Are any changes necessary?
			Local Plan, the Government has published the National Design Guide and National Model Design Code, both of which provide design guidance which can be applied at the local level.	minimum Building Regulation standard for dwellings, though this change has not yet come into force.	The Healthy Environments SPD which will provide further guidance on implementing this policy, is currently under preparation. Policy remains effective.
WLP8.32 – Housing Density and Design	None.	APP/T3535/W/18/3212605 (69 Beccles Road, Bungay) – Appeal relating to residential development and local character and distinctiveness was dismissed. There is an element of policy duplication with policy WLP8.29 in respect of protecting or enhancing local	Since the adoption of the Local Plan, the Government has published the National Design Guide and National Model Design Code, both of which provide design guidance which can be applied at the local level.	None.	No changes needed. Policy remains effective.

Section/Policy	Any changes in circumstance (not including national policy changes)	Tested on appeal?	NPPF or other national policy change implications	Changes to legislation, including PD/Use Class Order changes	Conclusion: Are any changes necessary?
		character, appearance and distinctiveness.			
WLP8.33 – Residential Gardens and Urban Infilling	None.	A number of appeals relate to the application of this policy, the vast majority of which have been dismissed due to adverse impacts of the development on the character and appearance of the area.	None.	None.	No changes needed. Policy remains effective.
WLP8.34 – Biodiversity and Geodiversity	The Recreational disturbance Avoidance and Mitigation Scheme SPD (referenced in the text) has now been adopted. New Strategic Plan 'Our Direction 2028' adopted by Council in	No issues relating to this policy were found as part of the appeals process. One appeal decision raised issues with the mechanisms the Council are using to secure RAMS payments to mitigate impacts	None.	The Environment Act 2021 brings in mandatory Biodiversity Net Gain from Jan 2024.	The policy does not refer to biodiversity net gain specifically but is sufficiently flexible to not impede the implementation of BNG requirements. Amending the policy would be desirable but is not necessary.

Section/Policy	Any changes in circumstance (not including national policy changes)	Tested on appeal?	NPPF or other national policy change implications	Changes to legislation, including PD/Use Class Order changes	Conclusion: Are any changes necessary?
	November 2023. Includes the theme 'environmental impact' which aims to deliver positive climate, nature and environmental impacts.	on Habitat Sites, but this does not undermine the policy intent or wording, and hasn't been an issue in most appeal decisions.			
WLP8.35 – Landscape Character	The policy refers to Suffolk Coast and Heaths Area of Outstanding Natural Beauty which is now known as National Landscapes (albeit AONB remains the statutory title).	No.	Addition of reference to the scale and extent of development in AONBs (NLs) to be limited, and development in the setting to be sensitively located and designed.	The Levelling Up and Regeneration Act (LURA) has amended the statutory role of local authorities to 'further the purpose' of AONBs/ National Landscapes and the Broads, in place of 'to have regard' to them.	<p>The out-of-date reference to AONB is a minor change that is not considered to warrant review of the policy.</p> <p>Amendments to the NPPF to refer to considering impact from development in the setting is already reflected in the policy.</p> <p>Whilst the policy doesn't refer to development of a limited scale and extent, it contains strong policy on protection of the landscape and scenic beauty, and the NPPF would also be a material consideration in the determination of planning applications against this policy.</p> <p>This revised duty under the LURA to 'further the purpose' of AONBs/National Landscapes and the Broads can be applied under the policy framework provided by WLP8.35.</p>

Section/Policy	Any changes in circumstance (not including national policy changes)	Tested on appeal?	NPPF or other national policy change implications	Changes to legislation, including PD/Use Class Order changes	Conclusion: Are any changes necessary?
					Amending the policy would be desirable but is not necessary.
WLP8.36 – Coalescence of Settlements	None.	No.	None.	None.	No necessary changes. Policy remains effective.
WLP8.37 – Historic Environment	None.	No issues of policy interpretation. Appeal decisions in relation to this policy relate to judgements as to whether or not (and the extent to which) development would harm the significance of heritage assets.	None.	No issues of consistency with relevant legislation (e.g. Planning (Listed Buildings and Conservation Areas) Act 1990).	A Historic Environment SPD was adopted in 2021 which provides additional detail and guidance to support the implementation of the policy. This replaced the Heritage and Design SPD referenced in the policy. The Planning (Listed Buildings and Conservation Areas) Act 1990 refers to ‘preserve and/or enhance’ while the policy uses ‘protect and enhance’ and ‘conserve or enhance’. It would be more consistent to use the same wording as the Planning (Listed Buildings and Conservation Areas) Act 1990. The need to update these references does not impact the application of the policy. Amending the policy would be desirable but is not necessary.
WLP8.38 – Non-Designated Heritage Assets	East Suffolk Council does not maintain a local list of NDHAs, however a local list of parks and	No.	None.	No issues of consistency with relevant legislation (e.g. Planning (Listed Buildings and	There are two matters identified in the policy, as detailed in the second column of this matrix. These are however minor, which do not impact the application of the policy and are not considered to warrant review of the policy.

Section/Policy	Any changes in circumstance (not including national policy changes)	Tested on appeal?	NPPF or other national policy change implications	Changes to legislation, including PD/Use Class Order changes	Conclusion: Are any changes necessary?
	<p>gardens was extended in 2022 to include five historic parklands in the Waveney Local Plan area.</p> <p>The supporting text, below paragraph 8.221, includes reference to the NDHA assessment criteria, which includes reference to 'artistic value' under the 'artistic interest' criterion. This is slightly different to the updated NDHA criteria, which refers to 'aesthetic value'.</p>			Conservation Areas) Act 1990).	<p>Reference to the locally listed parks and gardens would provide clarity in the policy approach for these areas. In the meantime, national policy in paragraph 209 of the NPPF will apply to proposals.</p> <p>Amending the policy would be desirable but is not necessary.</p>
WLP8.39 – Conservation Areas	None.	No.	The NPPF was amended in 2021 in relation to Article 4	None.	No changes needed. The policy is considered to be consistent with the NPPF (para 53 – Article 4 directions), PPG and other relevant legislation (e.g. Planning (Listed Buildings and Conservation

Section/Policy	Any changes in circumstance (not including national policy changes)	Tested on appeal?	NPPF or other national policy change implications	Changes to legislation, including PD/Use Class Order changes	Conclusion: Are any changes necessary?
			Directions (para 53 of Dec 2023 NPPF) explaining they should be evidenced, necessary and applied to the smallest geographical area possible.		Areas) Act 1990). A review of Article 4 Directions in the Waveney Local Plan area is underway. Policy remains effective.
WLP8.40 – Archaeology	None.	No.	None.	None.	No changes needed. Policy remains effective.

Appendix B – Housing need calculated under the Standard Method

The table below sets out the calculation of local housing need using the standard methodology as set out in the [Planning Practice Guidance on housing and economic needs assessments](#)⁷.

The calculation set out in the Planning Practice Guidance is as follows:

Step 1 - Set the baseline – use the 2014-based household projections⁸ and calculate the average annual household growth over a ten year period

Step 2 – Adjustment to take account of affordability – use the median workplace-based affordability ratios published by the ONS, using the formula below

$$\text{Adjustment factor} = \left(\frac{\text{Local affordability ratio} - 4}{4} \right) \times 0.25 + 1$$

Step 3 – Cap the level of any increase – capped at 40% above whichever is the higher of a) the projected household growth over the 10 year period or b) the annual housing requirement set out in the most recently adopted plan.

Step 4 – cities and urban centres uplift – not relevant to the Waveney Local Plan area.

Date	Households (base year)	Households (ten years time)	Total	Annual Average	Affordability ratio	Housing Need
1.4.2019	52,786	55,810	3,024	302.4	7.49 ⁹	368

⁷ <https://www.gov.uk/guidance/housing-and-economic-development-needs-assessments>

⁸ <https://www.gov.uk/government/statistical-data-sets/live-tables-on-household-projections>

⁹ <https://www.ons.gov.uk/peoplepopulationandcommunity/housing/datasets/ratioofhousepricetoworkplacebasedearningslowerquartileandmedian/current>
(superseded 19 March 2020)

1.4.2020	53,084	56,121	3,037	303.7	7.04 ¹⁰	361
1.4.2021	53,371	56,443	3,072	307.2	7.47 ¹¹	374
1.4.2022	53,661	56,764	3,103	310.3	7.98 ¹²	387
1.4.2023	53,954	57,089	3,135	313.5	7.79 ¹³	388
1.2.2024 ¹⁴	54,257	57,396	3,139	313.9	7.79 ¹⁵	388

¹⁰ Unable to locate affordability dataset online now – however housing need figure of 361 matches the indicative housing figure published by Government in December 2020 https://www.google.co.uk/url?sa=t&rct=j&q=&esrc=s&source=web&cd=&cad=rja&uact=8&ved=2ahUKEwj-MTakKaEAXWhQkEAHSN4C-IQFnoECBQQAQ&url=https%3A%2F%2Fassets.publishing.service.gov.uk%2Fmedia%2F5fda008a8fa8f54d6480f591%2Findicative_Local_Housing_Need_Publication_Table ods&usg=AOvVaw1wv2shdOQCG3vnN7Amoww1&cshid=1707752240889507&opi=89978449

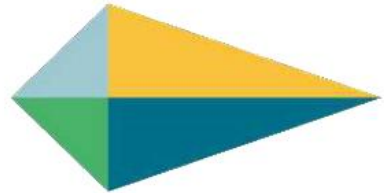
¹¹ <https://www.ons.gov.uk/peoplepopulationandcommunity/housing/adhocs/13107housepricetoworkplacebasedearningsratioforformerlocalauthorities2019to2020>

¹² [Ratio of house price to workplace-based earnings for former local authorities - Office for National Statistics \(ons.gov.uk\)](#) ('2021 Edition of dataset')

¹³ [Ratio of house price to workplace-based earnings for former local authorities - Office for National Statistics \(ons.gov.uk\)](#) ('2022 Edition of dataset')

¹⁴ The figure for 2024 is as at 1st February 2024, based on data currently available for the 'current year'.

¹⁵ [Ratio of house price to workplace-based earnings for former local authorities - Office for National Statistics \(ons.gov.uk\)](#) ('2022 Edition of dataset'). Affordability Ratio based on the most recently published ONS dataset. The next dataset is not expected to be published until the end of March 2024.



