PLANNING AND COMPULSORY PURCHASE ACT 2004

SECTION 20

REPORT ON THE EXAMINATION INTO THE WAVENEY CORE STRATEGY

DEVELOPMENT PLAN DOCUMENT

Document submitted for examination on 25 February 2008
Examination hearings held between 23 September and 1 October 2008

File Ref: LDF000572
Abbreviations used in the report and/or the Council’s Library Documents

<table>
<thead>
<tr>
<th>Abbrev.</th>
<th>Author</th>
</tr>
</thead>
<tbody>
<tr>
<td>AAP</td>
<td>Area Action Plan</td>
</tr>
<tr>
<td>ACAG</td>
<td>Anglian Coastal Authorities Group</td>
</tr>
<tr>
<td>CIL</td>
<td>Community Infrastructure Levy</td>
</tr>
<tr>
<td>CLRS</td>
<td>Cumulative Land Raising Study</td>
</tr>
<tr>
<td>CRed</td>
<td>CRed Suffolk Climate Change Partnership</td>
</tr>
<tr>
<td>DCLG</td>
<td>Department for Communities and Local Government</td>
</tr>
<tr>
<td>DEFRA</td>
<td>Department for Environment, Food and Rural Affairs</td>
</tr>
<tr>
<td>EA</td>
<td>Environment Agency</td>
</tr>
<tr>
<td>EEDA</td>
<td>East of England Development Agency</td>
</tr>
<tr>
<td>EERA</td>
<td>East of England Regional Assembly</td>
</tr>
<tr>
<td>EiP</td>
<td>Examination in Public</td>
</tr>
<tr>
<td>GY&amp;W PCT</td>
<td>Great Yarmouth and Waveney Primary Care Trust</td>
</tr>
<tr>
<td>HA</td>
<td>Highways Agency</td>
</tr>
<tr>
<td>KPC</td>
<td>Kessingland Parish Council</td>
</tr>
<tr>
<td>LCA</td>
<td>Landscape Character Assessment</td>
</tr>
<tr>
<td>LDD</td>
<td>Local Development Document</td>
</tr>
<tr>
<td>LHA</td>
<td>Local Highway Authority</td>
</tr>
<tr>
<td>LPA</td>
<td>Local Planning Authority</td>
</tr>
<tr>
<td>ODPM</td>
<td>Office of the Deputy Prime Minister (now DCLG)</td>
</tr>
<tr>
<td>Pdl</td>
<td>Previously developed land (sometimes referred to as ‘brownfield’ land)</td>
</tr>
<tr>
<td>PPG</td>
<td>Planning Policy Guidance Note</td>
</tr>
<tr>
<td>PPS</td>
<td>Planning Policy Statement</td>
</tr>
<tr>
<td>RES</td>
<td>Regional Economic Strategy</td>
</tr>
<tr>
<td>RSS</td>
<td>Regional Spatial Strategy</td>
</tr>
<tr>
<td>SCC</td>
<td>Suffolk County Council</td>
</tr>
<tr>
<td>SCHP</td>
<td>Suffolk Coast and Heaths Partnership</td>
</tr>
<tr>
<td>SFRA</td>
<td>Strategic Flood Risk Assessment</td>
</tr>
<tr>
<td>SHLAA</td>
<td>Strategic Housing Land Availability Assessment</td>
</tr>
<tr>
<td>SHMA</td>
<td>Strategic Housing Market Assessment</td>
</tr>
<tr>
<td>SPCT</td>
<td>Suffolk Primary Care Trust</td>
</tr>
<tr>
<td>SMP</td>
<td>Shoreline Management Plan</td>
</tr>
<tr>
<td>SSAG</td>
<td>Suffolk Sustainability Appraisal Group</td>
</tr>
<tr>
<td>SSP</td>
<td>Suffolk Strategic Partnership</td>
</tr>
<tr>
<td>SWT</td>
<td>Suffolk Wildlife Trust</td>
</tr>
<tr>
<td>WCDRP</td>
<td>Waveney Crime and Disorder Reduction Partnership</td>
</tr>
<tr>
<td>WDC</td>
<td>Waveney District Council</td>
</tr>
<tr>
<td>WLSP</td>
<td>Waveney Local Strategic Partnership</td>
</tr>
</tbody>
</table>
1 Introduction and Overall Conclusion

1.1 Under the terms of Section 20(5) of the Planning & Compulsory Purchase Act 2004, the purpose of the independent examination of a Development Plan Document (DPD) is to determine:

(a) whether it satisfies the requirements of s19 and s24(1) of the 2004 Act, the regulations under s17(7), and any regulations under s36 relating to the preparation of the document; and

(b) whether it is sound.

1.2 This report contains my assessment of the Waveney Core Strategy DPD in terms of the above matters, along with my recommendations and the reasons for them, as required by s20(7) of the 2004 Act. The document’s full title, as submitted, is “The Approach to Future Development in Waveney to 2021 - Core Strategy”. For the sake of brevity I refer to it hereafter as the Waveney Core Strategy or simply the Core Strategy (CS). The report’s references in square brackets [n] are to Documents in the Examination Library.

1.3 My role is to consider the soundness of the submitted Core Strategy against the advice and criteria of soundness in PPS12. The Council submitted the CS for independent examination on 25 February 2008. When the DPD was submitted, PPS12 (2004): Local Development Frameworks was in force, but in June 2008, it was replaced by PPS12 (2008): Local Spatial Planning, which is a material consideration. Although the tests of soundness are now presented in a different and simpler way, they cover the same matters as before. The revised PPS12 requires that to be sound, a DPD should be justified, effective and consistent with national policy, along with a continuing requirement for the DPD to satisfy the legal/procedural requirements and be in conformity with regional planning policy. Justified means that a DPD should be founded on a robust and credible evidence base, and the most appropriate strategy when considered against the reasonable alternatives. Effective means that the submitted DPD should be deliverable, flexible and able to be monitored.

1.4 The Government intends that spatial planning objectives for local areas, as set out in the LDF, should be aligned not only with national and regional plans, but also with shared local priorities set out in Sustainable Community Strategies where these are consistent with national and regional policy. National policy emphasises the importance of spatial planning, requires local planning authorities to produce a Statement of Community Involvement and follow its approach, and to undertake proportionate sustainability appraisal. PPS12 (2008) also confirms that the rigour of the examination process remains unchanged and inspectors will be looking for the same quality of evidence and content as before. Consequently, the publication of the new PPS12 does not materially affect the procedure or matters to be examined in terms of this DPD.
1.5 In line with national policy, the starting point for the examination is the assumption that the local authority has submitted what it considers to be a sound plan. The changes I have specified in this binding report are made only where there is a clear need to amend the document in the light of the legal requirements and/or the tests of soundness in PPS12. None of these changes should materially alter the substance of the overall plan, or undermine the sustainability appraisal and participatory processes already undertaken.

1.6 My report firstly considers the legal requirements, and then deals with the relevant matters and issues considered during the examination in terms of testing justification, effectiveness and consistency with national policy. It does not address individual representations, although relevant issues raised by them were included in the main Matters and Issues identified for examination [I3 & I15].

1.7 My overall conclusion is that the Core Strategy is sound, provided it is changed in the ways specified. The recommended changes are confined to a series of essentially minor text changes most of which were suggested by the Council in response to representations, or as a result of discussion at the examination hearing sessions in the interests of accuracy, clarity and/or readability. Those which are required to make the plan sound are shown in boxes within the report text. More minor changes, which are desirable but not crucial to soundness, are referred to in general terms in the report and set out in full at Annex A.

1.8 In Annex A the report sets out all the detailed changes required to ensure that the plan meets all the tests of soundness and the other minor text changes which update and clarify various matters and assist the plan’s readability.

2 Compliance with Procedures

2.1 The Waveney Core Strategy (CS) is contained within the Council’s Local Development Scheme (LDS), the updated version being approved in April 2007 [G10]. There, it is shown as setting out: the spatial vision for the district; strategic objectives; a spatial strategy; core policies; and a monitoring framework. It is also shown as having a submission date of November 2007. In the event the document was actually submitted on 25 February 2008. However, no material difficulty arises from this minor slippage in dates. The LDS anticipates adoption in January 2009 and this remains achievable. Furthermore, the CS includes all of the elements listed above.

2.2 The Council’s Statement of Community Involvement (SCI) [A5] has been found sound by the Secretary of State and was formally adopted by the Council in January 2006 well before the examination hearings took place. It is evident from the documents submitted by the Council, including the Regulation 28 and 31 Statements and its Self Assessment Paper [A4], that the Council has met the requirements as set out in the Regulations.
2.3 As part of the preparation of the DPD it is evident that the Council has carried out a parallel process of sustainability appraisal (SA) [A2].

2.4 In accordance with the Habitats Directive and associated regulations, I am satisfied that, as a result of the scoping exercise carried out, and Natural England’s written response to it [A10i & ii], there is no need for an Appropriate Assessment.

2.5 I am satisfied that the DPD complies with the specific requirements of the 2004 Regulations, including the requirements in relation to publication of the prescribed documents; availability of them for inspection and local advertisement; notification of DPD bodies; and the provision of a list of superseded saved policies [CS Appendix 2].

2.6 The Council has suggested that the title on the front cover of the document be revised by adding the words “Development Plan Document” after “Core Strategy” [I5b – MC/1]. This, and insertion of the date of its adoption, would ensure that the cover was in accord with the Development Plan Regulations and I recommend their inclusion.

2.7 Accordingly, I conclude that in the preparation of the CS the required procedures have all been followed and completed satisfactorily.
3  Conformity

A Spatial Plan

3.1 Waveney is a mixed urban and rural area adjoining the coast and is proud of its status as the most easterly district in Britain. The CS provides a locally distinctive vision of the district’s future and its position in the wider area of which it forms part. Its spatial quality is evident from the focus on particular parts of the district and how their development would be integrated in a sustainable fashion. The largest town, Lowestoft, is the main focus for new development consistent with its planned status in the RSS Policy SS5 as a Priority Area for Regeneration [D7].

3.2 The complementary role of other settlements and the rural areas is clearly set out in the CS Vision and Strategic Objectives. The vision was developed in parallel in the Waveney Sustainable Communities Strategy (2007) produced by the Waveney Local Strategic Partnership [E27]. It is focused around 4 Local Area Agreement themes relating to: Children and Young People; Adults and Healthier Communities; Safer, Stronger and Sustainable Communities; and Economic Development and Enterprise.

3.3 The evidence submitted with the CS indicates that there is general and widespread support for the over-arching strategic vision.

3.4 The CS Appendix 3 lists the partners who will help to deliver the CS policies. Ongoing discussion with stakeholders in both structured and informal ways will ensure that the Council’s partners’ future plans are taken into consideration.

3.5 As a result I conclude that the CS is consistent with the descriptions of spatial planning contained in PPS1 and PPS12.

Consistency with National Planning Policy

3.6 The Council’s evidence base at submission, and as supplemented during the examination, demonstrates that it has had close and careful regard to the implications of relevant national planning policy, guidance and advice, including PPGs, PPSs and Circulars [B1-B46].

3.7 The evidence base includes background studies which respond to relevant national guidance. By way of example these include: a sub-regional Housing Market Assessment [H1] (PPS3), a Retail and Leisure Study [H3] (PPS6), an Open Space Needs Assessment [H2] (PPG17), and a Strategic Flood Risk Assessment [H4] (PPS25). The substance of these is considered in more detail below.

3.8 The Government Office for the East of England (GO-East) has been engaged throughout the preparation of the CS and has not identified any material lack of consistency with national policy.
3.9 Having regard to the evidence base I consider that the preparation of the CS has had regard to the general thrust of national planning policy and is generally consistent with it. Detailed aspects are dealt with later.

Conformity with Regional Spatial Strategy and other local policies

3.10 In March 2008 the East of England Regional Assembly indicated that the DPD was in general conformity with the emerging Regional Spatial Strategy (RSS) [A17]. This relates to the ‘Further Proposed Changes to the East of England Plan published in October 2007 [D6].

3.11 Subsequently the East of England Plan was finally adopted on 12 May 2008 [D7]. The final version has three changes that affect the Waveney Core Strategy; it is the Council’s view that they are marginal and that none will result in a substantive change to the DPD. I consider the likely impact of the late changes to the RSS to the thrust of any of the Core Strategy Policies under the later tests. However, subject to the Council’s suggested minor wording changes to reflect the status of the now adopted RSS policy framework, which I recommend [I5b-MC/45-46], I am satisfied that the Core Strategy DPD is in general conformity with the RSS.

