



**Broads Authority response to NNDC Local Plan Examination MIQS
December 2023
Matter 10**

10.1 Are the HC policies positively prepared, justified, effective and consistent with national policy? Are any main modifications necessary, and if so what should these be?

Policy HC6 does not refer to the impact of telecommunications infrastructure on the setting of the Broads (and AONB?). This could be weaved into part b.

It should be noted that the Levelling Up and Regeneration Act, which received Royal Assent on 26 October 2023, amended Section 17A of the Norfolk and Suffolk Broads Act 1988. Section 17A which creates a general duty of public bodies, and this was amended to replace 'shall have regard to' with 'must seek to further' as follows:

- (1) In exercising or performing any functions in relation to, or so as to affect, land in the Broads, a relevant authority ~~shall have regard to~~ **must seek to further** the purposes of—
- (a) conserving and enhancing the natural beauty, wildlife and cultural heritage of the Broads;
 - (b) promoting opportunities for the understanding and enjoyment of the special qualities of the Broads by the public; and
 - (c) protecting the interests of navigation.

Policy HC6, as written, does not further the purposes as required under the new Act.

Relevant part of NPPF

The Broads and the setting of the Broads is protected at NPPF paragraph 176.

Proposed change

'it has been demonstrated that the least visually intrusive option has been selected, including the use of innovative design and construction and/or sympathetic camouflaging and landscaping, **which does not impact on the Broads or its setting**; and'