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East Suffolk Council

Local Development Scheme

Agenda Item 5

ES/1869

Timetable for the preparation of planning policy documents



March 2024

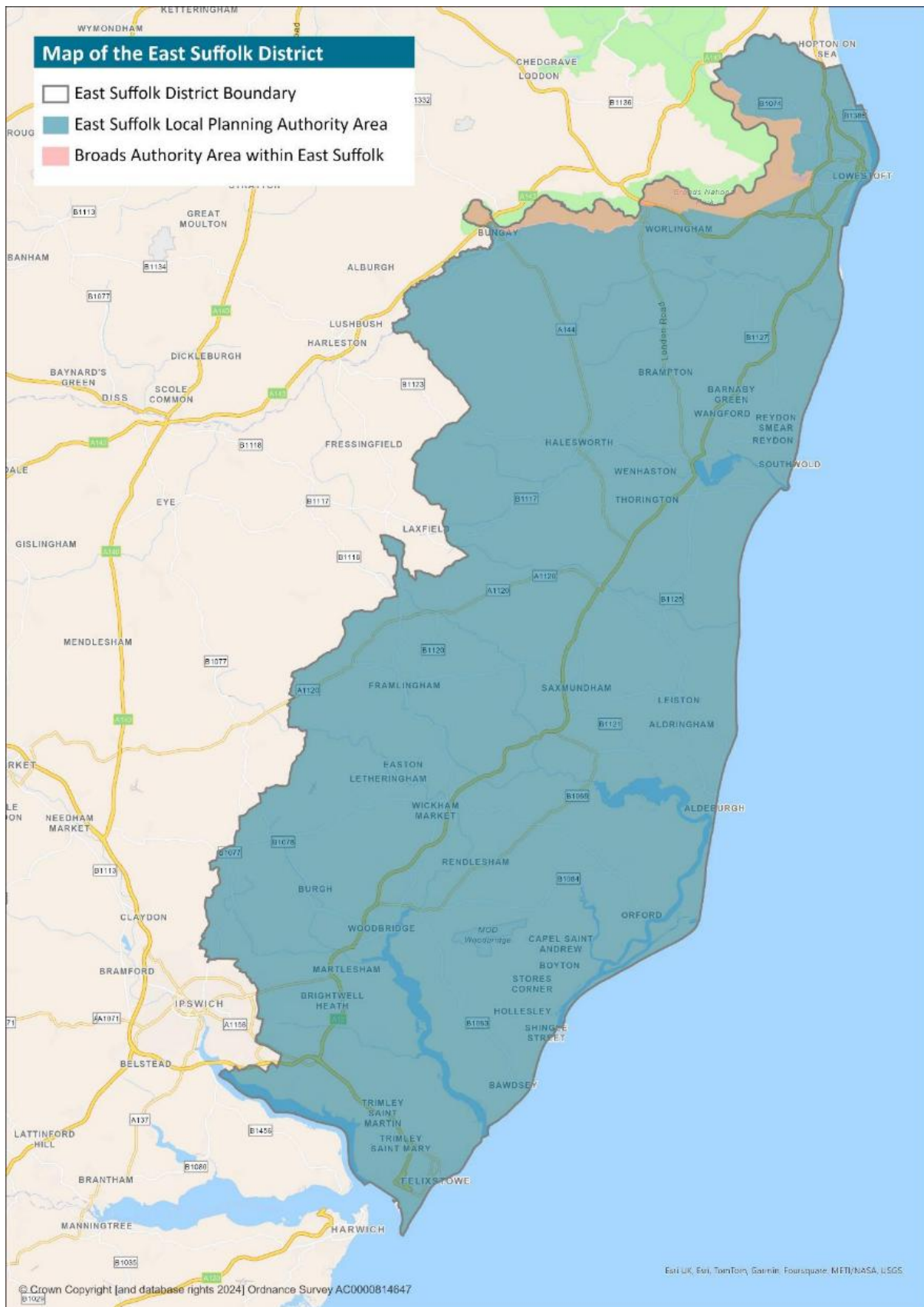
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Introduction

- 1.1 A Local Development Scheme sets out the timetable for the planning documents that the Council will prepare to plan for development in its area.
- 1.2 The Planning and Compulsory Purchase Act 2004 requires a local planning authority to prepare and maintain a Local Development Scheme relating to the preparation of development plan documents.
- 1.3 Section 15 of the Planning and Compulsory Purchase Act 2004 sets out that a Local Development Scheme must specify:
 - the local development documents which are to be development plan documents;
 - the subject matter and geographical area to which each development plan document is to relate;
 - which development plan documents (if any) are to be prepared jointly with one or more other local planning authorities;
 - any matter or area in respect of which the authority have agreed (or propose to agree) to the constitution of a joint committee under section 29;
 - the timetable for the preparation and revision of the development plan documents;
 - such other matters as are prescribed.
- 1.4 The Council's former Local Development Schemes were:
 - Suffolk Coastal Local Plan – Local Development Scheme (October 2015, updated June 2020)
 - Waveney Local Development Scheme (September 2018)
- 1.5 These Local Development Schemes related primarily to the preparation of the Council's now adopted 'development plan documents' which are the Suffolk Coastal Local Plan, 2020, and Waveney Local Plan, 2019. There has been no requirement to update these Local Development Schemes since adoption of the Local Plans.
- 1.6 This Local Development Scheme sets out the current position of East Suffolk Council in relation to Local Plan preparation. East Suffolk Council is the local planning authority for East Suffolk, outside of the area covered by the Broads Authority Executive Area, as shown on the map overleaf.
- 1.7 Whilst there is no requirement for the preparation of other planning policy documents such as Supplementary Planning Documents and Neighbourhood Plans to be covered in the Local Development Scheme, the opportunity has been taken to include information on these, reflecting advice in the Government's Planning Practice Guidance. The focus is on planning policy documents; other important documents produced by the Planning Service such as Conservation Area Appraisals are not covered, but details are made available on the [Council's website](#).
- 1.8 This Local Development Scheme takes effect from 15th March 2024.

Map of East Suffolk



Development Plan

- 2.1 The East Suffolk Council – Suffolk Coastal Local Plan (September 2020) and the East Suffolk Council – Waveney Local Plan (March 2019), ‘made’ Neighbourhood Plans and the Minerals and Waste Local Plan prepared by Suffolk County Council form the current ‘development plan’ for East Suffolk. The Broads Authority prepare their own Local Plan and is the planning authority for their area.
- 2.2 The development plan is the starting point for the consideration of planning applications and legislation requires that applications be determined in accordance with the development plan unless material considerations indicate otherwise.

Local Plans

- 2.3 The Council has two currently adopted Local Plans: the East Suffolk Council – Suffolk Coastal Local Plan (September 2020) and the East Suffolk Council – Waveney Local Plan (March 2019).

East Suffolk Council – Suffolk Coastal Local Plan

- 2.4 The [East Suffolk Council - Suffolk Coastal Local Plan](#) was adopted on 23rd September 2020. The plan covers the area of the former Suffolk Coastal district. The plan sets out the framework for growth across the former Suffolk Coastal district over the period 2018 – 2036. It comprises a vision and strategic priorities, a strategy for growth including to meet housing and employment needs, strategies for major centres and market towns, site allocations and development management policies on a range of topics. The Local Plan also contains an Infrastructure Delivery Framework and a Monitoring Framework.
- 2.5 The former Suffolk Coastal Local Plan Local Development Scheme (2015, updated 2020) also set out a timetable for the preparation of the Site Allocations and Area Specific Policies and the Felixstowe Peninsula Area Action Plan development plan documents. These were both adopted in January 2017, but were fully superseded by the adoption of the Suffolk Coastal Local Plan in September 2020.
- 2.6 Under the current planning system, the Council would need to review the Suffolk Coastal Local Plan to determine whether it needs to be updated before 23rd September 2025. However it is expected that the new planning system (see below) will be in place in advance of that date.

East Suffolk Council – Waveney Local Plan

- 2.7 The [East Suffolk Council - Waveney Local Plan](#) was adopted on 20th March 2019. The plan covers the area of the former Waveney district, outside of the Broads National Park. The plan sets out the framework for growth across the former Waveney district over the period 2014 – 2036. It comprises a vision and strategic priorities, a strategy for growth including to meet housing and employment needs, strategies for Lowestoft and the market towns, site allocations and development management policies on a range of topics. The Local Plan also contains an Infrastructure Delivery Framework and a Monitoring Framework.

- 2.8 Regulation 10A of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) requires the Council to undertake a review to consider whether the plan needs to be updated by the fifth anniversary of its adoption. The Waveney Local Plan review assessment has been undertaken. This review, agreed by Cabinet on 5th March 2024, concluded that the plan remains effective and a review is not necessary at the present time.

Planning reforms and future Local Plan preparation

- 2.9 The Council supports having up to date plans in place, to maintain a plan-led approach to growth and development and to meet its communities' needs.
- 2.10 The Government is currently proposing significant reforms to the plan-making process, as well as to the content of future Local Plans, through the Levelling Up and Regeneration Act which received Royal Assent in October 2023. These planning reforms are proposed to be implemented in Autumn 2024. These include transitional arrangements under which any local plan being prepared under the current system would need to be submitted for Examination by 30th June 2025 and then adopted by 31st December 2026. Plans not submitted by that date would need to be prepared under the new system.
- 2.11 The Council therefore anticipates that a future Local Plan would be prepared under the new system. Further secondary legislation, policy and guidance is needed before plans can begin to be prepared under the new system. The new system will also include provision for local authorities to prepare Supplementary Plans, which it is proposed would either relate to a small area (e.g. a site) or be a design code. These would form part of the development plan.
- 2.12 The Government is also considering, as outlined in its consultation on 'Plan-making reforms: consultation on implementation' (July 2023), allocating local authorities into 'waves' to begin plan-making under the new system. If this proposal is taken forward this is likely to influence when the preparation of a new Local Plan can begin. The Council does not therefore envisage being able to commence the formal stages of plan preparation before 2025. However, early preparations for commencing a review will take place in the short term, beginning in 2024, including consideration of the scope, the likely evidence needed, and resourcing considerations.
- 2.13 Under the current Duty to Co-operate (to be replaced with a new mechanism under the reformed system) the Council will also continue to actively engage with adjoining authorities and other Duty to Co-operate bodies on strategic cross-boundary matters.
- 2.14 New and updated evidence would be needed to inform a new local plan, and this is anticipated to cover a range of topics such as housing needs including affordable housing, employment needs, retail and town centres, flood risk, coastal change, transport, infrastructure needs, natural environment and landscape, and viability.
- 2.15 The Council will keep under review its position and timetable for plan preparation once further details of the national reforms are available.
- 2.16 In the meantime, indicative information on a future Local Plan review, relating to the matters set out in Section 15 of the Planning and Compulsory Purchase Act, is set out below, subject to review and further consideration to inform a detailed future timetable. This indicative timetable is based on beginning a Local Plan review in Spring / Summer 2025 (prior to the

Suffolk Coastal Local Plan reaching its fifth anniversary from adoption in September 2025) however this timetable could be brought forward if the planning reforms allow.

Document	East Suffolk Local Plan
Subject matter	Comprehensive Local Plan review (dependent on topics to be covered under future National Development Management Policies). The Plan would update and supersede the current Waveney Local Plan and Suffolk Coastal Local Plan. The plan period will cover at least up to 2044, based on planning ahead at least 15 years from adoption.
Geographical area	East Suffolk (outside of the Broads Authority Executive Area)
Indicative timetable	This indicative timetable is based on formal commencement in Spring / Summer 2025 - a detailed timetable will be established at the point at which the Council commences a review. <ul style="list-style-type: none"> ○ Early consideration of scope and detailed timetable, including through the Council’s Local Plan Working Group meetings, and including resourcing considerations (2024/2025) ○ Initial evidence gathering and early engagement (2025) ○ Draft the local plan, including 2 public consultations (2026 - 2028) ○ Submit Plan to Secretary of State (2028) ○ Examination (2028 - 2029) ○ Adoption (2029)

Neighbourhood Plans

- 2.17 Neighbourhood Plans are produced by communities (Town or Parish Councils, or a Neighbourhood Forum in unparished areas). Once ‘made’, a Neighbourhood Plan forms a part of the development plan, along with the relevant Local Plan for that area. There is no requirement for Neighbourhood Plans to be prepared or reviewed, this is for the Town or Parish Council to decide, along with the range of issues to be covered, in consultation with the local community. A Neighbourhood Plan must however be in general conformity with the strategic policies of the relevant local plan.
- 2.18 East Suffolk Council has statutory duties to support the preparation of a Neighbourhood Plan. Information on Neighbourhood Plans in East Suffolk is available on the Council’s [Neighbourhood Planning webpages](#).
- 2.19 There are currently 23 ‘made’ Neighbourhood Plans in East Suffolk:

Beccles (September 2021)	Mutford (December 2019)
Bredfield (May 2021)	Oulton (February 2023)
Bungay (November 2022)	Rendlesham (March 2015)
Framlingham (March 2017)	Reydon (May 2021)
Great Bealings (March 2017)	Rushmere St Andrew (June 2023)
Halesworth (February 2023)	Saxmundham (July 2023)
Kesgrave (May 2021)	Shadingfield, Sotterley, Willingham and Ellough (June 2023)

Kessingland (January 2017)	Southwold (February 2022)
Leiston (March 2017)	Wenhaston with Mells Hamlet (July 2018)
Lound, Ashby, Herringfleet and Somerleyton (July 2022)	Wickham Market (November 2023)
Martlesham (July 2018)	Worlingham (November 2022)
Melton (January 2018)	

2.20 A further 17 are currently under preparation (having had a Neighbourhood Area designated), and are at differing stages of preparation:

Aldringham cum Thorpe	Lowestoft (Regulation 14 consultation undertaken)
Barnby	Mettingham, Barsham, Shipmeadow, Ringsfield and Weston
Campsea Ashe	Otley
Carlton Colville (Examiner's report published)	Oulton Broad
Corton	Playford (at Examination)
Earl Soham	Ufford
Easton (at Examination)	Walberswick
Henstead with Hulver Street	Westerfield (Regulation 14 consultation undertaken)
Little Bealings	

2.21 There is no requirement for Neighbourhood Plans to be reviewed, however some Town or Parish Councils are now considering a review of made plans.