3.12 I am satisfied, too, that the DPD has had appropriate regard to the current issues and adopted/emerging policies of adjoining local authorities [A16, E16-25] and that it has had regard to, and is aligned with, the sustainable community strategies for the district and county [E12, E13, E27].

3.13 Accordingly, I am satisfied that the CS would be meet the conformity and consistency requirements of the Act as clarified by PPS12 (2008).
4 Justification, Effectiveness and Consistency

4.1 The Main Issues are set out below in bold type and addressed in turn having regard to these requirements.

Is the text of the DPD’s Introduction Section appropriate?

4.2 The introduction to the document refers to its purpose at the time of submission but its language has been overtaken by events. To ensure clarity and relevance I recommend that the Council omit the first four paragraphs in line with its suggested minor change [I5b-MC/51].

4.3 The Introduction and later sections refer to the emerging Waveney Economic Regeneration Strategy [F15]. This has been adopted in final form [F15a] and for the sake of clarity I recommend that the text reflects the present position.

Spatial Strategy and Settlement Hierarchy

Is Policy CS01 founded in a sound basis, have the right settlements been appropriately designated, and have all alternatives been fairly considered?

4.4 The Spatial Strategy and the related hierarchy of settlements was evolved having regard to national policy guidance in PPS1 and to the RSS spatial strategy and associated guidance. RSS policy SS2 requires Local Development Documents to ensure new development contributes towards the creation of more sustainable communities and to locate major development by prioritising the re-use of previously developed land (PDL) in and around urban areas with a target of 60% of development to be on pdl.

4.5 In particular Policy CS01 proposes a 3 tier settlement hierarchy consisting of: the main town of Lowestoft (including the adjoining suburbs of Carlton Colville and Oulton); the four market towns of Beccles (with Worlingham), Halesworth, Bungay and Southwold with Reydon; and seven identified larger villages. Areas outside these settlements are treated as open countryside for planning purposes. The hierarchy’s purpose is to direct most growth towards these towns and service centres where shops, services, employment, and previously developed land are concentrated and where public transport links are available.

4.6 The policy’s specific objective is to direct the majority of new development to Lowestoft. This is in line with the clear aim of RSS policies SS1, SS2, SS3 and SS5 [D7]. Development in the towns is seen as contributing not only to their regeneration, through the provision of services and facilities, but also to the rural areas they serve.

4.7 The evidence base for the strategy is drawn from a variety of sources including the East of England Plan [D7], the Suffolk Climate Action Plan [E10], the Waveney Sustainable Communities Strategy [E27], the Great
Yarmouth and Waveney (sub regional) Housing Market Assessment [H1], the Waveney Strategic Housing Land Availability Assessment [H8] and the Waveney Economic Regeneration Strategy [F15a].

4.8 Within the national and regional context consideration was given to a range of factors including: the current role of settlements; how they related to each other; the level of self containment; the need for regeneration; the need to balance jobs and homes, the level of services and facilities; recent growth; accessibility and reducing the need to travel; environmental impact and an analysis of community views [A14].

4.9 It is clear that Lowestoft and the four market towns are well served as locations with employment, services, communal facilities and public transport links, and hence that they provide the most sustainable location for the bulk of necessary new development, including housing, employment, entertainment and tourism.

4.10 However, I note that in the CS’s preparation, responses to consultation (G5) indicated that the market towns were struggling to fulfil parts of their key role as service centres for the surrounding rural population and villages. Concern was expressed that their role could be further undermined if development was dispersed across lower order settlements in the rural areas. It was against that background that the approach to defining and balancing the third tier settlement role of villages as Key Service Centres within the hierarchy, and their subsequent growth potential, was undertaken.

4.11 In 2005 an analysis of all villages was carried out having regard to the East of England Plan definition [D7 para 3.17] of Key Service Centres as “large villages with a good level of services which might include:
   1. a primary school in the settlement and a secondary school in the settlement or accessible to it by public transport;
   2. primary health care facilities (ie a doctor’s surgery);
   3. a good range of shops and other services meeting everyday needs;
   4. local employment opportunities;
   5. frequent public transport to higher order (larger) settlements.”

4.12 The table at paragraph 4.6 of Core Document A14 shows the results of this analysis and demonstrates the generally modest level of services and facilities in most of the district’s villages of more than 300 population; only Kessingland met all the criteria for a key service centre. Even here the Council noted that despite its population size (4,240 at mid 2003) the settlement’s dependence on, and proximity to, Lowestoft, coupled with constraining drainage and flooding issues, were such that it should not be identified as a key service centre or as a location suitable for more than small scale new development.

4.13 Consequently the Council chose not to identify key service centres, preferring instead an approach focused on improving services and facilities in the villages. This led to the definition of the settlement hierarchy’s third tier as “Larger Villages” where a small amount of new
development, mostly on brownfield sites within the villages, would be
located. Some seven settlements spread across the district have been
so identified.

4.14 Beneath this tier the policy treats all settlements as being in the open
countryside where a generally restrictive approach to new development,
aimed at safeguarding the countryside for its own sake and protecting
existing service provision, will be applied.

4.15 Criticism was made that the needs and potential of some of the villages,
such as Blundeston, Somerleyton and Lound, had not been properly
considered and that should have been identified either as key service
centres or larger villages.

4.16 It is possible to point to minor oversights in some of the assessment
evidence which can only be a snapshot in time of the services and
facilities available then. However, given the clear direction of national
policy and the RSS in favouring the development of established
settlements in a sequential basis, in my view the thrust of the
settlement assessments is clear and its conclusion sufficiently robust for
strategic planning purposes. The terms of the policy would not place an
absolute bar on needed and valuable development in the smaller
settlements, but would place promoters of such schemes under an
obligation to demonstrate the need for such development having regard
to the CS’s underlying strategic objectives. I consider this to be
consistent with national and regional policy aims.

4.17 Overall, I consider that the CS’s definition of the settlement hierarchy
has been based on a systematic approach. This has sought to have
regard to the particular spatial characteristics of the district, and the
views of local communities as expressed during its preparation. It has
included the proper consideration of the most suitable alternative
options inasmuch as these are possible having regard to RSS policy and
the area’s geographical distribution of places, economic activity, housing
and services.

4.18 Furthermore, there has been little challenge to the Council’s approach
and submitted evidence in this regard, with most concern expressed
about the balance of the development proposed between the various
levels which I consider later.

4.19 Accordingly, I am satisfied that the Spatial Strategy is founded on a
robust evidence base and that it has had regard to the available options.
In my view it has a comprehensive and up-to-date evidence base which
can serve as a solid foundation for the spatial strategy.

4.20 Before looking at the balance of development proposed within the
settlement hierarchy, I examine the overall thrust of the policy in
relation to Lowestoft and its role as both the largest town and a
regionally important port. Consequently I consider that following issue.
Has Lowestoft’s role within the CS’s spatial strategy, as both a port and a main town, been sufficiently well identified?

4.21 In considering whether Policy CS01 sufficiently acknowledges the economic role of the port, I note that RSS Policy E3 includes Great Yarmouth and Lowestoft as Strategic Employment Sites where sites should be provided to support development associated with port expansion, regeneration and economic diversification.

4.22 RSS Policy GYL1 also aims to promote the comprehensive regeneration of both Great Yarmouth and Lowestoft, including encouraging an urban renaissance by identifying priority areas and projects for brownfield redevelopment to achieve economic, physical and social regeneration in inner urban areas and taking advantage of key waterfront sites. This policy also requires LDDs in the two towns to deliver significant levels of additional dwellings to support a healthy housing market, assist the regeneration of brownfield sites and meet local affordable housing needs.

4.23 For Lowestoft it is plain that a mixed approach to the growth of the town and the development of its port is an intrinsic part of RSS policy, although there is potentially a degree of tension between some of its aspirations. In my view, on submission the CS’s explanatory text to the Spatial Strategy and other parts of the DPD was not as clear as it might have been on the importance of maintaining, and where possible expanding, the economic and employment role of Lowestoft’s port.

4.24 I address detailed matters arising from this in later policies. However, I am satisfied that the Council’s suggested changes to the explanatory text would help clarify the need to strike an acceptable balance between the various strands of RSS policy including the Port’s economic role. I am satisfied that this was always the Council’s intent but in the interests of clarity I consider that such intent should be more overtly stated. To make the CS sound the adoption of the Council’s suggested wording changes would be fully consistent with the economic aims of RSS spatial strategy. Subject to this change being made the CS would be sound in this regard.

4.25 I turn now to consider the balance of development within the settlement hierarchy which the CS proposes by addressing the following issue.

Is too much development concentrated on Lowestoft at the expense of the market towns and larger villages ie Is the spatial balance of new development right?

4.26 Policy CS01 and related policies envisage that the bulk of new development will be focussed on Lowestoft as the main town. There has been little dissent from the overall identification of the town under the policy as the recipient of major new development. However, a range of criticisms were aimed at the share of new development proposed for it.
4.27 Specifically, the policy states that the town will be the focus for regeneration and particularly around Lake Lothing and the Outer Harbour area, with the town overall accommodating 70-80% of the district’s housing growth and the additional 5,000 new jobs. The balance of district-wide growth is distributed by some 15-25% of housing growth and 20% of new jobs in the Market towns, with about 5% of housing growth anticipated in the larger villages.

4.28 Given the level of their services the various particular and comparative merits of additional growth in the various Market towns of Beccles/Worlingham and Bungay were advocated.

4.29 It seems to me that, in principle, it would be possible to make out a case for some development within, or at the edge of, most, if not all, of the Market towns to assist their role as service centres. Such an option was included in the Council’s 2006 settlement strategy options [G3]. My understanding is that the proposed strategy of giving preference to brownfield sites in the market towns where they occur, was the option which received the most public support and was marginally the most sustainable choice. In addition the possible impact of a materially greater level of development in the Market towns has not been subjected to Sustainability Appraisal.

4.30 Moreover, the RSS policy priority is to seek regeneration for Lowestoft and to favour brownfield land development over greenfield development. This strategic priority, and the comprehensive evidence base, including the Council’s housing analysis and its employment land assessment [F13, H1, H7, H8, H9], leads me to conclude that there is not a compelling case for a materially greater balance of new development in the Market towns than that shown in policy CS01.

Is the CS over-reliant on development on previously developed land (pdl) and should greenfield sites be available as a contingency?

4.31 I have considered whether the CS was over-reliant on the use of pdl in meeting the district’s development needs and, related to that, whether greenfield sites should be made available as a contingency in the event of pdl not being able to deliver needed development.

4.32 I examine the topic of the need for contingency sites in more detail in relation to housing policy (CS11) and the Lake Lothing and Outer Harbour AAP policy (CS5) later in the report. However, as a matter of broad principle it is clear that development on greenfield land is always likely to be easier and more straightforward than dealing with the costs and complexities of development of pdl. The CS does not rule out some greenfield development and the spatial strategy acknowledges this, particularly in respect of employment uses. In my view achievement of the national and regional target of 60% development on pdl, and the regeneration, and the several sustainable community building benefits associated with it, would be materially prejudiced if greenfield sites were made potentially available at a time when the district’s housing delivery
to date has been ahead of the housing trajectory. Accordingly I conclude that there is no clear evidence to show that in this regard the balance struck by the CS is not sound.

4.33 I have also considered the question as to whether the definition of pdl should exclude the prospects for recycling a complex of redundant agricultural (and quasi-industrial) buildings at the north western edge of greater Lowestoft which, by reason of its proximity to the extending built-up area, it is asserted could make a contribution to meeting housing need in the medium term. In my view the consideration of such opportunities should only proceed in accordance within the priority for the use of pdl set out in PPS3, including the definition of pdl in Annex B. As this explicitly excludes land that has been occupied by agricultural or forestry buildings it follows that the consideration of the development potential of such land outside an urban area should attract a lower priority.

Has protecting the countryside been properly balanced with the need for economic prosperity and environmental improvements?

4.34 I note that the spatial strategy allows for some exceptions to the overall aim of preserving the countryside, including some infill and/or affordable housing and development of an appropriate scale contributing to the continued viability of the agricultural industry and helping to diversify the rural economy. A minor wording change would confirm that rural development schemes can help maintain the viability of agriculture and/or diversify the local rural economy.

