**PC response to Broom Boats agents’ DLA Piper letter to Wheatman dated 18/5/2017 Re Suffolk Coastal DC v Hopkins Homes Ltd.:**

In summary the Hopkins Homes case concludes that in consideration of the NPPF par.14 sustainable development and 49 – 5 year housing supply that even when policies remain relevant the weight given to them by the decision makers is a matter of their judgement.

With the Local Planning Authority not being in a position to show a 5 year housing land supply the view is that the NPPF and advice contained therein carries significant weight.

Policy BRU2 is very specific. The allocation is there to meet an identified shortfall in recreation provision within Brundall.

We should also point out that the DLA Piper letter only mentions the BRU2 policy and has overlooked the N Plan policy which also is part of the Local Plan. Our N Plan policy no 4 Enhanced Recreation is a separate and differing policy to BRU2 and also forms part of the statutory Local Plan. Our policy is more detailed and specific but what we still desire is in line with that policy. The BRU2 policy which does relate to recreation only refers to open space and supports any recreation open space that comes along. We can only assert that this is not a housing policy and how this will be judged in a Planning Inquiry context is not to be predicated.

Re NPPF para 14\* it states, “where the development plan is silent or policies out of date, permission should be granted **unless**"any adverse impacts of doing so would significantly and demonstrably outweigh the benefits" In the case of our acute recreational shortfall and if housing were granted the negative impact on our recreation plans would indeed by far reaching and would be materially detrimental to the possibility of achieving the same level of recreation due to the other sites in Brundall not being remotely suitable.

The total identified shortfall of 23.5 acres (Brundall has access to 0.5 acres out of a minimal requirement of 24 acres), remains relevant since the Local/Neighbourhood Plan was approved, and even more so because of increased housing development in Brundall, can only be met by recreational provision on the two allocated sites. The PC has compromised significantly in suggesting in the event of planning permission being granted on the Berryfields site that it is prepared to accept the provision of a 3G facility for adult which will require a total site of not less than 1.65 hectares on the B site.

We can show that the allocation and aim of the policy can be achieved (DLA Piper suggest “the policy has no realistic prospect of being achieved”.) The Parish Council refutes this absolutely.

The note from DLA goes on to suggest the MUGA will not be provided without the grant of planning permission resulting in no recreation provision delivered on the site – not so, the Parish Council have funds and CPO process has commenced to provide an adequate MUGA for all ages and uses.

Whilst the policy aims may be more expeditious in their delivery through the grant of planning permission for enabling residential development this is not the only option to achieve that recreation provision. The local demand for recreation in Brundall is further evidenced within our paper submitted entitled “Response to Broom Boats letter to planning dated 25-5-17”.

* NPPF para 14

For **decision-taking** this means:10

**●** approving development proposals that accord with the development plan

without delay; and

**●** where the development plan is absent, silent or relevant policies are

out‑of‑date, granting permission unless:

–**–** any adverse impacts of doing so would significantly and demonstrably

outweigh the benefits, when assessed against the policies in this

Framework taken as a whole; or

–**–** specific policies in this Framework indicate development should be

restricted.