2.22 The Council prepares guidance documents to support Town and Parish Councils in the preparation of Neighbourhood Plans, and will keep these under review and amend as needed, as well as prepare guidance on other topics as appropriate. To date the following have been prepared:

- Neighbourhood Planning – How to go about it (March 2021)
- Neighbourhood Plans – Indicative Housing Requirements Methodology (July 2021)
- Neighbourhood Planning Guidance Note – Review of Made Neighbourhood Development Plans (January 2022)

Minerals and Waste Local Plan

2.23 The Minerals and Waste Local Plan forms part of the development plan and is prepared by Suffolk County Council, as Minerals and Waste Planning Authority. Suffolk County Council adopted the Minerals and Waste Local Plan in July 2020.

Design Code

2.24 The Levelling Up and Regeneration Act, under the section 'Design code for the whole area', will require a local planning authority to ensure that, for every part of their area, the development plan includes requirements with respect to design that relate to development,

or development of a particular description, which the authority consider should be met for planning permission to be granted. Under the Levelling Up and Regeneration Act the Council will be required to prepare and maintain a local plan timetable which must include details of how it will prepare a Design Code, and it is anticipated that under the new system Design Codes will either form part of a Local Plan or be prepared as new-style Supplementary Plans. The Council will keep under review any emerging secondary legislation, policy and guidance related to Design Codes, and initially will undertake early scoping work to consider options for an appropriate approach across East Suffolk, including the timetable and the resource required.

Other documents

Supplementary Planning Documents

3.1 Since adoption of the Local Plans, the Council has adopted a number of [Supplementary Planning Documents](#) to support the implementation of the policies in the Local Plans. Supplementary Planning Documents are material considerations in decision making and are prepared under the provisions of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended). The planning reforms propose removing the ability to prepare and adopt Supplementary Planning Documents, anticipated from Autumn 2024 onwards, and consideration would need to be given to the format of future guidance – the Council will monitor the changes as they come forward.

3.2 Supplementary Planning Documents adopted (since adoption of the Local Plans):

Supplementary Planning Document (SPD) Title	Date adopted	Area covered
North Lowestoft Heritage Action Zone Design Guide SPD	July 2020	North Lowestoft Heritage Action Zone area
Recreational Disturbance Avoidance and Mitigation Strategy SPD	May 2021	East Suffolk (outside of the Broads)
Historic Environment SPD	June 2021	East Suffolk (outside of the Broads)
Residential Development Brief for Land North of Union Lane Oulton SPD	September 2021	Land North of Union Lane Oulton
Sustainable Construction SPD	April 2022	East Suffolk (outside of the Broads)
Affordable Housing SPD	May 2022	East Suffolk (outside of the Broads)
Housing in Clusters and Small Scale Residential Development in the Countryside SPD	November 2022	East Suffolk (outside of the Broads)
Coastal Adaptation SPD	September 2023	East Suffolk (along with the Broads, Great Yarmouth and North Norfolk)

3.3 Supplementary Planning Documents currently being prepared:

Supplementary Planning Document (SPD) Title	Key dates	Adoption	Area covered
Rural Development SPD	Initial consultation 1.2.2023 – 16.3.2023 Draft SPD consultation 15.11.2023 – 10.1.2024	Anticipated April 2024	East Suffolk (outside of the Broads)
Self Build and Custom Build SPD	Initial consultation 1.2.2023 – 16.3.2023 Draft SPD consultation 6.9.2023 – 18.10.2023	Anticipated May 2024	East Suffolk (outside of the Broads)

Healthy Environments SPD	Initial consultation 26.9.2022 – 7.11.2022 Draft SPD consultation 15.11.2023 – 10.1.2024	Anticipated June 2024	East Suffolk (outside of the Broads)
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- 3.4 A Review of the 2013 Supplementary Planning Document for the Kirkley Waterfront and Sustainable Urban Neighbourhood recently commenced. The planning reforms propose that authorities will not be able to adopt new SPDs from Autumn 2024 onwards. To provide up to date guidance in a timely manner to support decision making related to the redevelopment of this important strategic site, it is proposed that the update will take the form of a Planning Position Statement. This will be prepared to the following timetable:
- Initial evidence gathering consultation - Spring 2024
 - Consultation on draft Planning Position Statement – Summer 2024
 - Adoption – late Summer / early Autumn 2024.
- 3.5 Further Supplementary Planning Documents and Supplementary Planning Guidance that were adopted prior to the adoption of the current Local Plans, and haven't been superseded by the new documents above, also remain in place.
- 3.6 In addition to the Supplementary Planning Documents listed, [strategies and other guidance](#) have also been prepared, such as the East Suffolk Cycling and Walking Strategy, adopted in October 2022.

Community Infrastructure Levy

- 3.7 Community Infrastructure Levy is a charge which can be levied by local authorities on new development in their area, to help support the infrastructure needed to support development in their area.
- 3.8 The [East Suffolk Community Infrastructure Levy Charging Schedule](#) was adopted by the Council on 28th June 2023 and came into effect on 1st August 2023. This replaced the former Suffolk Coastal CIL Charging Schedule (2015) and former Waveney CIL Charging Schedule (2013).

Statement of Community Involvement

- 3.9 Local Planning Authorities are required to prepare and maintain a Statement of Community Involvement (SCI), setting out when and how the Council will involve the community in the preparation of planning policy documents and in the consideration of planning applications. The [East Suffolk Statement of Community Involvement](#) was adopted on 6th April 2021. Under Regulation 10A of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) the Council is required to review the Statement of Community Involvement to consider whether it needs to be updated before the fifth anniversary of its adoption (i.e. before 6th April 2026). The planning reforms propose to remove the requirement to prepare an SCI, and to replace this with a Project Initiation Document for plan-making which would set out how consultation and engagement would take place. The Council will therefore consider whether, when and how to review the SCI in due course, with reference to the plan-making reforms.

Authority Monitoring Report

- 3.10 The Council publishes an Authority Monitoring Report (AMR) each year to provide an assessment of the progress of the Local Plans and monitor the effectiveness of polices including the delivery of site specific allocations.
- 3.11 The AMRs are published on the Council's [planning policy monitoring](#) webpages, along with the Planning Delivery Dashboard which presents the detailed information and data on a range of topics including housing, employment, retail and town centres, climate change, design, and the natural and historic environments and provides an assessment on how the local plan polices are performing.
- 3.12 In addition to the Authority Monitoring Report the Council also monitors housing land supply, through annual updates to the Housing Land Supply Statement, and the delivery of housing through its Housing Action Plan.

Risk Assessment

- 4.1 The work areas set out in this document are led by the Planning Policy and Delivery Team. Potential risks to the future work programme are set out below. A detailed risk assessment will be drawn up as part of preparing a detailed future local plan timetable and work programme.

Risk	Likelihood	Impact	Mitigation
Uncertainty over future planning reforms (nature and timing)	High	Major	Changes to the timing of the introduction of planning reforms, and the introduction of details such as secondary legislation, policy and guidance – officers continually monitor progress and consultations on proposals are responded to. The Local Plan timetable above is indicative and will be reviewed following introduction of the planning reforms. The reforms are also likely to affect the ability to adopt SPDs after Autumn 2024, however a planning position statement is being prepared for the Kirkley Waterfront and Sustainable Urban Neighbourhood.
Lack of staff capacity to deliver the work programme	Significant	Major	Most positions in the Planning Policy and Delivery Team are currently filled (including in the Specialist Services team who input into planning policy documents), however if any staff were to leave this would impact on the current work programme, and future work programme if recruitment was difficult. Recruitment has been difficult, in particular for more senior roles. Staff are supported to undertake training and to follow areas of work of interest to them, within the work programme.
Neighbourhood Plans	Low	Major	Whilst it supports Neighbourhood Plan preparation, the Council does not have any control over how many Neighbourhood Plans might come forward and when. If the number being prepared increased significantly, this would require much more staff time from the team, and impact on other areas of work. Regular contact is made

Risk	Likelihood	Impact	Mitigation
			with Neighbourhood Plan groups who are preparing plans, and engagement with other Town and Parish Councils takes place for example through the Town and Parish forums to maintain an understanding of the level of interest.

Review

- 5.1 This Local Development Scheme will be kept under review and updated as necessary (or replaced with alternative timetable documents as required under the reformed planning system) in relation to future Local Plan preparation.



Write to us 

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Planning Policy and Delivery Team
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Call us 

Planning Policy and Delivery Team (Local Plans)

01394 444557

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www.eastsuffolk.gov.uk/Planning



Committee	Cabinet
Date	05/03/2024
Subject	Scrutiny Committee Review of Affordable Housing Planning Requirements and Review of the Provision of Social Housing in East Suffolk
Cabinet Members	Councillor Kay Yule Cabinet Member with responsibility for Planning and Coastal Management Councillor David Beavan Deputy Leader and Cabinet Member with responsibility for Housing
Report Author(s)	Councillor Mike Deacon Chair of Overview and Scrutiny Committee michael.deacon@eastsoffolk.gov.uk Sarah Davis Democratic Services Officer (Scrutiny & Member Development) sarah.davis@eastsoffolk.gov.uk
Head of Service	Chris Bing Head of Legal and Democratic Services chris.bing@eastsoffolk.gov.uk
Director	Kate Blakemore Strategic Director kate.blakemore@eastsoffolk.gov.uk

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 asks Cabinet to consider the recommendations made at the Scrutiny Committee meeting on 16 November 2023 in relation to the Review of the Provision of Social Housing in East Suffolk, as well as the Review of Affordable Housing Planning Requirements which took place on 19 October 2023.

Recommendation(s)

That Cabinet:

1. Explore innovative and creative ways to provide more affordable, efficient and environmentally friendly housing within East Suffolk.
2. Review the Strategic Housing Market Assessment and Local Plan documents in relation to affordable housing supply sooner rather than later and include environmental sustainability.
3. Increase the target for providing Council housing stock from 50 to 100 units per annum.
4. Lobby Government on changing the Right to Buy Scheme so that a higher percentage of the receipts can be made available to supply more housing stock.

Strategic plan

How does this proposal support Our Direction 2028?