4.35 I conclude that, subject to the inclusion of that change (MC/49) this approach is consistent with the aims of national policy in PPS7 and with RSS and is generally appropriate in the Waveney context.

Have the strategy’s traffic impacts been adequately assessed?

4.36 At submission stage there was some concern that the traffic and infrastructural impacts of the CS in general, and the spatial strategy in particular, had not been sufficiently assessed in drawing up the policy. However, at my request the Highways Agency (HA), Suffolk County Council (SCC) and the District Council (WDC) produced a statement of Common Ground on Highway Issues [I22].

4.37 This reviewed the highways data sets used in drafting the CS proposals, about which all three parties are agreed. In particular it is agreed that the April 2007 Faber Mansell traffic modelling study produced on behalf of SCC, “Lowestoft 1st East – Highway Scheme Option Testing” [H12], provides an appropriate and adequate evidence base for assessing the impact of growth proposed for Lowestoft on the local and trunk road network. I return to the detailed results of the assessment itself when I consider policy CS05, Lake Lothing and Outer Harbour Area Action Plan, including the question of need for a further crossing of Lake Lothing and the future of the Bascule bridge linking Lowestoft centre to the more southerly parts of the town.
4.38 With regard to the likely impact of planned growth on the wider local and trunk road network I note that SCC is working with local partners including HA and WDC to develop a sustainable transport strategy for Lowestoft with the aim of changing travel behaviour and modal shift leading to a predicted 15% reduction in traffic levels compared to those predicted by the 2022 highways modelling assessment. As a result of these studies and planned initiatives all of the parties are agreed that the impact of future development on the local trunk road network can be mitigated and reduced to an acceptable level.

4.39 In the absence of detailed technical evidence to the contrary I am satisfied that the strategy’s likely traffic impacts have been adequately assessed and hence that the strategy is founded on a firm, credible and sound evidence base in this regard.

**Is the spatial strategy deliverable having regard to economic and flood risks and the need for flexibility?**

4.40 I examine the detailed effects of economic viability and flood risks under later policies. In relation to the overall deliverability of the spatial strategy itself, I am satisfied that it is based on a sufficiently sound evidence base and that, although subject to challenges due to market conditions and the need to manage increased flood risks, it is generally capable of delivery over the full extent of the plan period.

4.41 In addition, with the growth levels in the various main settlements expressed in ranges, and with Delivery and Monitoring Frameworks in place, I consider that the DPD is sufficiently flexible to enable it to achieve, or come close to achieving, most of the plan’s strategic aims.

**Policy CS01 related minor text changes**

4.42 At the hearings, in response to some local representations, the Council proposed a number of minor editorial changes to the supporting text preceding the spatial strategy itself. These clarify a number of non-contentious matters and in my view do not alter the thrust of policy CS01 itself. I recommend their inclusion on that basis.

**Overall Conclusion on Spatial Strategy**

4.43 I conclude that the strategy is founded on a robust and comprehensive evidence base which is generally sound; that the available alternatives have been considered and weighed against, and aligned with, national and RSS policy; and that it is internally coherent. Overall, subject to the inclusion of minor editorial changes discussed above (including MC/49), the Spatial Strategy as set out in policy CS01 represents a consistent and generally effective approach to meeting the development needs and safeguarding the environmental qualities of the district and the region of which it is part, during the plan period to 2021.
High Quality and Sustainable Design (Policy CS02)

Will the CS deliver high quality and sustainable design?

4.44 PPS1 requires that planning should facilitate and promote sustainable and inclusive patterns of urban and rural development, not only by making suitable development land available but also by ensuring high quality development through good and inclusive design and the efficient use of resources. Its Planning and Climate Change Supplement supplements the parent document by setting out how planning should also contribute to reducing emissions and stabilising climate change and take into account the unavoidable consequences.

4.45 The adopted RSS [D7] reflects these aims. Its policy ENV7 states that LDDs should require new development to be of a high quality complementing the distinctive character and best qualities of the local area and promoting urban renaissance and regeneration. The RSS also addresses the need to reduce climate change emissions and includes related targets for building Energy Performance and Renewable Energy generation [Policies ENG1 & 2].

4.46 The CS policy CS02 sets out a criteria based approach to ensuring the achievement of high quality and sustainable design that will improve the character, appearance and environmental quality of an area and minimise carbon dioxide emissions through sustainable design and construction, energy efficiency and the incorporation of appropriate renewable energy technology. The policy also aims to ensure the efficient use of water resources and the minimisation of waste production.

4.47 During the examination a less stringent approach to design in relation to industrial and port-related development was advocated as being the right way ahead.

4.48 In my view, as a matter of logic and consistency, all of the policy’s environmental criteria should be assessed in relation to all types of development proposals. However, it would be open for the promoter of any particular development to address the weight to be ascribed to the various design elements and criteria in the context of the need for the project and its scale and impact on the function and character of the area in which it is located. No doubt economic viability would also play a part in reaching a sustainable balance in each case.

4.49 I conclude that, subject to a small clarification to the policy text relating to the need to conserve as well as enhance bio-diversity (MC/5), which I recommend, policy CS02 requires no further change and is sound.

Climate Change and associated risks

Does the CS deal satisfactorily with Climate Change in general and coastal erosion and flood risks in particular? (Policy CS03)
4.50 I have already referred to national and RSS policy in relation to the need to mitigate and plan for the impacts of climate change. Policy CS03 aims to deal with the need for flood risk management and coastal erosion in a coastal area where there are considerable challenges in relation to these inter-connected matters. In essence it seeks to take a precautionary approach based on national climate change predictions and a locally derived evidence base as to the current and likely future impacts of climate change on the coast and flood risks from the sea, rivers and all other sources. As such the policy is broadly in line with national policy as expressed in PPS25.

Coastal erosion

4.51 As the plan’s explanatory text itself makes clear, the undefended stretch of coast is one of the fastest eroding coastlines in the country and this will be compounded by climate change and sea level rise. The evidence base to inform the drafting of the policy approach included a review of the two Shoreline Management Plans (SMP) for the district [F2, F3]. The latter of these two, for the area south of Lowestoft Ness, was published in 1998 and is now somewhat dated. It is under review with an updated SMP expected in 2009. This stretch of coast is not identified for major new development and hence the lack of a fully up-to-date evidence base for this stretch of coast is not critical in my view.

4.52 A major implication of the SMP for the district’s more northerly coast is that a policy of managed retreat is proposed for Corton in the medium to long term; although expected to last for 20-30 years existing coastal defences will not be replaced when they fail; either side of Corton are areas of “no active intervention” where the shoreline will be allowed to retreat. Along some of the more sparsely populated stretches of the coast to the south of Lowestoft the coastline would be allowed to retreat.

4.53 With the major settlements to be defended, policy CS03 requires development proposals to avoid areas at risk of coastal erosion having regard to the SMP. It also requires development proposals close to cliff edges or coastal defences to be accompanied by a risk assessment. In my view this part of the policy is consistent with national policy in PPG20 and is sound.

4.54 I address the implications of coastal erosion for coastal tourism later in the report in relation to policy CS13 on Tourism.

Flood Risk

4.55 The major part of policy CS03 addresses this crucial issue. National policy in PPS25 (Dec 2006) aims to ensure that flood risk is taken into account at all stages in the planning process to avoid inappropriate investment in areas at risk and to direct development away from areas at highest risk. A Sequential Test is to be used to ensure that
development should not take place in areas at high risk of flooding when appropriate areas of lower risk are reasonably available. Where new development is, exceptionally necessary in such areas, policy aims to make it safe without increasing flood risk elsewhere and where possible, reducing flood risk overall. Informed evidence is a crucial part of this process.

4.56 The CS evidence base includes an up-to-date Strategic Flood Risk Assessment (SFRA) [H4] published in February 2008. This recognises that the Lake Lothing and harbour areas of Lowestoft, the responsibility under the terms of RSS policy of the 1st East Regeneration Company, generally fall within Flood Zones 2 and 3 with a high risk of flooding from the sea. The SFRA shows that the risk will increase over the next century due to climate change and predicted sea level rise based on PPS25 parameters. As the SFRA was not published until February 2008 it could not formally have underpinned the preparation of the CS in relation to assessing flood risk. However, preparation of the CS commenced prior to the publication of the present version of PPS25 and in proposing a spatial strategy has had regard to the Environment Agency’s flood maps and draft material from the SFRA. In these circumstances I am satisfied that the policy has had regard to the general thrust of national policy in relation to assessing flood risk and the location of new development.

4.57 However, at first glance the evidence poses a dilemma since the Lake Lothing and Outer Harbour areas are identified by the RSS (policy GYL1) and in turn the CS as priority areas for employment led regeneration, including addressing the district’s housing needs. The strategic needs identified are considered by the Council to be overriding, with development in the area benefiting the wider population by addressing many of the district’s sustainability issues and providing the opportunity to deliver improved flood defences for Lowestoft.

4.58 At submission stage the Environment Agency (EA) were concerned that the wording of policy CS03 and the associated Lake Lothing development proposals were not demonstrably compatible with national policy in PPS25 as they sought to steer potentially at risk and vulnerable development, including residential, into a Zone 3b functional floodplain.

4.59 However, the recently completed addendum to the SFRA, the Cumulative Land Raising Study (CLRS) [H4A], has demonstrated that the wide scale land-raising of potential development sites in the Lake Lothing flood cell (as flood risk mitigation) would lift the development ground levels above the predicted flood levels and would have very little effect on flood water levels in surrounding areas. It would also help to reduce flood risk to wider areas by delaying inundation.

4.60 As to the likely overall effectiveness of the CLRS approach, I understand that it has been developed in consultation with the Environment Agency and 1st East Urban Regeneration Company (URC) and that, subject to the inclusion of a number of minor text changes to the policy and its
supporting text, the agency’s concerns would be met such that the CS would be consistent with national policy (PPS25) in this regard.

4.61 This is confirmed in Examination Document I11 in which the EA state that, as a result of the modelling of flood risk for seven ‘to-be-raised’ sites undertaken in the CLRS, areas of currently designated Functional Floodplain (Flood Zone 3b) will be reclassified as areas with a high probability of flooding (Flood Zone 3A). As such it accepts that the development types proposed in the Lake Lothing area would be appropriate for that Flood Zone provided that the Sequential Test and (when necessary) the Exception Test can be passed. As the agency points out, the forthcoming preparation of the Lake Lothing Area Action Plan DPD (see CS policy CS05) would enable any phasing impacts of the discrete development of the identified sites to be further assessed to ensure that in practice there would be no increase in off-site flood levels and that safe access/egress can be gained to and from such raised areas.

4.62 Against this background I address the deliverability of the Lake Lothing elements of the CS later in the report. But for the purposes of policy CS03 I am satisfied that with the various suggested minor text changes in place, the policy would be generally consistent with the aims of PPS25 and its evolving good practice guide [B40, B40a].

4.63 At the southern edge of the district the emerging Blyth Estuary Strategy [F11] indicates that in the short to medium term there is likely to be more frequent flooding of some properties near Southwold Harbour, the A12 and the A1095, increased flows of water through the harbour, and some habitat loss. As a result the force of the policy will be to avoid all inessential development in line with the requirements of PPS25.

4.64 Overall I conclude that, subject to the minor text changes I recommend, policy CS03 would be consistent with national policy and the RSS, and that it would represent a coherent, and generally effective approach to flood risk management and coastal erosion. As a result I am satisfied that the CS would be sound in this regard.

Infrastructure and Transport

**Have infrastructural needs of new development been addressed to ensure new development is delivered in timely fashion? (Policy CS04 Infrastructure)**

4.65 The CS endorses a partnership approach to address the district’s infrastructure needs arising from the settlement strategy, working with the Local Strategic Partnership (LSP), Suffolk County Council and other partners. Apart from roads and transport (see CS15) these needs range from the provision of health and education facilities to addressing water supply, sewage and drainage issues and the provision of playing fields.
4.66 Having regard to national policy in Circular 05/2005 the policy requires developers to address the needs associated with all types of development, not just housing. However, the Council has tried to write the policy having regard to the government’s possible introduction of a Community Infrastructure Levy (CIL) in 2009. Bearing this in mind it is proposed that the finer details of policy are addressed in a subsequent Supplementary Planning Document (SPD). To my mind this is a sensible and pragmatic way forward given the present uncertainties.