Environmental Impact	If implemented, the recommendations would help provide more efficient and environmentally friendly housing.
Sustainable Housing	If implemented, the recommendations would help provide more sustainable housing for our residents.
Tackling Inequalities	Having more housing available helps to tackle inequalities especially in terms of Council housing stock in the south of the district and locations with particular needs.
Thriving Economy	Building more housing would support the local economy.
Our Foundations / governance of the organisation	The Overview and Scrutiny Committee, through its reviews, makes suggestions to decisions makers on ways to improve Council policies and services.

Justification for recommendations

1. Background

- 1.1. The Scrutiny Committee had concerns that, particularly in light of the current cost of living crisis, some residents were finding it difficult to access affordable housing.
- 1.2. The Committee decided, therefore, to review both the affordable housing planning requirements as well as the provision of social housing across the district to see if there was anything they could recommend to increase the supply of affordable housing for those residents that needed it.
- 1.3. As part of the review of affordable housing planning requirements, the Committee sought the views of several local developers on the Council's processes for deciding the requirements; any challenges they faced in meeting those requirements; if there were any specific challenges to building in East Suffolk in particular; as well as any suggested improvements that would help to provide more affordable housing for our residents.
- 1.4. Three responses were received from developers who expressed a range of comments (see appendix A). Particular challenges identified were around land values, site viability, rising costs and squeezed developer margins. None of the respondents proposed any changes to the planning requirements for affordable housing as they felt that doing so would affect development viability even further.
- 1.5. One of the respondents stated that another issue was that Registered Providers were only willing to acquire stock in certain areas of the district. He had suggested that the Council, as a stock holding authority could be more proactive in assisting developers with their viability appraisals of developments and in bringing sites forward.
- 1.6. Another respondent stated that the SHMA was adopted in 2017 which meant it was now 6 years out of date. He recommended, therefore, that, in the absence of a more up to date evidence base, until a new SHMA was adopted, there should be more flexibility in planning decisions relating to the affordable housing mix. He also pointed out that the Local Plans had been adopted in 2019 prior to the pandemic, the cost of living crisis and the Ukraine War which had all impacted on the viability of schemes. He urged more flexibility in agreeing affordable housing requirements in each application.
- 1.7. Mr Aust, a planning consultant for a local Housing Association, had also provided written comments on behalf of his client as well as attending the meeting to give further evidence and answer the Committee's questions.
- 1.8. Mr Aust stated that it was difficult to see how a greater proportion of affordable housing could be secured through S106 agreements by housebuilders without viability being impacted in a way that would cause developments to simply not come forward.
- 1.9. Mr Aust suggested that more dialogue was needed with Housing Associations and that consideration should be given to some sites being 100% affordable housing which would

offer a robust solution to increasing the supply of affordable housing in East Suffolk. The Scrutiny Committee were extremely interested in this idea and requested a Briefing Note on the options, challenges and risks of it which they noted at their meeting on 22 February 2024.

2. Introduction

- 2.1. Having heard evidence from the Cabinet Members, Officers and developers at their meetings on 19 October 2023 (Appendix B) and 16 November 2023 (Appendix C), the Scrutiny Committee determined that there were a number of challenges to providing more affordable housing, many of which were outside of the Council's control.
- 2.2. It was clear, however, that there were some recommendations they could make to Cabinet that together would help to increase the availability of affordable housing in East Suffolk.

3. Proposal

- 3.1. The Committee acknowledged that providing affordable housing was a very complex issue requiring a number of different approaches.
- 3.2. Firstly, exploring every opportunity to increase the availability of affordable housing including working with developers on what they had identified would help them, as well as working more closely with Registered Providers.
- 3.3. Given the changes to the world's economy over the last few years, reviewing the SHMA and Local Plans as soon as possible might help alleviate some of the pressures on developers and ensure that the right type of housing was provide in the right location to an environmentally sustainable standard.
- 3.4. Whilst it was acknowledged that there were considerable costs associated with providing new Council housing, increasing the target from 50 to 100 per annum would emphasise that housing was a Council priority and deliver for residents.
- 3.5. It was also acknowledged that, whilst the Right to Buy scheme was beneficial for residents, it did not help local authorities maintain their stock levels, however, one way to do this would be to increase the receipts retained by the Council.

4. Financial Implications

- 4.1. If implemented, there will be financial implications, particularly the recommendation to increase the target for building more homes from 50 to 100 per annum.

5. Legal Implications

- 5.1. Not applicable.

6. Risk Implications

- 6.1. Not applicable.

7. Options

- 7.1. No other options were considered by the Scrutiny Committee.

8. Recommendations

That Cabinet

1. explore innovative and creative ways to provide more affordable, efficient and environmentally friendly housing within East Suffolk.
2. review the Strategic Housing Market Assessment and Local Plan documents in relation to affordable housing supply sooner rather than later and include environmental sustainability.
3. increase the target for providing Council housing stock from 50 to 100 units per annum.
4. lobby Government on changing the Right to Buy Scheme so that a higher percentage of the receipts can be made available to supply more housing stock.

9. Reasons for Recommendations

- 9.1. Having considered the report and evidence gathered from both reviews, the Scrutiny Committee felt that making these recommendations would support the Cabinet Member with responsibility for Housing who gave the Committee assurances that providing affordable housing across the district was a priority both for him and the Council.

10. Conclusions/Next Steps

- 10.1. Cabinet is asked to consider the Committee's recommendations as each would help to provide more affordable housing across the district.

Areas of consideration comments

Section 151 Officer comments:

As noted in Section 4, increasing the Council's housing stock via the Council's Housing Revenue Account (HRA) would have financial implication for the HRA if this exceeded the current HRA development programme as set out in the capital programme. Funding options would need to be explored as part of the business case.

Monitoring Officer comments:

The Constitution provides that Overview and Scrutiny Committee will prepare a formal report with its recommendations for consideration by the Cabinet. If the proposals are consistent with the existing budgetary and/or policy framework the Cabinet may make a decision on any recommendations. If any recommendation would require a departure from, or change to, the existing Budget and Policy Framework then that recommendation must be referred by the Cabinet to Full Council with or without a further recommendation from the Cabinet. Any report of the Overview and Scrutiny Committee referred to Cabinet shall be considered (and if possible, a decision made) within two months of the Overview and Scrutiny Committee completing their report and making any relevant recommendations.

Equality, Diversity and Inclusion/EQIA:

Not applicable.

Safeguarding:

Not applicable.

Crime and Disorder:

Not applicable.

Corporate Services implications:

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

Not applicable.

Residents and Businesses consultation/consideration:

Several companies that build houses locally were consulted and their comments considered as part of the reviews.

Appendices:

Appendix A Summary of Developer responses to Scrutiny Review Consultation

Appendix B Scrutiny Committee Minute Extract – 19 October 2023

Appendix C Scrutiny Committee Minute Extract – 16 November 2023

Background reference papers:

Date	Type	Available From
19 October 2023	Cabinet Member with responsibility for Planning and Coastal Management's report considered at the Scrutiny Committee meeting on 19 October 2023	Document.ashx (cmis.uk.com)
16 November 2023	Cabinet Member with responsibility for Housing's report considered at the Scrutiny Committee meeting on 16 November 2023	Document.ashx (cmis.uk.com)

Appendix A**SUMMARY OF DEVELOPER RESPONSES TO
SCRUTINY REVIEW CONSULTATION****Justin Coote BSc (Hons) MRICS, Director, Badger Building (E. Anglia) Ltd**

We very much appreciate the invitation to offer our thoughts in respect of the provision of Affordable Housing requirements on new developments. However, it is difficult to consider Affordable Housing in isolation of the other requirements/obligations that have to be considered when bringing a potential development forward, as they all contribute to how any development proposal is put forward.

The Local Plan includes policy WLP8.2 – Affordable Housing, which sets the affordable housing requirement based on the location of the proposed development. The Local Plan policy is viability tested and set at a level which is deliverable. Increasing the affordable housing on a development puts pressure on other areas. Land value is one variable which can be used to balance the provision of additional affordable housing. However, landowner expectations on land value are such that if anticipated values are not achievable they will not sell the land and the development will be stymied. Another variable is the developer profit, however development carries risk and therefore if the profits level are not reflective of the risks involved then again the development will not be viable and not be delivered. Lenders will have an expectation that a certain level of profit is achievable, if this is not the case then development finance will not be forthcoming. Profit levels of 15-20% are considered acceptable.

Affordable Housing delivery is subsidised by either the open market housing or grant. Grant cannot be used to subsidise Affordable Housing on private developments and so it is the open market housing that supports the delivery of the affordable housing. Affordable housing payments received from HA's, RP's or indeed LA's do not generate any contribution to land value and often do not cover the actual build cost. As mentioned, we as private developers cannot cover off losses with Government grants, hence levels need to be balanced to ensure viability and thus actual delivery. Any Affordable Housing delivered must be provided to a Registered Provider (RP). Depending on the location of the development there will be varying levels of interest from RP's willing to acquire the Affordable Housing. This will be a factor in the level of RP offer that a developer is able to achieve which in turn will have a bearing on the scheme viability. The number of RP's interested in certain locations within the Local Authority is limited. East Suffolk itself is a stock holding authority and could be more proactive in assisting developers with their viability appraisals of developments and in bringing sites forward.

Developer margins, now more than ever, are being squeezed from all directions. Significant material and labour price increases, rising finance costs, more onerous, but welcomed, legislation in relation to build standards and huge increases in infrastructure costs. This is all coupled with a sharp reduction in house prices generally, which has resulted in viability being pushed to the limits on many schemes. Should affordable housing levels be increased further and on an already delicately balanced viability matrix, this will only have an adverse effect on delivery. We are sure the Authority appreciates the issues developers such as ourselves face, with their own challenges in balancing their own housing stock levels.

On the whole, we feel that the current levels of affordable housing required by policy are just about manageable. They allow us to bid for land to an acceptable level for private landowners and deliver a good level of subsidised (by open market) affordable housing, that comply with the necessary policies, standards and legislation.

Phil Hardy, Town Planner MRTPI, Persimmon (Anglia)

Views on the Council's processes - The Strategic Housing Market Assessment (SHMA) provides guidance on the type of affordable housing needed in the Waveney Local Plan area including the level of housing required and size and tenure of homes. The latest SHMA for the Ipswich and Waveney Housing Market Areas indicates that 50% of affordable housing should be affordable rented and 50% should be intermediate affordable housing tenures. This is reflected in Policy WLP8.2 of the Waveney Local Plan adopted in March 2019 which requires 50% affordable rent and states that only in exceptional circumstances can the level and tenure of affordable housing be varied where it can be satisfactorily demonstrated that a different tenure mix or lower percentages of affordable housing are required to ensure the site remains financially viable. ***It is important to note that the SHMA was adopted in 2017, however, so is therefore 6 years out of date now.*** In the absence of a more up to date evidence base, we would recommend that until a new SHMA is adopted, there should be more flexibility in planning decisions relating to the affordable housing mix.

Challenges developers face in meeting these requirements – The cost of materials in housing construction has risen significantly since the global covid pandemic, the cost of living crisis and the war in Ukraine. As such, we would urge more flexibility in agreeing affordable housing requirements in each application. If a viability assessment in line with guidance in Appendix 5 of the Waveney Local Plan adopted in March 2019 is required for every scheme where a lower affordable housing percentage is proposed than required by policy, this may significantly delay many housing schemes and adversely impact on housing delivery and achieving housing targets. The adoption of the Local Plan in 2019 occurred prior to the start of the global covid pandemic, the cost of living crisis and the war in Ukraine, therefore the way they have impacted on viability of schemes is worthy of consideration.

Martin Aust, Director of Pathfinder Development Consultants on behalf of Crocus Homes

Crocus Homes are a local housebuilder, who build distinctive homes, rich in character, offering energy efficient modern living, with real focus in ensuring integration of schemes with the local surroundings. They are wholly owned by Registered Provider (RP) Saffron Housing Trust, with all their profits covenanted back to their shareholder to enable them to deliver more affordable homes or enhanced services to their tenants.