4.67 The question of development viability will be a key issue in determining the levels of developer contributions and the extent to which public funds are required for any particular development to be able to proceed when major on and/or –off site infrastructure investment is a pre-requisite to a workable and successful scheme.

4.68 Discussions with underground infrastructure suppliers, including the drainage and water suppliers, have indicated some areas where significant improvements to facilities are likely to be necessary for successful delivery of the CS development priorities. This includes the possibility of an upgraded foul sewer crossing under Lake Lothing, and/or the provision of a new wastewater treatment works to the south of Lowestoft. While the funding for such a major project has not yet been clearly identified, much will depend on the quantum and mix of development of different land use types likely to come forward as a result of adoption of the CS. Consequently, in my view the Council’s pragmatic approach of continued working with Anglian Water and other relevant agencies is the most appropriate way ahead as the AAP and other site allocations and associated phasing proposals are worked up in subsequently scheduled DPDs.

4.69 The Council has suggested a number of text changes to avoid potential uncertainties. Though not crucial to soundness I recommend their inclusion in the interests of the clarity and effectiveness of the policy.

4.70 I consider the extent to which developer contributions and the availability of public funds may affect deliverability of development on pdl or brownfield sites in the Lake Lothing AAP under my consideration of policy CS05.

**Will the plan deliver Sustainable Transport? (Policy CS15)**

4.71 Because of its clear link to infrastructure, this matter is considered here. The concentration of new development in Lowestoft and the main towns is an important first step in the strategic aim to deliver sustainable transport options in line with national policy, the RSS regional transport strategy [D7: T1-17], the Suffolk Local Transport Plan [E1] and related travel strategies. In addition policy CS15 and the document’s Delivery Framework (Appendix 3) sets out how the Council will work with local partners to secure transport infrastructure and sustainable transport measures to help the regeneration of the district’s towns, support the local economy, and improve access to services and facilities.
4.72 The policy lists the principal road, rail, bus and cycle/pedestrian projects included in the various funding projects of local agencies. The list includes the Beccles southern relief road, the A146 Barnby to Carlton Colville Bypass, the Lowestoft Access project and measures to reduce traffic impact in Bungay town centre. Such projects will be dependent on various combinations of local and external funding. In line with national policy in PPG13 transport assessments, travel plans and developer contributions will also be sought where development’s transport impacts are significant. The policy also explains how the Council will continue to promote the creation of a third road crossing of Lake Lothing as part of the Area Action Plan (this matter is considered further in the section on Policy CS05).

4.73 The policy will also encourage measures to make local improvements on the A12 Lowestoft to Ipswich trunk road. I note that there is a risk that there is a likelihood of increased flooding of the A12 at Blythburgh, but there is no firm evidence to indicate that the re-routing of the road at this point would be environmentally acceptable or financially achievable. I conclude that no change is justified in this regard though no doubt that the actual level of flooding will be monitored by Suffolk County Council the local highway authority responsible for this stretch of the road.

4.74 I am satisfied that policy CS15 is founded on a secure evidence base and that it is generally consistent with national and regional policies. Provided that the funding for the main projects is forthcoming, I consider that it represents a coherent approach to delivering improved sustainable transport over the plan period.

Accordingly, I conclude that subject to a minor text change to clarify the need for development proposals to plan for the provision, among other things, of surface water management and flood risk management measures, the CS policies for infrastructure (CS04) and sustainable transport (CS15) are sound.

Lake Lothing and the Outer Harbour Area Action Plan

Has the start on preparation of the Lake Lothing and Outer Harbour Area Action Plan pre-empted the proper consideration of a district-wide spatial strategy? (Policy CS05)

4.75 RSS policy SS5 identifies Lowestoft and Great Yarmouth as priority areas for regeneration, while SS9 requires local authorities to seek the regeneration of coastal towns and communities reinforcing their local economic and social roles and importance to the wider region. Policy E3 identifies Lowestoft as a Regionally Strategic Employment Location where sites should be identified to support development associated with port expansion, regeneration and economic diversification. Finally, GYL1 identifies both Great Yarmouth and Lowestoft as Key Centres for Development and Change [D7].
4.77 Policy CS05 proposes an Action Area Plan (AAP) for the regeneration of Lowestoft’s Lake Lothing and Outer Harbour focussing on employment-led regeneration. In detail it would aim to provide at least 1,000 jobs and a high quality mixed use and sustainable built environment.

4.78 Concern was expressed that the start already made, jointly by the Council and the 1st East urban regeneration company, on drafting and consulting on detailed site-specific AAP proposals, had pre-empted the proper consideration of the role of the AAP area in the district wide spatial strategy.

4.79 I accept that consideration of the district’s spatial strategy might sensibly have preceded consideration of the specifics of the AAP proposals. However, the RSS emphasis on the regeneration of Waveney in general, and the town and port of Lowestoft in particular, is very clear, and the DPD would be unsound if it did not take its lead from the RSS development priorities. Hence I do not regard the order of events in relation to AAP preparation (effectively suspended pending examination of the CS) as being fatal to the soundness of the Core Strategy.

Is there a need to stress promotion of the Port’s economic role

4.80 On submission the major land owner of the still operational parts of the commercial port (who acts as the Harbour authority) was concerned that the CS in general and policy CS05 in particular did not properly reflect the need to safeguard and promote the commercial activities of the harbour areas as a commercial sea-going port.

4.81 In response to this perception the Council has suggested a series of minor modifications to clarify that the aim of the AAP was to deliver employment-led regeneration including by the protection and development of port related activity. Subject to inclusion of these changes I am satisfied that the economic aims of the policy would clearly embrace the port’s commercial and transport-related role.

4.82 Notwithstanding this, there are likely to be some tensions between the most industrial port-related activities and some of the mixed use developments, including housing, which are perceived as the most commercially attractive in terms of added value and regeneration. While not seeking to play down these genuine tensions the AAP area is quite extensive and in my view the scope for sensitive and comprehensive forward planning and design should help to resolve many, if not all, of the tensions. My understanding is that the Outer Harbour area is likely to accommodate the heavier port-related activities connected in large measure to the servicing of the off-shore wind turbine industry, while the north shore of the inner Lake Lothing area west of the Bascule bridge will accommodate more general cargo and dry dock activity. The southern bank and the western end of the estuary are the areas most likely to accommodate the mixed use activity. Subject to full engagement of all interests in the AAP’s final preparation, to sensitive activity zoning and to proactive high quality
design I am satisfied that the various land uses proposed in policy CS05 can co-exist and not endanger the successful regeneration of the area in the medium term.

**Is the AAP policy viable given: (a) the possible need for a third crossing; (b) the need to build within an area at risk of flooding; (c) the apparent need for and appropriateness of high density housing in some mixed use schemes?**

** (a) A Third Crossing of Lake Lothing**

4.83 Although the notion is not included in the CS’s policy for the AAP, as mentioned earlier policy CS15 does allow for a new cycle/pedestrian crossing of Lake Lothing to increase accessibility between development sites in Lowestoft and the town’s employment sites, services and facilities. CS15 also states that the Council will continue to promote the creation of a third road crossing (my emphasis) of Lake Lothing as an integral part of dealing with transport problems and issues in Lowestoft and the sub-region, to be pursued through the AAP.

4.84 During the public hearings the Council explained that neither the CS as a whole, nor the delivery of the AAP regeneration development proposals, were technically dependent on the provision of a third road bridge. Both the County Council as LHA and the Highways Agency (HA) did not demur from this conclusion. However, the District Council and various other local interests are concerned by the potential for serious town-wide congestion evident when the Bascule (lifting) bridge (carrying the A12 over the connection between the Outer Harbour and Lake Lothing) is out of action for whatever reason.

4.85 Local concerns have been focussed by the HA’s recent and long running major maintenance of the bridge and, when it is closed, the necessary and lengthy detour via the Mutford Lock Bridge at the western end of Lake Lothing. The HA has confirmed that the mechanical, electrical and hydraulic components maintenance work is now nearing completion, and that the bridge is structurally sound with a design life of 80-90 years subject to regular maintenance [149]. Accordingly, I am satisfied that the bridge will be able to continue playing its traditional part in the town’s traffic system throughout and well beyond the plan period.

4.86 In the District Council’s view provision of an additional crossing is an integral part of dealing with regeneration and improvement of the town’s functioning and community cohesion. In July 2008 the HA announced it would undertake a feasibility study into the provision of a third road crossing of Lake Lothing to be completed by Autumn 2008. Subject to its findings this would allow any potential scheme to bid for regional funding to be part of a package of complementary measures to assist more sustainable transport and mitigate potential growth in congestion. A firm outcome either way would serve as an invaluable 'building block' in developing the detailed land proposals for the
emerging AAP. However, the current absence of a clear decision does not render the AAP policy unsound in my view.

(b) The Need to build in an area at risk of flooding

4.87 I have addressed this in general terms at paragraphs 4.54-4.63. The need to raise the ground levels of the seven provisionally identified development sites above the level of the functional flood plain will involve considerable physical works and expense and a co-ordinated approach. But the AAP provides a very useful mechanism for such co-ordination and an invaluable means of securing a partnership approach between the private and public sectors in securing improved flood risk management for Lake Lothing and the adjoining town centre. While this will be a major challenge, the do-nothing option would be far more problematic in the medium to long term as it would carry the clear risk of leaving parts of the town less well protected. Accordingly, I conclude that the policy represents the best available option.

(c) The need for/appropriateness of high density housing in some mixed use schemes?

4.88 The policy aims to deliver in the region of 1,500 new homes. There was concern about the need for, and appropriateness of, high density housing on certain of the sites on the Lake Lothing waterfront. I acknowledge that development viability and residual land values are critical here, and that several detailed questions remain to be answered as part of the preparation of the AAP itself, including necessary design codes. However, at the strategic level the RSS takes a firm lead on the need for employment led regeneration of the area and does not rule out housing schemes as part of mixed use packages on appropriate sites. The density question is a challenge to designers, as is the need for housing not to unduly constrain continuing port and port related business activity. However, there are successful examples of high density and well designed housing schemes in various parts of the country and worldwide. With the ability of 1st East to lever in private sector interest by co-ordinating funding packages I would be optimistic that with careful master-planning high quality and compatible mixed use schemes could be achieved in Lowestoft inner harbour in line with the RSS policy requirements.

Conclusion on Lake Lothing & Outer Harbour AAP Policy CS05

4.89 I consider that the RSS policy sets out a very clear priority for the regeneration of the area which has been underpinned by the establishment of 1st East as a short life organisation charged specifically with the responsibility of delivering its primary elements. These are challenging priorities, not least to ensure the employment-led regeneration of Lake Lothing and Outer Harbour Area, an area of historic economic decline and limited accessibility by road, while dealing with the effects of climate change in terms of rising sea levels and associated flood risk management needs. All parties accept that the town’s peripheral location, the relatively modest local development values and
the credit crunch and associated economic slowdown creates the need for substantial public pump priming of development. In such a context successful implementation of the strategy will be challenging. However, while some representors were firmly of the view that delivery would be highly problematic, I consider that the absence, withdrawal or dilution of policy CS05 would be likely to guarantee the failure of the plan to meet the RSS strategic regeneration aims.

4.90 While accepting that there are risks which will need to be assessed, monitored and, where necessary mitigated, I conclude, on balance and subject to minor text changes suggested by the Council in the interests of clarity, that the policy is consistent with national and RSS policy and is coherent and sound.

**Community Based Regeneration (Policy CS06)**

4.91 The policy seeks to ensure that development contributes towards the regeneration of Waveney and especially the community needs in Lowestoft, the market towns and the large village of Kessingland, with a focus on the most deprived wards. Such needs will be addressed by the District Council working in partnership with local communities and a range of support organisations.

4.92 There is little if any dissent to the policy’s approach which I regard as being generally consistent with the Suffolk Community Strategy [E26] and the Waveney Sustainable Communities Strategy [E27]. For the sake of clarity I understand that the policy is intended to deal with all community needs and not simply those of the locations mentioned in the text, although these would be expected to receive some priority. I do not consider that this needs a change to make the policy sound.

4.93 I am satisfied that the policy is based on a robust evidence base and that it is coherent, consistent and effective. I conclude that it is sound.