Pathfinder are a consultancy specialising in development economics, assisting in the delivery of affordable housing, and site appraisal, land acquisition, and development within the east of England. Our clients include national and regional house builders, as well as local developers, and land promotion organizations as well as individual landowners.

In this brief paper I seek to explore the impact of delivering affordable housing through S106 agreements and other mechanisms to increase the supply of affordable housing.

The need for realistic land values and profits:

The difference between gross development value (GDV - the total value of the homes to be built) and total cost equates to a residual land value. That residual land value has to be sufficiently attractive to the landowner to release the site for development. Landowner expectations are a very important element in the voluntary release of land for development. If the residual land value is not sufficient the development will simply not come forward.

Financial institutions require a developer to demonstrate a sufficient margin (anticipated profit), to protect the lender in the case of changes in prices or development costs. They will also consider a wide range of other factors, including the amount of equity the developer is contributing (both on a loan-to-value and loan-to-cost basis), the nature of development and the development risks that may arise due to demolition works or similar, the warranties offered by the professional team etc. The PPG says *'For the purpose of plan making an assumption of 15-20% of gross development value (GDV) may be considered a suitable return to developers. Anticipated profits at levels lower than this will simply lead to projects being un-fundable.*

Appraisals under pressure:

House prices and therefore the GDV of a project are under pressure. The Nationwide House Price index reports a drop in values over the last year on average of 3.13%. Put simply this reduces the ability of a scheme to be viable.

However costs have risen. The BCIS all in tender price index shows that over the last two years build prices have risen by 15.8%. Equally the cost of borrowing development finance has risen sharply adding further cost just as values have reduced pacing all developments viability under pressure. Furthermore standards of construction through the Building Regulations are being driven upwards (for all the right reasons) but the increased costs do not lead to an increase in values.

How Does This Effect Affordable Housing Delivery:

The percentage of affordable housing to be delivered by developers is set in the local plan having being subject to rigorous viability testing and subject to public examination.

One of the constraints on the proportion of affordable homes that is viable is what Registered Providers will pay developers for these homes. The Local Authorities CIL Viability Assessment of October 2021 assumed that for affordable rented homes this was just 50% of market value, a level that may cover the build cost of the homes but not generate any land value, contribution to site wide infrastructure or profit. In our considerable experience of working for developers locally in sourcing RP partners for such schemes this assumption is generally in line with the market. Indeed, RP offer prices have in general also reduced in the last 12 months within Suffolk and Norfolk by typically 5% (See appendix 1 for an explanation).

A greater proportion of Affordable Housing would therefore reduce land values or profits to a level that would see development simply not be brought forward.

How to Improve the delivery of Affordable Housing:

The predecessor authorities to East Suffolk had long track records of working with RP's (and there often local developer partners) to bring forward 100% affordable housing schemes over many years. Delivery numbers had been significant but have gradually reduced over more recent years.

Such projects have the ability to leverage in Homes England grant funding ensuring their viability and in some locations (those sites not as attractive to private housebuilders) to generate land values at the market level. The success of this strategy in the past was built upon a strong enabling function with senior officers at the council committing to close partnership working with RP's and others, utilising land in their ownership etc.

Conclusion:

It is difficult to see how a greater proportion of affordable housing can be secured through S106 agreements by Housebuilders without viability being impacted in a way that will cause developments to simply not come forward. However in the district there has been a strong track record previously of delivery through 100% affordable housing schemes which if rediscovered may offer a robust solution to increasing the supply of affordable housing in East Suffolk.

Note - RP Offer Prices on S106 Affordable Housing

RP offer prices have reduced by approximately 5% in the last year due to the following factors:

1. Government policy

- Rents have been allowed to rise by CPI+1%. RP's base business planning around this assumption. However, to protect residents from cost-of-living pressures, the Government has introduced a rent cap for 2023 at a maximum rent increase of 7%, in real terms a rent reduction. Lower rents result when capitalised in lower purchase prices offered for rented homes. Of course, this has occurred as real cost pressures are faced by RP's.
- Shared Ownership homes have suffered from both a reduction in market values and more cautious appraisal assumptions introduced by RP's following the changes to the new model Shared Ownership lease placing increased liability on RP's (around maintenance expenditure and smaller staircasing tranches being permitted). These changes also lead to some seeing SO as a higher risk leading to more cautious appraisal assumptions and therefore lower offers.
- Government policy around RP stock becoming carbon neutral by 2040, and the aftermath of Grenfell and the recent well publicised controversy over damp and mould issues have pushed RP's to generally increase maintenance budgets removing funding from development – smaller budgets leading to less development.

2. Competition

A marketplace exists in RP's bidding to housebuilders to acquire their affordable housing delivered through S106 agreements. If there are fewer RP's operating in the East Anglian development market for S106 schemes, with smaller programmes prices fall. Where there is less competition RP's can offer less and still deliver the number of homes in their programmes. Some examples:

- The above rent restrictions and their impact on the financially weaker RP's is real in reducing capacity.
- Some RP's have had success in securing land directly for their own development programme for the next 5 years. The demand for S106 opportunities has therefore dropped massively from these

RP's. Such strategies are pursued as it gives RP's more control of what affordable housing is delivered, when it occurs and to what standard.

- In general, the For-Profit RP's (who in recent years had become part of the marketplace) have either withdrawn or become very uncompetitive in face of higher interest rates and lower rents. Achieving target yields becomes impossible.
- It's worth noting once RP's get to the point in their Business Planning cycle that they need to refinance current deals are very unattractive. RP's often deliberately cut the programme when rates are high to stave off needing to refinance hoping rates reduce.
- There is a pattern of RP's withdrawing to their core historic areas of operation when programmes get smaller, and/or seeking only larger projects as ways of considering fewer opportunities. Neither of these mechanisms help with levels of competition.
- Historically there has been relatively low numbers of RP's operating in East Anglia.

Appendix B

MINUTE EXTRACT

SCRUTINY COMMITTEE

19 October 2023

4. Review of Affordable Housing Planning Requirements

The Chair formally thanked the developers who had responded to the consultation by submitting their comments in writing, a summary of which had been appended to the report, and also thanked Mr Aust who had agreed to address the Committee to give his views and respond to Members' questions.

The Chair invited Councillor Yule, Cabinet Member with responsibility for Planning and Coastal Management to introduce her report ES/1703. The Head of Planning and Coastal Management explained that the Affordable Housing Supplementary Planning Document was an important document in relation to the questions asked. He confirmed that affordable housing was a key driver for the Council bearing in mind the number of people on the housing lists but there were many constraints including developer viability as the costs had increased significantly, the planning system had its challenge and there were macro economic issues. He added that the Council was doing reasonably well in delivering housing across the district including affordable housing, which was helped by having up to date Local Plans and being proactive in delivering housing schemes. It was noted that the Government's position regarding housing was currently in a state of flux.

The Chair thanked the Cabinet Member and Officers for a very detailed report and invited questions from the Committee. In response to questions on temporary accommodation and social housing, Members were reminded that these were outside the scope of the current review but would be relevant as part of the Committee's Social Housing review taking place in November. The Head of Planning and Coastal Management clarified that the Planning Team worked within definitions in the National Planning Policy Framework (NPPF) to bring forward affordable housing.

In response to a number of queries from Members it was noted that:

- Local Plans were based on evidence; housing numbers and delivery were based on the Strategic Housing Market Assessment (SHMA) which detailed the existing position and gave future predictions based on demographics.
- Suffolk Coastal's percentage of affordable housing required was deemed to be reasonable, in terms of viability. The percentage varied for different areas in Waveney due to viability. In some cases there might be planning reasons to justify lesser numbers being provided.
- Affordable housing in planning terms was not looked at in terms of cost or rent but in occupancy, and this was controlled to ensure it was there in perpetuity for use as affordable

housing as set out in the Local Plan policy but it was appreciated that across the district there were different sub-sets of housing where some were more valuable but that did not bear any effect on affordable housing being delivered across the district.

- Commuted sums were now less common but where they were collected through Section 106 instead of the housing being provided on site, monies could now be spent across the whole district rather than just the area it had been collected for. There were no rules as such, although there were time limits, and sums could be used by the Council or given to RPs to deliver affordable housing so Officers identified projects where money could be used to benefit communities the most. On several occasions the money had been used to purchase affordable housing to put it into the Council's housing stock.
- Affordable rent was defined in the NPPF as up to 80% of market rent so the cost would vary depending on the market rent in an area. Similarly discounted market sales were up to a percentage of market sale rate which traditionally was up to 80% but for recently introduced First Homes this was up to 70% so effectively the discount was 30% of the market rate. There would be differences between areas where the market value was higher and where the market value was lower that would affect the value and cost of affordable housing.
- Since the Government changed the threshold in 2013 up to a minimum of 10 dwellings, it was now less common for developers to split sites to avoid having to provide affordable housing but if Officers thought there was a linkage then developers were told what they needed to provide.
- Officers already encouraged developers to think about providing dedicated storage for bikes etc to encourage active lifestyles and good access.
- The variety of opportunities for delivering affordable housing by all means was difficult due to the location of East Suffolk with half the catchment area being the North Sea so there were fewer national scale builders in the district, many smaller builders had been lost due to the market crash and there was limited scope for Community Groups and Land Trusts.
- Some of the Council's own developments were providing affordable housing and if they wished Members could decide that it should be provided within all Council developments in future, however, in places like Lowestoft the value was not there to encourage private developers to build.
- There was guidance in the SPD on how affordable housing should be designed and the guidance was that it should be "tenure blind" so it could not be identified within a development. There should also not be a reduction in quality and in some instances the affordable housing was actually better quality than the private housing. The affordable housing should also be spread across the whole development site to help it be "tenure blind".
- There was a significant uplift in costs for building to Passivhaus standard.
- The majority of applications had secured affordable housing due to the Local Plan being subject to viability testing, however, a number of applications had successfully sought to reduce or remove the requirements for affordable housing although a commuted sum had been secured instead.
- The SHMA had been produced in 2017 and was a key part of the evidence base of Local Plans which were relatively recently adopted and there were no time limits as to when a SHMA was considered to be out of date. The important thing was that the findings were included in the Local Plans. Evidence would be reviewed when the Local Plans were reviewed and the affordable housing needs identified in the SHMA considered the needs up to 2036 and informed the policies within the Local Plans.

The Chair invited Martin Aust, Planning Consultant to address the Committee. Mr Aust outlined his credentials including the fact that he had previously been the Group Strategy and Growth director for the largest Housing Association in the region, building up to 1,000 affordable homes a year. For the last 12 years he had run his own consultancy business focused mainly on helping private sector clients make affordable housing work for them. Two recent commissions were working for Saffron Housing Trust and their private housebuilding arm Crocus to see a step change in their delivery of both affordable and market housing as well as working with two nearby Councils to produce an Affordable Housing Delivery Plan with the aim of delivering more affordable housing. Mr Aust explained that for a market housing scheme to deliver anything (including affordable homes through the S106) two things had to happen:

- The residual land value had to be sufficiently attractive to the landowner to release the site. If the residual land value was not sufficient the development would not come forward.
- There had to be a sufficient margin (or anticipated profit) to protect the lender and incentivise the developer to take the risk. The PPG said 'For the purpose of plan making an assumption of 15-20% of gross development value (GDV) may be considered a suitable return to developers'. Anticipated profits at levels lower than this would simply lead to projects being un-fundable.

Mr Aust added that people used to say the rule of thumb was that 1/3 of the value was the build price, 1/3 was the land value and a 1/3 was profit but that was wrong now because the CIL/S106 taken was generally worth more than either the land value or profit by some margin. House prices had reduced and the Nationwide House Price index had reported a drop in values over the last year on average of 3.13% which put pressure on the viability of schemes, however, costs had risen. The BCIS tender price index showed that build prices had risen by 15.8% over the last two years. Equally, the cost of borrowing development finance had risen sharply. He continued that construction standards through the Building Regulations were being driven upwards (for all the right reasons) but the increased costs (estimated at a further 10% by 2025) would not lead to an increase in the value of houses but placed schemes under more financial pressure so viability would become even harder.

Mr Aust stressed that all this affected the delivery of affordable housing because the percentage to be delivered by developers was set in the Local Plan having being subject to rigorous viability testing and subject to public examination. One of the constraints on the proportion of affordable homes was what RPs would pay developers for these homes. Currently RPs paid about 50% of market value for a rented house so it was expensive in terms of the economics of the overall scheme. The current / emerging picture was that the level of interest from RPs and capacity in acquiring homes was decreasing and was likely to get worse in the short term. This was a real risk for the Council in the delivery of affordable housing. Many RPs preferred to develop their own schemes, they had vastly increased maintenance spend due to Government policy and rent level increases had been reduced to below inflation levels which all put pressure on them. A greater proportion of affordable housing would reduce land values or profits in most places to a level that would see developments not being brought forward and if they were built to Passivhaus standard, which was incredibly expensive, there would be very low levels of affordable housing.

Mr Aust stated that there was a long track record of Local Authorities working with RPs (and their local developer partners) to bring forward 100% affordable housing schemes. Delivery numbers had been significant in the past but had gradually reduced over more recent years. Such projects of 100% affordable housing schemes had the ability to lever in Homes England grant funding ensuring

their viability and generating land values at the market level in many cases. The success of this strategy in the past was built upon a real priority of working with RPs to facilitate their investment in East Suffolk by asking what the Council could do to help and it was not generally about money. He gave an example in a neighbouring Authority where an RP was delivering two 100% affordable housing schemes, one of 90 homes, one of 150 plus an extra care scheme for the elderly, and more were coming through. He stressed that this type of working with RPs coupled with the direct provision of housing by the Council could help. Mr Aust concluded that it was difficult to see how a greater proportion of affordable housing could be secured through S106 agreements by housebuilders without viability being impacted in a way that would cause developments to not come forward. However, in the district there had been a strong track record previously of delivery through 100% affordable housing schemes which if rediscovered might offer a robust solution to increasing the supply of affordable housing in East Suffolk.

The Chair thanked Mr Aust for his extremely interesting presentation and invited questions from Members. In response to those questions Mr Aust explained:

- Viability guidance in the PPG produced by RICS stated that a minimum land value had to be achieved to bring a site forward so for brownfield sites it would be the current existing use value plus a premium percentage to stop it being used as such and to bring it forward for development and most local authorities set the premium at about 20%. Often it was the same as a greenfield site value if the existing use was productive but in the case for example of the Sanyo site the existing use value was very low in comparison to a productive site. The real problem were the abnormal costs eg to clean the site up and additional foundation costs which were usually phenomenal and that was why it was very difficult to make derelict land viable.
- To get 100% affordable housing schemes it was about being passionate about East Suffolk and getting RPs to develop here rather than elsewhere. Talking to them about what they wanted in order to develop in East Suffolk and generally it was not about money but perhaps could be a different percentage of shared ownership would help make a scheme more attractive for them.
- Modular Passivhaus standard units were quicker to erect but were far more expensive.
- Building costs were about the size of a property and its specification. Affordable housing specifications were often different because RPs were more interested in them being hard wearing rather than glitzy but they were not necessarily more expensive so reducing the specification was not really the issue, however, meeting environmental standards were driving up costs.
- The more houses the Council built the better but there was still a need for RPs to help meet the demand.

The Head of Planning and Coastal Management stressed that development had to be deliverable and, although the Council could not enforce delivery of affordable housing, every aspect of a proposal was challenged to provide housing, including affordable housing.

There being no further questions, Members debated and made the following points:

- It was clear that Members wanted more affordable and efficient housing, however, having Passivhaus standard would impact on the number of houses being built so there was a need to find a balance between deliverable and environmentally friendly housing.

- Discussions should be held at a very senior level and at every opportunity with Housing Associations to encourage and support them to build in East Suffolk.
- Members wanted more information about the options, challenges and risks for providing 100% affordable housing developments in the district.
- Given the world had changed since the SHMA had been produced eg Ukraine War and Covid etc consideration should be given as to when this and the Local Plans should be reviewed to ensure they were still relevant and that environmental sustainability was included.

The Chair thanked everyone for their attendance and on the proposition of Councillor Deacon, seconded by Councillor Folley, it was

RESOLVED

That the Scrutiny Committee note the contents of the report and defer any recommendations until after the Review on Social Housing being held in November.

Appendix C

MINUTE EXTRACT

SCRUTINY COMMITTEE

16 November 2023

4. Review of the Provision of Social Housing in East Suffolk

The Cabinet Member with responsibility for Housing introduced report ES/1735 which it was suggested should be read in conjunction with the Planning Affordable Housing Requirements report considered by the Committee at the last meeting. It was noted that, when East Suffolk Council was created in 2019, it acquired 4404 properties from Waveney District Council, its predecessor authority. The other predecessor authority, Suffolk Coastal District Council had divested its housing stock many years ago to a registered provider now known as Newtide, part of the Flagship Housing Group.

The Chair thanked the Cabinet Member for his introduction and invited questions from Committee members.

Councillor Plummer arrived at 6.36pm and declared a non-registerable interest in this item as she was a member of the Planning Committee.

In response to a question from Councillor Thompson, the Cabinet Member explained the Government's formula for setting rents for social housing which was capped and, in his view, a very confusing and antiquated system but it provided rent that people could afford and was linked to local earnings - officially it was 60% compared to market rents. He added that there were two broad market areas in East Suffolk for setting Local Housing rents and allowances, one was Lowestoft and Great Yarmouth which also, in his view, strangely included Southwold, and the other was Ipswich. The Council also employed Financial Inclusion Officers to support tenants who were impacted by the cost of living crisis even though social housing remained the cheapest form of accommodation.

Councillor Lynch queried what happened to anyone who did not comply with their tenancy agreement and the Head of Housing responded that notice could be given or a tenancy extended to see if they improved with support being given by the Safe Renters Scheme and if necessary Social Services to try to help them maintain the tenancy. In rare cases, eviction was necessary and individuals would then be supported by the Housing Needs Team. The point was made that, for some people, Council housing was a last resort so if they could not maintain a tenancy with the Council then they were likely to struggle with other providers.

Councillor Jepson queried how the Council was supporting those on the Gateway to Homechoice Scheme in Bands B and C to get housed more quickly if it was not possible for the Council to build enough houses. The Cabinet Member explained that the rise in interest rates and building materials had impacted on all social housing providers who wished to build but if interest rates were lower and rents slightly higher this would enable more to be built. He stated that the demands for temporary accommodation had risen considerably and it was a desperate situation, but a 30 year business plan was currently being developed with options for building more housing. The Head of Housing added that there was a finite amount of money in the HRA which was why other options were being considered. She explained that the Council had a build programme over the next 4/5 years, houses could be purchased as long as they met the Housing Acquisitions Policy criteria and the Council was encouraging Registered Providers to bring more houses forward. She pointed out that a loan for building more housing had to be serviced and the rent levels would not cover the costs of the loan due to the current interest rates.

Councillor Byatt queried if the new administration would revisit Passivehaus builds or similar, how they were encouraging tenants to downsize to free up family homes and if the Council had any legacy interest in the Housing Associations that had acquired Suffolk Coastal's housing stock. The Cabinet Member stated that he was still looking at Passivhaus builds as an option but they were at a very early stage of development and, in the meantime, he wanted to find a way to provide net zero housing as the cost for retrofitting was astronomical. He explained that tenants not wanting to downsize was an issue so the use of modular builds that could be moved might help persuade them as they could stay in their communities. He also expressed concern at Flagship selling off stock and the Head of Housing explained that they had met with Flagship to understand their disposal process but as the stock transfer took place 32 years ago, the Council had no control over them. Flagship had approximately 30,000 properties and wanted to dispose of 0.5% of their stock per year, usually those that were expensive to maintain, but would build 2.5% annually eg 19 properties had been disposed of this year and 34 last year but they would provide 600 new homes in East Suffolk up to 2026 using the sale receipts. She added that they were discussing the location of the new housing as they did not necessarily want them to be built in the same village as the ones sold. She also explained that those tenants wishing to downsize were prioritised as usually it released a large family home and the Council was looking at ways to incentivise them to move eg offering money to redecorate or re-carpet.

Councillor Byatt referred to Mr Aust's comments at the last meeting in relation to the provision of 100% affordable housing and the Policy, Delivery and Specialist Services Planning Manager explained that both Local Plans supported in principle the development of 100% affordable housing on sites where housing would not normally be supported, where there was not the value in the land to deliver market housing this could provide a motivation from a landowner to bring forward affordable housing. Some of those developments did come forward, although the majority of affordable housing delivered through planning was by the percentage of affordable housing required through residential developments coming forward, but those policies were in place to support the proposals.

Councillor Reeves asked if there was anything that could be done to level up provision of Council stock between the north and the south of the district. The Head of Housing explained that the stock transfer to a housing association in the south did not mean there was no stock it just meant that the Council had no control over it. She added that there were other providers in the south and in Felixstowe, for example, the Council was building new housing and was looking to buy suitable

properties when they came up for sale. She cautioned, however, that the Council did not have infinite funding so would never be able to provide the same level of housing in the south as the 4,500 stock in the north but they continued to work with the Registered Providers through the Gateway to Homechoice Scheme. Councillor Beavan added that not having Council stock in the south caused problems with providing temporary accommodation but they were looking at solutions for this.

In response to Councillor Reeves' query about how many properties the Council had purchased since 2019 and if any of them were still empty, the Head of Housing stated that she was not aware that any were empty but would investigate and report back to the Committee.

Councillor Packard queried what the Council did regarding homeless people and the Head of Housing reported that it was the landowners responsibility to deal with as the Council could not enforce anything, however, support was provided for those that wanted it, unfortunately, some people did not want any. The Cabinet Member explained that the Council in conjunction with other partners was targeting support for a group of rough sleepers.

Councillor Gooch asked how the Council ensured people understood the perils of becoming intentionally homeless even though they might think they were making the right decision at the time. The Head of Housing stated that it was complicated but the legislation was very clear on eligibility to determine if someone was actually homeless and the Council could provide advice and guidance if they asked for it. She added that, if someone was deemed to have made themselves intentionally homeless, the Council never evicted them immediately but would work with them for 28 days by supporting them to find alternative accommodation and, if necessary, involving Social Services. Also, if a review request was received, the Council could refer cases to an external specialist legal team and they could uphold the Council's decision or say it needed to be changed which was then binding. She stressed that demand was so high the Council had to make sure those given properties had a legal right to one. She concluded that all things were taken into consideration but stressed that the Council had to follow the legal test to check eligibility. The Cabinet Member added that the advice was not to leave a property but to speak to the team straight away. The Head of Housing echoed the Cabinet Member's comment that the sooner people came to the Council the better and Officers would provide support including liaising with the landlord to see if they could remain in their home. She stressed that people had a legal right to remain until the landlord received a Court order to evict them.

In response to Councillor Back's query regarding supporting St Peter's Court tenants to be rehomed to allow for the building to be demolished, the Head of Housing stated that all the tenants were being actively worked with to find alternative accommodation and it was hoped that the property would be empty by October 2024. It was noted that five tenants had already accepted offers and another three were waiting to view properties. A Liaison Officer was on site to work with the tenants and the Council was working with other Registered Providers to provide housing. The Cabinet Member stated that he had committed to getting all the tenants re-homed in the Lowestoft area.