**Employment Policies**

*Are the Employment Policies (CS07, 08, 09) founded on a firm and credible evidence base?*

4.94 The Waveney Economic Regeneration Strategy [F15a], the multi-agency Waveney Prospectus [F8] and the Waveney Employment Land Study [H9] have collectively informed the generation of the main economic and employment policies. The March 2008 Regeneration Strategy examines economic trends and supports the encouragement of new businesses, highlights the key opportunities offered by the renewable energy sector (CS08) and the knowledge economy (CS09), and recognises the need to enhance and diversify the skills-base among the population. In my view there are clear links between the evidence base and the policies put forward.
Is the CS consistent with national policy, RSS and the local economic strategy and capable of meeting the area’s economic threats and opportunities? (LES & Policies CS08 and 09)

4.95 The emerging draft of national PPS4 was not available when the Core Strategy was submitted, but policies CS07 to CS09 are clearly in the spirit of it. They are also clearly aligned with the RES and adopted RSS policies E1 to E4 and GLY1. In particular the latter promotes radical change in the economy building on established sectors and seeking to diversify into new and emerging sectors including a renewable energy cluster, the environmental economy and port and related activities.

Has the quantum of new employment land been properly assessed and its distribution fairly made? (CS07)

4.96 The Employment Land Study [H9] identified a potential need for some limited new employment land in all of the district’s towns. The need for specific new allocations were identified at Bungay (5ha) and Beccles although in respect of the latter outline planning permission has now been given for the extension of the Ellough estate obviating the need for an allocation being promoted by the CS.

4.97 For Lowestoft the study recommended a redistribution of employment land types to correct a perceived imbalance. This would potentially allow further general industrial land at the peripherally located South Lowestoft Industrial Estate, while enabling the release of surplus B2 land in the Lake Lothing area to be replaced by a mix of B1 and employment uses and offices towards the town centre in line with policy CS05.

4.98 Finally, the submitted CS policy makes some limited provision for new allocations and redevelopment opportunities in or adjacent to the market towns where circumstances permit.

4.99 I am satisfied that the quantum of new employment land allocations proposed will offer a reasonable choice of sites in line with national policy and RSS policy expectations.

Is mixed use development needed to deliver employment land?

4.100 Some representations argued that the policy should support housing and/or mixed use developments as a way of enabling employment land in Bungay and the larger villages. Work is ongoing on the identification of specific employment sites as part of the Site Specific Allocations DPD and this will give detailed consideration to questions of viability of specific locations. As written the CS policy would not rule out the possibility of some enabling development in appropriate circumstances albeit that the focus would rightly stay on maximising brownfield site opportunities in preference to greenfield releases. I see no compelling need for a change to the submitted policy in this regard.

4.101 The Renewable Energy and Knowledge Economy policies are supported by the evidence base and are consistent with RSS and the RES.
4.102 Subject to the inclusion of minor text changes to CS07 suggested by the Council, which I recommend in the interests of clarity, I conclude that policies CS07-09 are sound.

Retail, Leisure and Office Development – Policy CS10

Is policy CS10 for retail, leisure and office development founded on a robust and credible evidence base supporting the need for extra comparison goods floorspace?

4.103 In line with national policy in PPS6 and the provisions of the adopted RSS the policy aims to maintain and enhance the vitality and viability of the area’s town and district centres which will remain as the focus for a range of retail, leisure and business uses. Lowestoft in particular is identified as a Major Town Centre in the adopted RSS [D7].

4.104 The policy is underpinned by the Great Yarmouth and Waveney Retail and Leisure Study [H3] published in August 2006. Its main objectives were: to assess the vitality and viability of the main town centres in the two adjoining districts as well as the general health of the key district and local centres; to provide an indication of likely future capacity and the market demand for additional retail and leisure floorspace in the area; and to provide advice on the future development of the areas.

4.105 While there was some debate about the interpretation and implications for policy of the study’s findings, there was little challenge to its general method and approach, or its overall fitness for purpose. A query arose about the study’s non-inclusion of a supermarket redevelopment proposal at Beccles. But at the time of the study it was not a committed scheme. In my view the proposed policy contains sufficient flexibility so that the non-inclusion of that particular scheme in the study is of little strategic consequence and does not invalidate the general approach.

4.106 All parties appear to accept that the scope for major new convenience retail floorspace is modest, but that there is a more recognisable need for comparison goods floorspace. In that context I am satisfied that the policy is founded on a robust and credible evidence base.

Is the proposed distribution of new retail floorspace and associated leisure development justified and sound?

4.107 The Retail study calculated future need for convenience and comparison floorspace under 3 scenarios assuming high, median and low economic growth with the median projections used as a basis for floorspace projections in the policy. Taking account of various committed development schemes yet to be completed, it identified little capacity for further convenience shops and hence the policy concludes that there is little need to make new allocations for supermarkets or large food stores. However, it did identify some capacity for new comparison goods floorspace. Taking into account new retail units in Beccles town centre that have been granted planning permission since the study was
finished, it is estimated that additional capacity remains for between 16,500 to 25,500 sqm net of new floorspace to 2021.

4.108 The policy sets out the intention to steer the majority of such extra comparison goods floorspace to an extension of the Lowestoft town centre by seeking to allocate about 21,000sqm of new retail floorspace and associated leisure development in the designated Lake Lothing area on sites to be allocated through the AAP DPD.

4.109 There is no compelling counter-evidence to that put forward in the Retail study. Hence given the plan’s own aim to focus the large majority of any additional new housing at Lowestoft, I am satisfied that in general terms the proposed distribution of new retail floorspace and associated leisure development is justified and sound.

Is too much retail and leisure development steered towards Lake Lothing?

4.110 Lowestoft is the main shopping centre in the district. The Retail study was clear in stating that the town centre needed to improve its offer in order to retain vitality and viability and compete effectively with the other nearby centres including Norwich. In strategic terms the proposal to steer additional retail and leisure development to Lake Lothing would thus be consistent with the study findings and with national and RSS policy.

4.111 There are challenges to the deliverability of the proposed edge of centre extension in terms of flood risk management, vehicular, pedestrian and railway accessibility, and market viability. However, extending the boundary of Lowestoft town centre would clearly provide the sequentially preferable option in the most sustainably connected location. In any alternative distribution option directed to peripheral locations and/or the market towns the demand for extra comparison goods floorspace would be diluted and would not have the effective synergy which is possible at Lake Lothing due to the additional new housing and employment planned in the town. Accordingly I conclude that the quantum and balance of new retail and leisure floorspace to be allocated to the Lake Lothing/Lowestoft centre extension is appropriate.

Is policy CS10 flexible enough to meet local needs for convenience shopping and assist the continued viability of smaller centres?

4.112 The policy allows for other small-scale new retail development in other town, district and local centres and to meet identified local needs. A minor change suggested by the Council to refer to the scope for such needs to be addressed through the forthcoming Site Specific Allocations DPD would make this more explicit and is recommended in the interests of greater clarity and effectiveness.

4.113 The balance of the policy text is drafted to enable the CS to adapt to changing circumstances in line with national and RSS policy parameters.
The ability to respond to changing circumstances would also be assisted by the implementation of the comprehensive Delivery and Monitoring Frameworks within the document.

4.114 Overall, I am satisfied that Policy CS10 is founded on a robust and credible evidence base and that the policy represents a coherent, consistent and effective approach to securing the shopping and related leisure needs of the area through the plan period. Accordingly I conclude that, with the minor text changes in place, this aspect of the CS is sound.

Housing – Policy CS11

Is the policy founded on a robust and credible evidence base?

4.115 PPS3 makes clear that the level of housing provision should be determined taking a strategic, evidence-based approach taking account of relevant local, sub-regional, regional and national polices through wide collaboration with stakeholders.

4.116 A fundamental change introduced in the latest (Nov 2006) PPS3 (and confirmed by the Government’s subsequent Housing Green Paper Homes for the future: more affordable, more sustainable (July 2007)) is the need for a step-change in housing delivery through a more responsive approach to land supply at the local level. This is manifested in particular by the need to identify and maintain a rolling five year supply of specific deliverable sites for housing, together with further supplies of sites for years 6-10, and, where possible, years 11-15. In this approach the Government has made clear that RSS housing targets are no longer to be viewed as ceilings to the management of delivery, but rather as floors. In other words the Government expects at least the level of numbers identified by RSS policies in any given district to be actually delivered by the end of the particular planning and supply period.

4.117 For Waveney draft RSS policy H1 [D6] set the minimum provision at 5,800 dwellings from April 2001 to March 2021. Taking into account dwellings already built between April 2001 to March 2006, RSS policy H1 identified a minimum of 3,640 units to be delivered from April 2006 to March 2021, a residual average of 240 per annum. In the finally adopted RSS [D7] the minimum housing figure for 2001 to 2021 remains the same, but the text to policy H1 has been amended to indicate that the planned for annual rate post 2021 should be a continuation of the higher ‘whole plan period’ annual average of 290 dwellings per annum. This is intended to provide a consistent approach to the need to deliver a 15 year supply from adoption (ie to 2025) at least equivalent to the annual supply for the preceding 20 years, within a regional context where the Government has indicated that the housing allocations should be regarded as minimum targets pending the proposed RSS review.
4.118 The Council’s evidence base includes a comprehensive Strategic Housing Market Assessment (SHMA) produced, on a sub-regional basis with Great Yarmouth Borough Council, and published in September 2007 [H1]. Alongside this is a district-wide Strategic Housing Land Availability Assessment (SHLAA) published in November 2007 with a base date of April 2007 [H8]. Most recently in January 2008 the Council has produced a 5 year Housing Land Supply Assessment [F14].

4.119 These documents are in line with expectations of current PPS3. Thus it is apparent that the Council has produced a comprehensive and up-to-date evidence base to underpin the main thrust of policy CS11 in terms of the quantum of houses to be planned for and its distribution in both settlement and land type terms (ie the ratio of pdl to greenfield land).

4.120 Some criticism was levelled at the extent to which in researching its evidence base, the Council had engaged with key stakeholders, including the house-building industry; it was put that they would have provided a valuable input in terms of development constraints, viability, scheme take-up rates and the like.

4.121 I acknowledge that PPS3 Annex C indicates that SHMAs and SHLAAAs should be prepared collaboratively with stakeholders. While the preparation of the various reports may not have had continuous in-depth involvement with all key stakeholders, I am satisfied that the Council has had dialogue with relevant stakeholders, including housing associations, house-builders and estate agents, through various standing forums and the DPD consultation processes themselves. I note too that there is a regular Developer Forum at which experience can be exchanged.

4.122 In line with advice in current (August 2007) CLG Practice Guidance on SHMAs Appendix 5 of Project 5 of the SHMA includes a ‘Fit for Purpose’ check which confirms that it has included all the necessary core outputs and has met the requirements of the process criteria. The SHLAA builds on earlier work in the Waveney District Urban Housing Capacity Study of 2002 [H7]. Although this was looking at urban brownfield sites, the new assessment updates and expands it based on the approach set out in the July 2007 CLG SHLAA Practice Guidance. As such it includes an assessment of greenfield sites already allocated and hence potentially in the pipeline, although it has not included brownfield sites outside settlement boundaries in unsustainable locations in the open countryside. There is little firm counter-evidence to indicate that the evidence base is fundamentally flawed. Hence I conclude that the policy is founded on a sufficiently robust and credible evidence base.

**Do the housing numbers represent a realistic needs assessment?**

4.123 Subject to recommended minor text changes to accurately reflect the adopted RSS’s clarified approach (to 15 year land supply post adoption), the policy’s planned for housing numbers accurately reflect the quantum for the plan period set out in RSS policy H1 [D7].
4.124 Table 8 and the document’s housing trajectory (at Appendix 1) shows that delivery of completed dwellings in the early years of the plan period to April 2007 has totalled 2,346 and is thus materially in advance of the aggregated annual average for the plan period (6 x 290pa = 1,740).

4.125 The SHMA examined in detail the sub-regional demographic, household formation, employment and earning/affordability trends, and had regard to commuting patterns and housing delivery over the preceding five years to provide a well informed picture of the varying sub-regional housing markets. Its conclusions underline the need to remain focussed on urban regeneration to help meet identified and overwhelming housing need, and to seek to reverse inequalities in the main urban areas in general, and Lowestoft in particular. It also includes the need for an emphasis on building a greater proportion of smaller dwellings to respond to the demographic profile, while still ensuring that development delivers attractive places to live and work in for everyone.

4.126 Overall, I am satisfied that the evidence base combines the delivery to date with an up-to-date consideration of the residual need, as informed by the RSS and the SHMA, and the likely land supply of development ‘in the pipeline’, as informed by the SHLAA. While there may be debate around the margins as to the constraints on, and rate of, future delivery in various parts of the area, in my view the housing numbers in the plan represent a generally accurate and realistic housing needs and potential supply sources underpinning the plan’s preparation and housing policy.

Would the policy ensure a five, ten and fifteen year housing supply?

Existing commitments and the five year supply

4.127 The Council’s assessment shows that as at March 2007 the district had a housing land supply in excess of six years and that, assuming adoption of the CS in spring 2009, when measured against adopted RSS policy H1 the district will have a deliverable housing supply in excess of five years [F14]. The Council confirmed that, in line with national guidance, it will update the land supply annually to ensure a rolling 5-year supply of deliverable housing land is maintained.

Additional provision planned and the 10 and 15 year land supplies

4.128 Allowing for the dwellings already completed, and those with planning permission and under construction, the policy seeks to make provision for a district-wide total of up to 2,574 extra homes in the period from 2007 to 2025. Of this total it proposes about 70-80% of the district total should be in the greater Lowestoft area (including, Carlton Colville, Oulton and the main town, including about 1,500 in the Lake Lothing/Outer Harbour area).

4.129 Beyond the first five years the interim local plan Woods Meadow allocation (on greenfield land at Oulton on the outer western edge of Lowestoft) is expected to make a major contribution towards meeting
housing delivery needs between 2009 to 2018 (ie straddling the 5 to 10 year supply periods). The scheme has planning permission subject to a Section 106 planning obligation. Although final agreement to the obligation and a start on site has been delayed (in part because of the complexity of a multiplicity of land owners and builders), I am not aware of any major infrastructural problem which would significantly harm the prospects for delivery of these homes within the plan’s housing trajectory and as outlined above.

4.130 Although the plan envisages that the majority of the residual need (about 1,500 dwellings) will be in Lowestoft, I accept that, provided the Woods Meadow allocation delivers broadly in line with the recently adjusted trajectory, then the policy would not be dependent on significant delivery from the Lake Lothing Outer Harbour AAP area until towards the later years of the plan period.

Windfalls

4.131 As required by paragraph 59 of PPS3 a windfall allowance has not been applied to the planned provision in the first 10 years of housing supply. However, the SHLAA shows that a large proportion of the brownfield sites in the market towns are small sites or are otherwise unsuitable for allocation (for example where there is an existing use on the site). To avoid the need for further less sustainable greenfield allocations when brownfield within-settlement opportunities are known to exist, I accept that it is not unreasonable to include a small windfall allowance in the market towns in later years of the housing trajectory beyond year 10.

Numerical housing land supply conclusion

4.132 Subject to consideration of the distributional aspects of the policy which follows, I am satisfied that in numerical terms the policy is likely to be able to deliver the ten years supply and make good progress with the 15 year supply as envisaged by PPS3 without material reliance on windfalls.

Is the policy over-reliant on housing delivery at Lowestoft in general, and the Lake Lothing/Outer Harbour AAP area in particular, or should there be a more flexible distribution including more housing and/or contingency greenfield sites in other settlements and on the edges of Lowestoft?

4.133 I have considered whether the policy’s planned distribution of additional housing numbers was unduly focussed on Lowestoft at the expense of the rest of the district’s settlements in general, and the market towns in particular.

4.134 The plan envisages that the latter would collectively provide about 15-25% of total additional housing growth compared with some 70-80% planned for Lowestoft. At face value this may appear somewhat one-sided. However, I note that, in a period when to date district-wide delivery has run ahead of the planned RSS housing requirement, the distribution of completions and dwellings already with planning
permission but not yet completed in the market towns and larger villages has exceeded the policy’s planned proportions and underprovided for Lowestoft.

4.135 Given RSS emphasis on the needs for urban regeneration and to address urgent economic and social needs in less favoured parts of the district, including the provision of more affordable homes in sustainable locations, I consider that the policy’s priority emphasis on housing delivery in Lowestoft is fully supported by the evidence and is sound.

4.136 With regard to the Lake Lothing/Outer Harbour area, I acknowledge that there are considerable physical and financial challenges in being able to deliver the planned quantum of housing, while simultaneously fostering the economic role of the port as a whole, resolving access needs and addressing the land raising requirements consequent upon the need to address flood risk management issues. Notwithstanding that this is a medium term project, the challenges have been given an added twist in the short term by the ‘credit crunch’ and looming economic slowdown which may serve to constrain early progress on delivery.

4.137 However, the evidence at the examination pointed to the focussing of public resources and willpower in line with the priorities expressed in both the RES and the RSS. The identification of the AAP (policy CS05) and the presence of a dedicated medium-term delivery body will ensure the best possible co-ordination of public efforts. Evidence submitted by 1st East to the public examination hearings demonstrated that momentum has already been achieved both with the Outer Harbour, and the Waveney Campus economic development proposals [I44]. This shows that private sector input is achievable with vision and the right combination of support packages. It also demonstrated that the plan can look to significant public funding streams (European, national and regional) to help prime the pump for private sector investment [I43].

4.138 In all of these circumstances I consider that to start making contingency plans for fallback greenfield allocations to allow for under-delivery at Lake Lothing would send the wrong signals to the market. In my view it would be likely to undermine the consensus, resolve and momentum achieved to date. The CS’s implementation and monitoring framework provides a structured way of ensuring that district-wide progress on delivery of housing numbers is kept firmly in view. If monitoring reveals a significant failure to deliver new housing in the medium term, and should the RSS review conclude that additional housing on a materially greater scale than hitherto was required, there would then be an opportunity to review the possible need for additional greenfield housing sites as urban extensions. That time is not now in my view.

**Does the CS adequately address the needs for an appropriate mix of housing including affordable housing?**

4.139 The policy is not prescriptive in relation to the generality of the planned housing mix. However, it does refer to the need for the forthcoming
Development Management Policies DPD to address the needs for affordable housing and an appropriate housing mix to meet local needs.

4.140 The policy’s justifying text explains that the SHMA [H1] identified demographic trends towards smaller households and an ageing population. It also notes that house prices in Lowestoft almost doubled between 1996 and 2006, and that affordability is a key issue across Waveney. The SHMA identified a need for 225 affordable homes each year. It recognised that this was not achievable and recommended a target of 30% affordable housing. I note that this would be slightly below the adopted RSS policy H2 monitoring target of 35%. The SHMA further recommended that 10% of provision should be for intermediate housing and that 82% of the identified affordable housing need was for smaller 1-2 bedroom dwellings with some need for larger family accommodation.

4.141 The CS thus seeks to delegate the detailed policy on affordable housing, including site thresholds and targets, to the subsequent Development Management Policies and Site Specific DPDs which the LDS anticipates will follow during 2009 immediately on the heels of the adoption of the CS and on which preliminary work and consultations has already begun.

4.142 The SHMA provides compelling and largely unchallenged evidence of need for affordable housing, but to my mind the CS policy approach falls short of the expectations in paragraph 29 of PPS3. In my view the PPS3 requirements should most properly have been fully addressed within the Core Strategy. This is because the ultimately determined policy prescription is inextricably linked to the totality of future housing supply, not least the crucial question of ensuring and demonstrating likely economic viability, as clarified in the recent Blyth Valley judgment. It also serves to ensure that developers of market housing know where they stand and are faced as far as possible, with a ‘level playing field’ in negotiations on the need for schemes to provide an appropriate mix of affordable houses.

4.143 However, rejection of policy CS11 on this ground would not assist the delivery of a single dwelling, affordable or otherwise, yet could conceivably slow down general housing market delivery. In such circumstances, and given the imminence of the forthcoming Development Management Policies and Site Specific Allocations DPDs (to be prepared and submitted at the same time), I consider that in the wider interests of housing deliverability the Council should seek to ensure that the detailed aspects of its affordable housing policy, as set out in PPS3 paragraph 29, are worked up as a matter of priority.

Is the policy flexible enough to adapt to changed circumstances?

4.144 On the advice of the GOEE the plan includes a range of housing distribution in Lowestoft, the Market Towns and the Larger Villages which builds in valuable flexibility with regard to the precise numbers of

---

1 Blyth Valley BC V Persimmon Homes
dwellings to be delivered in different places so reflecting changing and place-specific circumstances. The policy specifies that only small-scale development will be appropriate in larger or other villages but it does not rule out some development in smaller settlements if suitable windfall sites become available and/or local need is demonstrated during the plan period.

4.145 I am satisfied that in this respect the policy is flexible enough to adapt to changed circumstances.

**General Conclusion on Housing Policy CS11**

4.146 Subject to the need to proceed with the details of affordable housing policy in line with the requirements of PPS3 paragraph 29 as a matter of urgency, and to the inclusion of minor text changes suggested by the Council, which I recommend in the interests of accuracy and clarity, I conclude, on balance, that policy CS11 is sound for the purposes of the Core Strategy as a whole.

**Gypsy and Traveller Accommodation - Is the evidence base robust and does the CS make adequate provision? (Policy CS12)**

4.147 Policy CS12 is based on the guidance in national Circular 01/2006 – ‘Planning for Gypsy and Traveller Caravan Sites’ [B42]. It proposes a criteria-based policy to secure new sites to meet the accommodation needs of gypsies and travellers, including by ensuring access to schools, local shops and health services, and water and sewerage connections, while avoiding adverse impacts on the environment and local amenity.

4.148 RSS policy on this topic was still emerging at the time of the examination, with a single issue review consultation draft proposing at least 15 additional pitches in each of the Region’s LPAs. An Examination in Public (EiP) took place in late October 2008 and the outcome is not yet known. In the interim, adopted RSS policy H3 applies and makes clear that provisions in LDDs should be based on the latest available information on need, in the context of the urgent need for improved provision across the region.

4.149 The policy’s evidence base is the 2007 Suffolk Cross-Boundary Gypsy and Traveller Accommodation Assessment [H11]. Commissioned with four other Suffolk authorities it aims to assess the local need for caravan pitch provision; it identified the need in Waveney for 4 additional residential pitches in the period between 2006 and 2016. Being the latest available information on the need I consider that it forms a sound evidence base for the policy. Four residential pitches have recently been constructed as an extension to the Kessingland site and will meet the currently anticipated need. The assessment also estimated a need for 10 transit camps in the area and the Council expects the CS policy to provide the site search criteria for 10 pitches to be identified and progressed through the forthcoming Site Allocations DPD.
4.150 If the need for further accommodation arise, either from the EERA review process or as a result of other changes, in my view policy CS12 provides a robust and sound basis for such sites to be found and implemented, in line with national policy expectations. Accordingly I am satisfied that the policy is sound.

**Are the Tourism and Culture Policies soundly based and appropriate to the area? (Polices CS13 and CS14)**

4.151 In line with the aims of the RSS East of England Plan [D7] these policies aim to assist the development of sustainable tourism and protect and enhance a wide range of cultural, leisure and sports activities for the mutual benefit of visitors and local people.

**Tourism**

4.152 Policy CS13 is based on the 2006 Waveney Sunrise Coast Tourism Strategy [F6]. It also seeks to ensure consistency with RSS policies E6 and C2. The former includes, among other things, the need for integration with other plans and strategies for managing tourism and especially those for regenerating seaside resorts and extending employment outside the traditional tourist season. RSS policy C2 sets out a range of criteria for the provision and sustainable location of strategic cultural facilities based on a sequential approach to location.

4.153 The policy seeks to ensure that new tourist accommodation and attractions are developed in locations offering good connectivity with other destinations and amenities, by a choice of travel modes, normally in or close to Lowestoft, the market towns and the larger coastal villages. In rural areas the emphasis will be on conversion of existing buildings and contributing to farm diversification. By encouraging a partnership approach to promoting and securing sustainable tourism development, in my view the terms of CS policy CS13 are well aligned with the RSS and the local tourism strategy.

4.154 Of local relevance is the explanatory text’s acknowledgement of the need to address the implications of coastal erosion on existing tourism uses, including through the pending review of Shoreline Management Plans in locations such as Corton.