Councillor Clery referred to a Community Land Trust in Bawdsey and asked if there was more opportunity to work with community led groups to increase the social and affordable housing stock. The Cabinet Member stated that he was very keen on Community Land Trusts and Community Action Suffolk was bidding for new Government funding to encourage people to set them up. He explained that it was positive that they were not subject to Right to Buy but the Trust

did have to put something in and buildings needed to be maintained. He hoped these might be part of the solution especially for rural areas. The Head of Housing added that there was a lot of information on the Council's website regarding community led housing and funding was available for community groups to help them deliver housing.

Councillor Lynch referred to page 16 of the report which stated that the biggest need in East Suffolk was for one bed properties and he queried if a HMO had been considered. The Cabinet Member stated that Southwold Town Council had a house that might be able to be let for three people. He acknowledged that HMOs could work especially for single or older people and it could reduce isolation for people to live together in a shared space.

In response to Councillor Jepson's query, the Head of Housing confirmed that it could be complicated if the person was homeless but if a tenant was evicted with rent arrears and they applied to go back on the Housing Register the Council would try to recover the arrears with a structured payment plan.

The Head of Housing responded to Councillor Gooch's queries by explaining that, whilst it was rare, Deliberate Deprivation of Assets did happen, and generally applicants were housed in the location they wanted because they bid for the properties but if they repeatedly turned down offers and wasted time then action could be taken against them. The Cabinet Member added that generally the applicants on the list the longest were also the highest.

In response to Councillor Byatt's question, the Head of Housing confirmed that no housing stock had been lost to provide accommodation for refugees but there was one property that was used and external organisations were looking to purchase others. The Cabinet Member pointed out that this was funded by the General Fund not the HRA.

The Chair queried the number of people on the Register and the Head of Housing responded that there were 4591 at the beginning of the month although over 2500 of these were in Band E so were adequately housed. The Cabinet Member acknowledged that a lot of people did not apply and it was clear from the Housing Needs Survey that there was more need.

The Chair also referred to 2.26 of the report which asked if there were any guidelines on the amount of social housing needed and the response that referred to affordable housing. The Planning Manager (Policy, Delivery and Specialist Services) explained that, other than where Neighbourhood Plans set alternative policies, the Local Plan Policies did not differentiate between every different town or village in terms of the need for affordable housing and also did not differentiate between the need for social and affordable rent but they did set out the proportion of rented properties that would be required as part of a development coming forward.

The Chair thanked the Cabinet Member for Housing and Head of Housing for their contribution to the review and asked Councillor Yule, Cabinet Member with responsibility for Planning and Coastal Management, if she wished to add anything.

The Cabinet Member explained that there were policies in the Council's two Local Plans to secure affordable housing on residential developments. The policies were informed by evidence including both the Strategic Housing Market Assessment, which set out the needs for affordable housing including for different tenures, and also Whole Plan Viability Assessments. The site size thresholds above which affordable housing could be sought were informed by national policy. In principle,

developments with a greater percentage of affordable housing, or even 100%, could come forward, such as sites which might be put forward by the Council itself. However, the Council could not require a greater amount than was set out in the policies. The Local Plans also contained 'exception site' policies under which affordable housing could come forward in certain circumstances as an exception to planning policies for housing. The East Suffolk Affordable Housing Supplementary Planning Document was adopted in May 2022 and set out detailed guidance to support the delivery of the policies. The Housing and Planning teams worked closely to secure the right affordable housing - the Housing team was consulted by the Planning team on the affordable housing required for individual planning applications. A local connections cascade was applied to prioritise allocation of affordable housing secured as part of a planning application to those with a local connection to the location of the new development. The report to Scrutiny Committee in October showed that the Local Plan policies were delivering affordable housing, and paragraph 2.36 of the report before Scrutiny Committee today set out that 949 new affordable houses had been completed between April 2018 and March 2023 (around a quarter of all new houses). Although provision of new social rented properties was low, provision of new affordable rented properties was much more sizeable, with for example 166 completed in 2021/22. Applicants for planning permission could put forward a case to claim that sites were not viable for affordable housing, however such claims would be very carefully scrutinised. The policies of both Local Plans would only allow the amount of affordable housing to be varied in exceptional circumstances. As set out in the report to October Scrutiny Committee, there had been eight applications in the past two years which sought to reduce the amount of affordable housing (in four a reduction or loss was agreed, four were still under consideration). Through the planning process, commuted sums were also collected in some circumstances in lieu of provision on site, now usually limited to instances where otherwise a fraction of an affordable house would be required. The sums collected could be spent by the Council or by a Registered Provider on the provision of additional affordable housing. The planning system could not meet all needs for affordable housing in the district – in particular in the Waveney area to meet all of the needs identified in the SHMA would not have been viable, and trying to do so would likely stifle housing development coming forward. In addition to the Local Plan policies and the Supplementary Planning Document, through planning the Council could further support and encourage affordable housing development through for example Neighbourhood Plans. These might for example plan for additional housing growth including affordable housing. Guidance for Neighbourhood Planning groups on this topic was currently being prepared.

Councillor Plummer asked if there was a cross over between affordable housing and social housing bearing in mind the former had a noticeably higher rent. The Head of Housing explained that affordable housing came into a number of categories eg shared ownership, rental tenure eg affordable rent, intermediate or social rent which was the cheapest. Affordable rents were normally 80% of a market rent but a large number of Registered Providers, including the Council, capped their rents at Local Housing Allowance (LHA) rent which was significantly less than market rent. Social rent was not built that much these days and sometimes Homes England would say it had to be built at affordable rent. East Suffolk had a large proportion of social rents and a small number of affordables and there were only two Registered Providers that did not cap their rents at LHA level so it made it affordable including for anyone on benefits.

Councillor Lynch referred to Mr Aust's comment at the last meeting that affordable and social housing was more expensive to build because they were built at a higher standard and he queried why they were not built at the same levels as private housing to bring build costs down and provide more housing. The Head of Housing stated that she was not sure it was more expensive to

build but perhaps it was more that it would not generate the same level of return eg if building for open market sale you would get a large capital receipt and S106 but if you were a registered social landlord based on the level of rent charged they would not get the same return which impacted on the number of units that could be built. She added that Registered Providers were now trying to build to the highest possible energy efficiency level to avoid retrofitting in future. The Planning Development Manager explained that Mr Aust had commented at the last meeting that the expectations of Registered Providers, who purchased S106 properties from developers, could be quite high in terms of the standard of build and the way they were fitted out. They were buying properties in a finished form ready to let out to tenants so there was a certain level of durability and standard of construction that was expected which had a cost. He clarified that he did not think this affected the number of S106 properties being built in developments and pointed out that making properties cheaper in construction could end up costing more in the long run. The Cabinet Member added that the Council also had to comply with the Government's Decent Homes Standard. The Head of Housing explained that Social Housing Regulations Act would be implemented in April and consultation had just finished on the proposed new consumer standard. The Government was also doing a fundamental review of the Decent Homes Standard which was likely to be very different from the current Standard and the cost implications of that were unknown at this stage. It was noted that the Renters Reform Bill, which mainly covered the private sector, was also likely to require properties to meet the Decent Homes Standard.

There being no further questions, the Chair thanked the Cabinet Members and Officers for their attendance and clarified that the Committee was deliberating on recommendations for the Review of Social Housing and also on the Review of Planning Affordable Housing Requirements which was undertaken at the last meeting. He also reminded Members of their comments made during the debate at the last meeting as detailed in the minutes. Members debated and made the following points:

- There was a need to investigate innovative ways to increase the social housing provision within East Suffolk including revisiting modular housing.
- The banding of existing tenants and applicants could be reviewed to ensure they were in the right sized properties and to get them to a Band A more quickly.
- There should be more exploration at design stage of ways to create flexible dwellings that enable occupants to downsize but stay within the same community.
- More single occupancy dwellings within communities were needed either at an early design stage within new developments or utilise flats above shops.
- Scrutiny Committee might wish to scrutinise the Gateway to Homechoice Scheme in the future.
- Cabinet and Senior Officers should stake every opportunity to encourage and support Housing Associations to build in East Suffolk.

On the proposition of Councillor Grey, seconded by Councillor Plummer, it was

RESOLVED

1. That Cabinet
 - (a) explore innovative and creative ways to provide more affordable, efficient and environmentally friendly housing within East Suffolk.

- (b) review the Strategic Housing Market Assessment and Local Plan documents in relation to affordable housing supply sooner rather than later and include environmental sustainability.
 - (c) increase the target for providing Council housing stock from 50 to 100 units per annum.
 - (d) lobby Government on changing the Right to Buy Scheme so that a higher percentage of the receipts can be made available to supply more housing stock.
2. That Officers provide a response to the following queries raised by the Committee at this and the last meeting:
- (a) how many properties had been purchased by the Council since 2019 and how many remained empty?
 - (b) the options, challenges and risks for providing 100% affordable housing developments in the district?



Committee	Cabinet
Date	05/03/2024
Subject	Simpler Recycling – Food Collections
Cabinet Member	Councillor Rachel Smith-Lyte Cabinet Member with responsibility for the Environment
Report Author(s)	Rob Stammers LATCo Partnership Manager robert.stammers@eastsoffolk.gov.uk
Head of Service	Kerry Blair Head of Operations kerry.blair@eastsoffolk.gov.uk
Director	Kate Blakemore Strategic Director kate.blakemore@eastsoffolk.gov.uk

Key Decision?	Yes
Is the report Open or Exempt?	OPEN

Purpose/Summary

Government has legislated for Councils to align their waste and recycling services with new nationwide Simpler Recycling requirements by 31 March 2026. Suffolk councils already meet many of the requirements, but we will need to either provide new services or alter existing services to collect:

- Glass bottles and jars
- Cartons
- Food waste on a weekly basis
- Plastic film (by April 2027)

The capacity of the supply chain to meet unprecedented nationwide demand for specialist vehicles and bins is a major risk to meeting these requirements. Much of the Suffolk requirement for vehicles and bins will relate to introducing a new collection service for food waste, so Suffolk councils are being asked to take food service decisions by March 2024. Further final decisions on recycling and refuse service changes will need to be taken by early Summer 2024. However, guidance from Members in early 2024 will help Officers finalise the details and recommendations.

This report therefore outlines work to date and the proposed recommendations for food waste. It also seeks Members guidance on recycling and refuse service-related issues for decisions that will need to be made consistently and collectively across the Suffolk Waste Partnership (SWP).

Recommendation(s)

That Cabinet:

1. Approve the introduction of a weekly separate food waste collection by 31 March 2026 to meet new statutory requirements.
2. Give delegated Authority to the Head of Operations, in consultation with the Cabinet Member for The Environment to agree and authorise a suitable procurement strategy, individually and/or collectively with partner councils, to deliver the necessary infrastructure in terms of vehicles, bins and material processing through New Burdens funding.
3. Agree to exploring cross-border service provision for food waste collections and implement if it is practicable and would deliver savings.

Strategic plan

How does this proposal support Our Direction 2028?