4.155 A concern raised was that the policy text should acknowledge that it may be necessary to expand existing holiday park sites. There are continuing market pressures to provide new facilities and meet the higher amenity standards expected by the present and future generations. These pressures, together with the problems of coastal erosion, which in places is likely to involve a retreat inland, were grounds for a more flexible locational approach to holiday parks in line with the promotional aspirations of the 2006 CLG Good Practice Guide to Tourism [B12] it was argued.
4.156 Looking at the policy in the round, I consider that it contains sufficient flexibility to enable operators to put forward redevelopment, and where necessary and appropriate, holiday park extension proposals. The topic could be revisited in greater detail in the scheduled Development Management Policies and/or Site Specific Allocations DPDs. In my view the inclusion of an explicit reference in the Core Strategy to the need for extensions of such sites in response to coastal erosion is not warranted.

4.157 Subject to the inclusion of minor text changes suggested by the Council (MC/21), which I recommend in the interests of clarity, I conclude that policy CS13 is sound.

**Culture**

4.158 Policy CS14 is based on the 2006 Waveney Cultural Strategy developed with the involvement of the community and local stakeholders [F7]. It seeks to build on the expectations in RSS policy C1. The main aim of policy CS14 is to increase cultural activity and opportunity for leisure, which improves the lives of residents and encourages visitors. The policy also seeks to progress the 2007 Waveney Open Space Strategy [F5] which is informed by the 2006 Waveney Open Space Needs Assessment [H2], the 2002 Waveney District Pitch and Non-Pitch Sport Assessment [H5] and the 2007 Allotments, Cemeteries and Churchyards Needs Assessment [H10].

4.159 In addition to generally promoting a range of cultural activities, the plan provides a sequential approach to the development of new cultural facilities with priority given to Lowestoft and the market towns. Specific proposals include a new Leisure Centre for Beccles, a new museum and the improvement of the district’s open space supply of playing fields, allotments and children’s play space in accordance with the open space strategy. The policy also aims to meet the need for burial facilities in Bungay and Lowestoft by the identification of land in an accessible location for a burial ground/crematorium.

4.160 The text states that new development proposals will be expected to ensure appropriate cultural facilities are provided to meet the needs of the scheme as required by policy CS04, Infrastructure. Some concern was expressed that the use of developer obligations should be confined to meeting only those leisure needs directly arising from the occupiers of a new development. However, paragraph 33 of PPG17 states that, subject to the availability of detailed needs assessments and appropriate local standards, obligations “should be used as a means to remedy local deficiencies in the quantity or quality of open space, sports and recreational provision”. Accordingly, I am satisfied that with up-to-date needs assessments in place the policy is sound in this regard.

4.161 A minor text change was suggested to include reference to the ‘Gig in the Park’ music festival in Halesworth which would add clarity and ensure comprehensivity and which I recommend on that basis (MC/22).
4.162 Overall I am satisfied that the policy is based on a robust and up-to-date evidence base which has been subject to public involvements in its preparation. In concert with the scheduled Site Specific Allocations DPD I am satisfied that it will form a sound basis for the provision of necessary cultural facilities over the plan period.

**Are the Environment policies soundly based and appropriate?**

4.163 In line with national guidance in PPS7 and 9, and PPG15, the CS Policies CS16 and 17 address the Natural Environment and the Built & Historic Environment respectively.

**Natural Environment**

4.164 In relation to the Natural Environment, policy CS16 aims to provide an over-arching framework to conserve and enhance the district’s considerable natural environmental assets including the Broads, the Suffolk Coast and Heaths AONB and several sites of international importance for biodiversity and geodiversity. Working with local partners the policy would protect the habitats and species in the Suffolk Biodiversity Action Plan [E9] and sites and features in the emerging Suffolk Geodiversity Action Plan.

4.165 The policy aims to conserve and where possible enhance the visual setting of the Broads and three identified Historic Parks and Gardens. A Landscape Character Assessment (LCA) was not available on submission of the CS, but was being prepared with Great Yarmouth and was published in April 2008. This will help to inform the Development Management policies and appraisals of individual development proposals and hence to ensure the protection of the locally distinctive characters of various parts of the district.

4.166 The evidence base also includes a series of local Biodiversity audits [H6] and the Habitats Regulations Screening Report [G9]. To ensure coherence and consistency with this policy I have already recommended the insertion of a minor change (MM/5) to policy CS02 clarifying the aim to conserve bio-diversity assets.

4.167 Concern was expressed that, as well as County Wildlife Sites, Local Nature Reserves and Regionally Important Geological/Geomorphological sites, the policy should include a specific reference to national and international sites of biodiversity importance. However, the policy’s explanatory text refers to the existence of such designations which are statutorily protected. As DPDs are expected to add local distinctiveness, a specific reference, in addition to the designations and the operations of national policy as outlined in PPS9, is not essential.

4.168 Collectively I am satisfied that policy CS16 is consistent with national policy in PPS7 and 9 and with RSS policies ENV2 and ENV3. Accordingly, I conclude that, with policy CS02 it will provide a sound
framework for the protection and enhancement of the district’s natural environment.

**Built and Historic Environment**

4.169 In collaboration with local partners CS policy CS17 aims to ensure that the built and historic environment is protected and enhanced. This includes a range of conservation areas, listed buildings, scheduled ancient monuments, and sites of archaeological interest.

4.170 No substantive queries were raised at the submission representations stage. I am satisfied that the policy is consistent with national policy in PPG 15 and 16 and with the provisions of RSS policy ENV6. Accordingly I conclude that the policy is sound.

**Do the Monitoring and Implementation sections provide an adequate framework for delivery of the plan objectives?**

4.171 The DPD’s Appendices 3 and 4 provide a comprehensive Delivery and Monitoring Framework. The Monitoring Framework will be assisted by the Council’s statutory obligation to produce an Annual Monitoring Report.

4.172 The Council has suggested various minor text changes to these sections. In my view none of the changes put forward go to the heart of soundness, but they would aid clarity and improve the plan’s effectiveness without any change to the thrust of the policies to which they refer. Accordingly, I recommend that they be made. Subject to the inclusion of the recommended minor changes in Annex A, I conclude that the Monitoring and Implementation sections do provide an adequate framework for delivery of the plan objectives.

**Is the plan sufficiently flexible to respond to changing circumstances?**

4.173 I have sought to address this overarching question in relation to the earlier consideration of the justification, effectiveness and consistency of the various policies. Some of the suggested changes will help to ensure clarity with regard to the plan’s flexibility but should not alter its underlying aims and objectives. In addition the Monitoring framework will help to inform the Council and its stakeholders as to what delivery progress is being made and when some further adjustment of policy or implementation practice may be necessary. As a result I am satisfied that the CS has sufficient flexibility consistent with the need for a clear statement of planned priorities.
5 Minor Changes

5.1 The Council wishes to make several minor changes to the submitted DPD in order to clarify, correct and update various parts of the text. Most have been explicitly referred to in the preceding report though some are effectively self-evident. Not all of these changes address key aspects of soundness, but I endorse them on a general basis in the interests of clarity and accuracy. These changes are shown in Annex A where necessary with a cross-reference to the most relevant parts of the report to which they relate.

6 Overall Conclusions

6.1 I conclude that, with the amendments I recommend in Annex A in place, the Waveney Core Strategy DPD satisfies the requirements of s20(5) of the 2004 Act and meets the tests of soundness in PPS12.

Philip A Goodman

INSPECTOR
### Annex A

#### Schedule of Inspector’s Recommended Changes to Core Strategy

This document lists all changes required to the Core Strategy in the interests of soundness and those which are desirable to correct/update the policies, text and appendices. It is closely related to the Council’s final ‘Revised schedule of (recommended) minor changes (8 October 2008) [15b] which incorporates changes from schedules dated May 2008, September 2008 and those suggested during the hearings. References with the prefix MC/n refer to the Council’s suggested Minor Changes.

The final column gives the paragraph number in the Inspector’ report which deals with each of the changes which are necessary in the interests of ensuring the CS is sound.

<table>
<thead>
<tr>
<th>Chapter/Policy &amp;/or paragraph</th>
<th>Proposed Change/Final Text</th>
<th>Reason for change</th>
<th>Inspector’s report reference</th>
</tr>
</thead>
<tbody>
<tr>
<td>Document Cover</td>
<td>Adopt Council’s MC/1: Insert ”Development Plan Document ”after Core Strategy and omit ”Submission”, “January 2008” and “Consultation Period” reference. Also add the date of adoption of the DPD when known.</td>
<td>To reflect Regulations</td>
<td></td>
</tr>
<tr>
<td>Introduction paras 1.1 to 1.19 and Figure 2</td>
<td>Adopt Council’s MC/51: Delete original paras 1.1 to 1.4 and renumber paragraphs in section. And Delete last sentence of para 1.19 and add ‘The Core Strategy was submitted to the Government in February 2008 for examination by an independent Planning Inspector. A public hearing was held in late September and the Inspector’s binding Report was received in December 2008. The Core Strategy was found sound subject to a few minor changes. The Core Strategy was amended and adopted by the Council in ‘(insert actual month) 2009.’ And Update Figure 2 to reflect actual dates.</td>
<td>Updating of text to reflect adopted status of the document</td>
<td></td>
</tr>
<tr>
<td>Introduction (para1.30) and throughout</td>
<td>Adopt Council’s MC/47: Remove all references to the draft Waveney Economic Regeneration Strategy and refer to the final published strategy (March 2008)</td>
<td>To ensure CS is up to date and clarify status of document</td>
<td></td>
</tr>
<tr>
<td>Introduction (para 1.37) And Throughout</td>
<td>Adopt Council’s MC/45 and MC/46: Replace the final two sentences of para 1.37 (from ”This Core Strategy has…”) with ”The East of England Plan was formally adopted in May 2008” And Throughout: Wherever the ‘East of England Plan’ is referred to, change the publication date from ”(October 2007)” to ”(May 2008)”.</td>
<td>To accurately represent the Adopted RSS (May 2008)</td>
<td></td>
</tr>
<tr>
<td>Introduction (para 1.38) and Regeneration and Renaissance (para 5.19)</td>
<td>Adopt Council’s MC/36 and MC/37: In first bullet point, change “Waveney” to “Lowestoft” And In first sentence change “Waveney” to “Lowestoft”</td>
<td>To ensure consistency with adopted RSS policy SS5</td>
<td></td>
</tr>
<tr>
<td>Portrait of</td>
<td>Adopt Council’s MC/2 and MC/30:</td>
<td>To clarify</td>
<td></td>
</tr>
<tr>
<td>Waveney (para. 2.12)</td>
<td>Add &quot;(Waveney Housing Market Assessment, September 2007)&quot; as source for the figure quoted (and at para 4.9)</td>
<td>data source</td>
<td></td>
</tr>
<tr>
<td>----------------------</td>
<td>----------------------------------------------------------------------------------------------------------</td>
<td>-------------</td>
<td></td>
</tr>
<tr>
<td>Spatial Vision (para. 3.17)</td>
<td>Adopt Council’s MC/3: Add the following sentence to the end of paragraph 3.17. &quot;The port will also have a role as a gateway to Europe for trade and as a hub as part of an integrated transport network.&quot;</td>
<td>To ensure consistency with the RSS and the Core Strategy</td>
<td></td>
</tr>
<tr>
<td>Spatial Strategy for Waveney (para 4.9)</td>
<td>Adopt Council’s MC/4: Insert &quot;across the District&quot; between delivered and should in the last sentence of paragraph 4.9</td>
<td>To clarify advice</td>
<td></td>
</tr>
<tr>
<td>CS01 Spatial Strategy</td>
<td>Adopt Council’s MC/49: Amend final sentence of policy to read: &quot;and/or diversify the rural economy.&quot;</td>
<td>To clarify policy aim and ensure consistency with PPS7 and CS07 4.34-5</td>
<td></td>
</tr>
<tr>
<td>CS02 High Quality and Sustainable Design</td>
<td>Adopt Council’s MC/5: In the last bullet point of CS02, change &quot;provide and enhance&quot; to &quot;provide, conserve and enhance&quot;</td>
<td>To provide greater clarity 4.49</td>
<td></td>
</tr>
<tr>
<td>CS03 Flooding and Coastal Erosion (para 5.10)</td>
<td>Adopt Council’s MC/7 and MC/31: Amend the paragraph to read: &quot;During the preparation of this Strategy views were sought on the approach the Council should take to flood risk and the identification of land for development. To meet the wider sustainability objectives through the identified need to regenerate existing areas, the preferred option was to continue to focus development on brownfield sites, rather than greenfield, and to reduce the impact of flooding through design where needed. A combined approach is proposed that seeks to locate development so as to minimise the risk of flooding and requiring full mitigation where necessary. The Council, together with Suffolk Coastal District Council, commissioned a Strategic Flood Risk Assessment (Feb 2008) that will assist in identifying appropriate sites for development.&quot;</td>
<td>To provide greater clarity, to ensure consistency with PPS25, and to clarify date of SFRA 4.64</td>
<td></td>
</tr>
<tr>
<td>CS03 Flooding and Coastal Erosion (para 5.11)</td>
<td>Adopt Council’s MC/8 and MC/31: Amend the first part of the paragraph to read: &quot;PPS25, published in December 2006, sets out the national policy on Development &amp; Flood Risk. It includes a Sequential Test to ensure that development should not take place in areas at high risk of flooding when appropriate areas of lower risk are reasonably available. Alternative lower risk sites need to be appropriate for the type of development proposed and consistent with wider sustainability objectives. The Lake Lothing and harbour areas of Lowestoft, covered by 1st East Urban Regeneration Company, generally fall within Flood Zones 2 and 3, with a high risk of flooding from the sea. The Strategic Flood Risk Assessment (Feb 2008) shows that this risk will increase over the next century due to climate change and predicted sea level rise. There is, however, an overriding need for regeneration in this area, as identified in East of England Plan (May 2008) Policy GYL1. Development in this location would benefit the wider population through helping to address many of the sustainability issues that have been identified for&quot;</td>
<td>To provide greater clarity, to ensure consistency with PPS25, and to clarify date of SFRA 4.64</td>
<td></td>
</tr>
</tbody>
</table>
Waveney and providing the opportunity to deliver improved flood defences for Lowestoft. As part of the preparation of this strategy, the PPS25 sequential and exception tests have been applied to development options across the district, informed by the SFRA. Consequently, some development in Flood Zones 2 and 3a is proposed within the Urban Regeneration Company boundary, provided that the risk can be fully mitigated by engineering and design measures. Outside of the Urban Regeneration Company boundary, the Local Development Framework will not allocate land, or grant planning permission, for highly or more vulnerable uses (including housing, as defined in PPS25) in Flood Zones 2 and 3.