Environmental Impact	<p>Whilst introducing a new food waste collection service will boost recycling rates by removing around 10% - 15% of waste from the residual waste stream which currently goes to the EfW, we will also run a food waste reduction campaign to highlight the need to reduce food that is wasted – this will involve communication campaigns, liaison with community groups, education and so on.</p> <p>The new containers that will be required for the food waste collection service – kitchen caddies and external bins, will be procured with sustainability in mind, seeking products that best utilise recycled materials and will provide longevity in service.</p> <p>The new vehicles required will all have Euro VI engines, enabling them to use HVO fuel which reduces emissions and has made a significant contribution to reducing ESC's carbon footprint when introduced in the rest of the heavy fleet.</p> <p>Home Composting will also be promoted, highlighting the SWP media campaign that we are involved with and the various options available to residents.</p>
Sustainable Housing	N/A
Tackling Inequalities	N/A
Thriving Economy	<p>Around 40 new jobs will be created when introducing the new food waste collection service, both drivers and loaders. There will be an opportunity for ESSL to develop existing staff, e.g. training for LGV II licence.</p>
Our Foundations / governance of the organisation	N/A

Justification for recommendations

1. Background

- 1.1. In December 2018 Government published its Resources and Waste Strategy (RAWS). This was the first national review of waste policy for over 10 years, and aims to reduce waste, improve recycling and support the development of a circular economy. A key element of the Strategy is collection and packaging reform: providing nationwide consistency in recycling collections and driving reduction and improved recyclability of packaging through extended producer responsibility. The Suffolk Waste Partnership (SWP), which is a partnership of Suffolk's County, District and Borough councils, welcomed this publication and is unequivocal in its support of its overarching aims.
- 1.2. Government subsequently consulted on various RAWS policies in 2019 and 2021, and in November 2021, the Environment Act 2021 was passed, providing the legislative basis through which the strategic waste reforms will be enacted.
- 1.3. Until recently, the Government's policy position indicated that the mixing (or comingling) of all recyclable materials in one recycling bin, especially the comingling of glass and paper, would not be permitted in order to preserve the quality and value of collected materials for recycling into new products. However, the recently published Simpler Recycling response does not prevent the mixing/comingling of materials for recycling.

2. Introduction

- 2.1. The recently published Simpler Recycling policy has nationwide requirements to improve recycling required by the Environment Act 2021. To comply with these requirements, the Council must:
 - 2.1.1. Food Waste – introduce a weekly separate collection of food waste from domestic households by 31 March 2026.
 - 2.1.2. Dry Recycling – increase the range of recyclable materials collected separately at the kerbside, adding glass bottles and jars, and cartons by 31 March 2026; and flexible plastics (e.g. bread bags, plastic films etc) by 31 March 2027. This will require changes to the existing kerbside recycling collections services.
- 2.2. The most pressing issue is that of food waste. To achieve the Government requirements on time, it is vital that Suffolk councils take decisions by March 2024 relating to the introduction of a food collection service. This will allow the procurement of required service assets (vehicles, bins etc) to commence. A prompt decision is required as lead times for manufacture of food collection vehicles are currently estimated at 12 - 18 months and will likely increase as further councils nationwide place orders to introduce new services. Options are very limited, and officers are recommending a separate food collection service.
- 2.3. Further final decisions on recycling and refuse service changes will need to be taken by early Summer 2024. A further report will be presented to Cabinet with the details and recommendations.

3. Proposal

- 3.1. The Government has set a clear legal requirement for Councils to introduce a separate weekly collection of food waste from all households by 31 March 2026.
- 3.2. This means householders will be asked to separate their food waste into a council-provided food bin (of approx. 23 litres in size) and leave it at the kerbside or curtilage of their property for collection. A further caddy (approx. 5 litres) will also be provided to householders for use in the kitchen. This provides the householder with somewhere to store food waste in the short term and helps improve collection yields.
- 3.3. All of the collection service options are based upon council waste collection teams then emptying the material from these bins into a specific food waste collection vehicle, with the exception of kerbside sort options. Kerbside sort options are the most expensive and risky, as they rely heavily on higher secondary material income to offset costs. They also require the most bins per property, vehicles and staff. It is therefore proposed that these options are rejected.
- 3.4. Across the whole of Suffolk we expect to need 40-50 new food waste collection vehicles. With current lead times on separate food collection vehicles estimated at 12 - 18 months, and further pressure on the supply chain anticipated, all Suffolk councils intend to take food service decisions by March 2024. This will allow up to two years for the procurement, production and delivery of food waste vehicles and bins.

Food Waste Disposal / Treatment

- 3.5. The SWP undertook food waste market research in 2022 and established that strong market interest exists for the processing of Suffolk collected food waste and the mostly likely technical solution would be through Anaerobic Digestion. This work, supported by Defra's 'Waste Infrastructure Delivery Programme' (WIDP), also concluded that the best value solution for the processing of collected food would be through a market driven procurement.
- 3.6. Disposal routes that produce compost are difficult and expensive due to the presence of cooked food within the food waste stream – composting plants generally rely on green waste but can sometimes include food peelings etc. i.e. raw plant matter. Cooked food introduces bacteria and pathogens to the mix that need to be dealt with using specialist techniques which make the process economically unviable.
- 3.7. Compost produced this way is generally only graded as soil improver, which is used on farms etc. It is not the same products as offered for sale in garden centres.
- 3.8. As the Waste Disposal Authority, Suffolk County Council would undertake the food processing procurement with support from all SWP Councils.
- 3.9. The procurement process would probably split the service down by geographic collection areas or District/Borough specific lots. This would allow potential bidders to offer a whole county solution or bid for the materials from a particular area/District/Borough. A similar approach to procurement has previously been adopted for garden waste composting facilities.
- 3.10. In addition to the need for new food waste treatment, SWP councils will need localised delivery points for the collected food waste. Suffolk County Council has begun work to assess the changes that will be required at transfer stations. The planning and

construction timescales for these infrastructure changes are another reason that food service decisions need to be taken promptly.

- 3.11. Local solutions for disposal will always be investigated, looking at the benefits of reducing carbon emissions via the proximity principle.

Outstanding Food Services Issues

- 3.12. Vehicle types – The SWP has created an officer working group to finalise the size and number of food waste collection vehicles which will be required. There are two main types under consideration, a 7.5 tonne and an 11-tonne vehicle. Different sizes may be better suited to an urban or rural environment. The expectation is that this work will be completed by March 2024 to align with the suggested procurement timetable.
- 3.13. Vehicle routes - The same group is also looking at potential routing solutions for any new food collection service. The work is again expected to be completed by March 2024 and is looking at two main scenarios:
- 3.13.1. Existing border solutions – how many vehicles and of what size will be required for each Council to collect food waste from all properties in its area.
 - 3.13.2. Cross border solution – how many vehicles and of what size will be required across Suffolk to collect food waste from all properties using vehicles from the nearest depot. For example, could savings be generated by serving some Babergh or East Suffolk properties from the Ipswich depot?
- 3.14. Bin Colours – the Simpler Recycling requirements offer an opportunity to align bin colours across Suffolk. As such, work is underway to identify what bin/caddy colour would be best for any new food waste service. By identifying a single countywide colour preference, that doesn't cause confusion with other waste and recycling service provision, we can simplify and improve public communications both during the service roll out and in future years. This work will also need to be completed by March 2024.

4. Financial Implications

- 4.1. Simpler Recycling aims to significantly improve recycling services as well as introduce nationwide consistency. Government has committed that the additional requirements will be funded in two ways: all costs relating to packaging waste and recycling costs will be met through packaging Extended Producer Responsibility (EPR) payments from packaging producers; and all other new requirements on councils will be funded by Government under the New Burdens doctrine. East Suffolk Council has been allocated a total of £2,367,763 under New Burdens Funding – this is to cover the capital costs of purchasing vehicles and containers.
- 4.2. £295m of New Burdens capital funding has been announced to support the purchase of new assets in England and Wales (e.g. food vehicles and bins) where food waste collections need to be introduced. This is likely to be allocated based on modelled costs and councils expect to receive this funding in the first quarter of 2024.
- 4.3. One-off transitional New Burdens revenue funding is also promised to support the introduction of food waste services, but at present no further detail is available. However, it should be noted that New Burdens is not expected to fund any required changes to existing waste infrastructure. This includes depots, transfer stations or the MRF.

- 4.4. Ongoing New Burdens revenue funding is also promised to support all councils' ongoing costs of operating food waste services. This is expected to be applied to the Revenue Support Grant from April 2026, but at present no further detail is available.
- 4.5. Under the Extended Producer Responsibility (EPR) regime for packaging, Government is making producers responsible for the full net costs of the packaging waste materials they place on the market, shifting the cost of collection and recycling/disposal away from the public purse. Producers will be required to pay into a centrally administered fund. This fund will then pay councils to cover the full net cost of packaging collection and recycling/disposal.
- 4.6. Councils have been told that Government will provide authority-specific EPR payment forecasts by Autumn 2024 to assist with local budget setting. However, actual payments won't commence until late 2025 at the earliest, albeit backdated to cover the period from April 2025.
- 4.7. Officers have repeatedly pushed Government, both as part of consultation responses and during regular engagement, that the provision of funding information is critical. As such, decisions on service change will need to be taken without full clarity on funding.
- 4.8. In 2022 the Suffolk Public Sector Leaders group allocated £375,000 of joint funding to support the countywide coordination and collaborative delivery of this major service change. This is expected to fund programme management procurement oversight; expert advice such as collection round analysis; and some joint communications activity.

5. Legal Implications

- 5.1. The introduction of a food waste collection service is a Statutory requirement, so failure to do so will be a breach of our Statutory duties.

6. Risk Implications

- 6.1. There is a risk that if we don't progress the project in good time then we may not be able to meet our Statutory duties within the specified timeframe.

7. Options

- 7.1. As the Simpler Recycling proposal is legislated by Government, there are no alternative options to implementation.

8. Recommendations

- 8.1. That Cabinet Approve the introduction of a weekly separate food waste collection by 31 March 2026 to meet new statutory requirements.
- 8.2. That Cabinet gives delegated Authority to the Head of Operations, in consultation with the Cabinet Member for The Environment to agree and authorise a suitable procurement strategy, individually and/or collectively with partner councils, to deliver the necessary infrastructure in terms of vehicles, bins and material processing through New Burdens funding.
- 8.3. That Cabinet agree to exploring cross-border service provision for food waste collections and implement if it is practicable would deliver savings.

- 9. Reasons for Recommendations**
- 9.1. This is a statutory requirement.
- 9.2. There is a specified timeframe that needs to be adhered to.
- 9.3. Allows officers to move the project forward and make decisions as required.
- 9.4. Allows officers to engage with external bodies, agencies, companies etc. to explore operational and procurement options.
- 10. Conclusions/Next Steps**
- 10.1. As stated, several times, the introduction of a food waste collection service is a statutory requirement, so this project needs to be implemented and progressed. By starting as early as possible we give ourselves the best chance of implementing the service in the best possible state for residents.
- 10.2. To start modelling the new service which will inform the number of vehicles and staff that will be required for the new service.
- 10.3. To commence the procurement of new vehicles and containers once modelling has been concluded.
- 10.4. To begin putting together a communications campaign to inform residents and stakeholders.
- 10.5. To work with ESSL on the operational implementation and introduction of the new service.

Areas of consideration comments

Section 151 Officer comments:

The budget and funding requirements for capital costs will be determined once the procurement strategy is agreed and a separate Committee report will be required to allocate and approve the necessary capital budget.

Monitoring Officer comments:

No comments.

Equality, Diversity and Inclusion/EQIA:

N/A

Safeguarding:

N/A

Crime and Disorder:

N/A

Corporate Services implications:

The introduction of the new service will impact and require the involvement of:

Finance – New Burdens Funding, ongoing budget implications.

Digital – Data for modelling.

Customer services – Communications campaign and resident engagement.

Procurement – New vehicles and containers.

Residents and Businesses consultation/consideration:

A full communications campaign will be run to inform residents and businesses of the new service and the implications of the service.

Appendices:

None.

Background reference papers:

None.