<p>| CS03 Flooding and Coastal Erosion (para 5.12) | Adopt Council’s MC/48: Change “will” to “could” | To reflect emerging SMP and aims for mitigating impacts |
| CS03 Flooding and Coastal Erosion | Insert “or more” between ‘highly’ and ‘vulnerable uses’ | To ensure consistency with PPS25 4.64 |
| CS04 Infrastructure (para 5.17) | Adopt Council’s MC/9: Amend the first part of the second sentence in para. 5.17 to read ‘It is envisaged that this would supplement planning obligations, which are already negotiated with developers (e.g. Section 106 Agreements) and ...’ | To clarify the policy’s explanatory text |
| CS04 Infrastructure (para 5.17) | Add additional sentence to the end of paragraph 5.17 to state: “In addition to contributions sought from developers, infrastructure requirements will also be funded by regional, national and European funding sources.” | To clarify the role of developer contributions in relation to other funding sources |
| CS04 Infrastructure | Replace &quot;Drainage and flood protection&quot; with &quot;Surface water management and flood risk management&quot; | To add clarity and ensure consistency with PPS25 |
| CS05 Lake Lothing and Outer Harbour Area Action Plan (para 5.24) | Adopt Council’s MC/13, MC/30 and MC/35: Correct date of SHMA to September 2007. And Add the following sentence to paragraph 5.24 after: ‘...an aging population.’ &quot;The port is an important local and regional economic driver which will have a significant role in the future regeneration of Lowestoft, particularly through the Area Action Plan.&quot; And Delete “through the implementation of defence measures” and instead insert the following text &quot;Proposals for development should have regard to the findings of the Strategic Flood Risk Assessment (Feb 2008), as amended by the Cumulative Land Raising Study (June 2008), in identifying appropriate solutions. These could include land-raising on certain sites and/or improved flood defences.” | To correct an error, clarify the port’s role in the local economy and regeneration and clarify the need to ensure development has regard to the SFRA and the Cumulative Land Raising Study 4.90 |
| CS05 Lake Lothing and | Adopt Council’s MC/12, MC/14, MC/15 and MC/34: Change the policy’s first sentence to read: &quot;An | To clarify the policy’s aims 4.90 |</p>
<table>
<thead>
<tr>
<th>Policy Area</th>
<th>Recommended Changes</th>
<th>Explanation</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Outer Harbour Area Action Plan</strong></td>
<td>Area Action Plan for the Lake Lothing and Outer Harbour Area of Lowestoft will be prepared focussing on employment-led regeneration.” And Amend objective 18 to read “employment and transport opportunities in the port, including greater use of the water.” Also, identify this bullet as the second objective. And Amend objective 2 (now 3) to read &quot;a high quality, well-designed, mixed use and sustainable built environment, that respects the existing qualities and character of the area, includes the integration of existing businesses wherever possible and makes maximum use of renewable energy technologies;&quot; And Add a further objective to Policy CS05. “To deliver development which is safe in terms of flood risk for its lifetime, and does not increase the risk of flooding elsewhere.”</td>
<td>and the need to ensure development is consistent with PPS25</td>
</tr>
<tr>
<td><strong>CS07 Employment</strong></td>
<td>Adopt Council’s MC/16, MC/17 and MC/18: Amend the sentence to read, &quot;The Lake Lothing and outer harbour area will be identified and developed as a strategic employment site in support of port development, employment-led regeneration and economic diversification.&quot; And Amend the 2nd sentence of the 2nd paragraph to read &quot;With the exception of surplus industrial land in the Lake Lothing area of Lowestoft, existing employment land...&quot; And Change the text of the policy to read &quot;Lowestoft - The Lake Lothing and outer harbour area will be identified and developed as a strategic employment site through the Area Action Plan in support ....&quot; and &quot;Bungay - A site of up to 5 ha will be identified through the Site Specific Allocations DPD for...&quot;</td>
<td>To clarify the need for employment-led regeneration and how development land will be identified, and to aid consistency 4.102</td>
</tr>
<tr>
<td><strong>CS10 Retail, Leisure and Office Development (para 5.60)</strong></td>
<td>Adopt Council’s MC/19: Amend the last sentence of paragraph 5.60 to read &quot;If any local retail and leisure needs are identified these will be addressed through the Site Specific Allocations DPD. Any allocations and applications will be assessed against Policy CS10 and the criteria in PPS6.&quot;</td>
<td>To clarify that local retail needs will be considered in later DPDs in addition to the strategic area for retail growth identified in the policy. 4.114</td>
</tr>
<tr>
<td><strong>CS11 Housing (para 5.61)</strong></td>
<td>Adopt Council’s MC/38: In the third sentence change the reference to a further 1,000 dwellings to &quot;...approximately a further 1,200 dwellings...&quot;</td>
<td>To reflect the content of policy H1 of the Adopted RSS (May 2008) 4.146</td>
</tr>
<tr>
<td><strong>CS11 Housing (Table 7)</strong></td>
<td>Adopt Council’s MC/39: Amend the second row of the table to read &quot;(4 x 290)&quot; and &quot;1160&quot;, the third row total to &quot;6960&quot;, and the remaining dwellings total to &quot;2574”</td>
<td>To reflect the content of policy H1 of the Adopted RSS (May 2008) 4.146</td>
</tr>
<tr>
<td>CS11 Housing</td>
<td>Adopt Council’s MC/40: In the third sentence change the reference to around 2,000 of the additional homes to “...around 2,200...”</td>
<td>To reflect the content of policy H1 of the Adopted RSS (May 2008)</td>
</tr>
<tr>
<td>CS11 Housing (para 5.71)</td>
<td>Adopt Council’s MC/53: Amend the housing figure to “6,960” to account for the additional 200 dwellings resulting from the changes to the Adopted RSS</td>
<td>To reflect the content of policy H1 of the Adopted RSS (May 2008)</td>
</tr>
<tr>
<td>CS11 Housing (Table 8)</td>
<td>Adopt Council’s MC/50, MC/20, and MC/41: Add to the titles on Table 8 and Figure 5 ...to meet the minimum RSS requirement' And Amend Table 8 column heading &quot;Indicative estimate of allocations/windfall dwellings 2007-2025&quot; to &quot;Indicative estimate of allocations/market town windfall allowance dwellings 2007-2025&quot; And Update Lowestoft and total rows to reflect the need for additional 200 dwellings, anticipated to be met in Lowestoft, as a result of the changes to the Adopted RSS</td>
<td>To clarify content and to reflect content of Adopted RSS policy H1</td>
</tr>
<tr>
<td>CS11 Housing Figure 5</td>
<td>Adopt Council’s MC/42: Update Lowestoft allocations bar to reflect the need for additional 200 dwellings, anticipated to be met in Lowestoft, as a result of the changes to the Adopted RSS</td>
<td>To reflect content of Adopted RSS policy H1</td>
</tr>
<tr>
<td>CS11 Housing</td>
<td>Adopt Council’s MC/43: Amend reference to a further 960 dwellings to “ a further 1,160...”</td>
<td>To reflect content of Adopted RSS policy H1</td>
</tr>
<tr>
<td>CS13 Tourism (paras 5.82)</td>
<td>Adopt Council’s MC/21 and MC/46: Amend paragraph 5.82 to read: &quot;Tourism is often based on specific local assets, such as natural and built environments, that can be sensitive to increased development and visitor numbers, and this is acknowledged in the East of England Plan (May 2008). Tourism development should comply with the principles of sustainable development and other Core Strategy, regional and national policies. This means that development should avoid adverse impacts on host communities and natural, built and historic environments. For example, it will not be permitted where it would damage a European site designated for its wildlife importance.</td>
<td>To give greater clarity on the need to take into account the impacts of development on protected biodiversity and geodiversity sites and to correct dates</td>
</tr>
<tr>
<td>CS14 Culture (para 5.86)</td>
<td>Adopt Council’s MC/22: In paragraph 5.86, insert &quot;The Gig in the Park music festival in Halesworth,&quot; after Oulton Broad.</td>
<td>To note significance of this established festival</td>
</tr>
<tr>
<td>Appendix 1 Housing Trajectory tables and charts</td>
<td>Adopt Council’s MC/23, MC/24 and MC/44 Amend annual total of new dwellings provided for 2007/08 to read 305 and 2008/09 to read 305. Amend cumulative totals of new dwellings to reflect annual changes. And Revise the housing trajectory to reflect the</td>
<td>To correct inaccuracy and update current position on timing of housing</td>
</tr>
</tbody>
</table>
changes reported in the timing of housing delivery on the Woods Meadow site.
And
Update the trajectory to reflect the need for additional 200 dwellings, anticipated to be met in Lowestoft, as a result of the changes to the Adopted RSS.

<table>
<thead>
<tr>
<th>Appendix 2 List of replaced policies</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adopt Council’s MC/32 and MC33:</td>
</tr>
<tr>
<td>Add to the bottom of the table a new heading “Suffolk Structure Plan Policy to be replaced” and list the following policy: “T12 County Transport Network Investment” to be replaced by “CS15 Sustainable Transport” And To reflect above change, amend the title of Appendix 2 to insert “and Suffolk Structure Plan (2001) Policy” after “(1996)”</td>
</tr>
<tr>
<td>To reflect the fact that SP policy T12 will be superseded by CS15</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Appendix 3 Delivery Framework</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adopt Council’s MC/25, MC26, MC/27 and MC/52: In Table 12: Under the entry for CS03, add ‘developers’ as a Partner and add ‘funding’ to Contingencies And Under the entry for CS04, add ‘developers’ and ‘Regional, national and European funding partners’ as Partners And Under the entry for CS11 add “1st East” as a Partner</td>
</tr>
<tr>
<td>For sake of clarity, accuracy and consistency</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Appendix 4 Monitoring Framework</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adopt Council’s MC/28: Include an additional indicator relating to visitor numbers in Waveney to monitor objective 1</td>
</tr>
<tr>
<td>To aid monitoring of tourism impact</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Appendix 5 Glossary</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adopt Council’s MC/29: Change ‘RIGs’ to ‘RIGS’</td>
</tr>
<tr>
<td>Text correction</td>
</tr>
</tbody>
</table>