

# Planning Committee

## Agenda 08 January 2021

10.00am

This is a remote meeting held under the Broads Authority's [Standing Orders on Procedure Rules for Remote Meetings](#).

**Participants:** You will be sent a link to join the meeting. The room will open at 9.00am and we request that you **log in by 9.30am** to allow us to check connections and other technical details.

**Members of the public:** We will publish a live stream link two days before the meeting at [Planning Committee 8 January 2021](#). The live stream will be suspended for any exempt items on the agenda. Please email [committees@broads-authority.gov.uk](mailto:committees@broads-authority.gov.uk) with any queries about this meeting.

### Introduction

1. To receive apologies for absence
2. To receive declarations of interest
3. **To receive and confirm the minutes of the Planning Committee meeting held on 4 December 2020** (Pages 3-13)
4. Points of information arising from the minutes
5. To note whether any items have been proposed as matters of urgent business

### Matters for decision

6. Chairman's announcements and introduction to public speaking  
Please note that public speaking is in operation in accordance with the Authority's [Code of Conduct for Planning Committee](#) and the new Government regulations and standing orders agreed by the Authority.
7. Request to defer applications include in this agenda and/or vary the order of the agenda
8. **To consider applications for planning permission including matters for consideration of enforcement of planning control:**
  - 8.1. BA/2017/0035/ENF - Enforcement at Brograve Marshes, Coast Road, Waxham (Pages 14-21)
9. **Enforcement update** (Pages 22-27)

Report by Head of Planning

## Policy

10. **Consultation responses** (Pages 28-39)  
Report by Planning Policy Officer
11. **Filby Neighbourhood Plan – agreeing to consult** (Pages 40-214)  
Report by Planning Policy Officer
12. **Rollesby Neighbourhood Plan – agreeing to consult** (Pages 215-216)  
Report by Planning Policy Officer

## Matters for information

13. **Appeals to the Secretary of State update** (Pages 217-218)  
Report by Senior Planning Officer
14. **Decisions made by Officers under delegated powers** (Pages 219-221)  
Report by Senior Planning Officer
15. **To note the date of the next meeting – Friday 5 February 2021 at 10.00am**

# Planning Committee

## Minutes of the meeting held on 04 December 2020

### Contents

1.	Apologies and welcome	2
	Openness of Local Government Bodies Regulations 2014	2
2.	Declarations of interest and introductions	2
3.	Minutes of last meeting	2
4.	Points of information arising from the minutes	2
5.	Matters of urgent business	3
6.	Chair's announcements and introduction to public speaking	3
7.	Requests to defer applications and/or vary agenda order	3
8.	Applications for planning permission	3
	(1) BA/2020/0335/FUL – land at Redbeck adjacent Dilham Restricted Byway 11, Dilham	3
	(2) BA/2020/0002 – enforcement on land east of North End, Thorpe next Haddiscoe	8
9.	Enforcement update	8
10.	Beccles Neighbourhood Plan – agreeing to consult	9
11.	Consultation responses	9
12.	Circular 28/83 Publication by Local Authorities of information about the handling of planning applications (1 July to 30 September)	9
13.	Appeals to the Secretary of State	9
14.	Decisions made by officers under delegated powers	10
15.	Date of next meeting	10
	Appendix 1 – Declaration of interests Planning Committee, 04 December 2020	11

## **Present**

Melanie Vigo di Gallidoro – in the Chair, Harry Blathwayt, Stephen Bolt, Bill Dickson, Andree Gee, Gail Harris, Lana Hemsall, Tim Jickells, Bruce Keith, James Knight, Leslie Mogford (joined at 11.32am), Vic Thomson, Fran Whymark.

## **In attendance**

Natalie Beal – Planning Policy Officer, Essie Guds – Governance Officer (Moderator), Sarah Mullarney - Governance Officer (Moderator), Cheryl Peel – Senior Planning Officer, Cally Smith – Head of Planning, Sara Utting – Governance Officer (minute taker) and Tony Wilkins – Planning Officer (Compliance & Implementation)

## **Members of the public in attendance who spoke**

Fergus Bootman (as agent) and Alice Brown (objector) both for application BA/2020/0335/FUL – land at Redbeck adjacent Dilham Restricted Byway 11

## **1. Apologies and welcome**

The Chair welcomed everyone to the meeting.

**Apologies** were received from Leslie Mogford, who would be late joining the meeting due to a medical appointment.

## **Openness of Local Government Bodies Regulations 2014**

The Chair explained that the meeting would be held remotely in accordance with the Coronavirus Regulations 2020 and the Standing Orders for remote meetings agreed by the Broads Authority on 22 May 2020. The meeting would be live streamed and recorded and the Authority retained the copyright. The minutes remained the record of the meeting.

## **2. Declarations of interest and introductions**

Members introduced themselves, and provided their declarations of interest as set out in Appendix 1 to these minutes and in addition to those already registered.

## **3. Minutes of last meeting**

The minutes of the meeting held on 6 November 2020 were approved as a correct record and would be signed by the Chair.

## **4. Points of information arising from the minutes**

### **Minute 13 – Heritage Asset Review Group (HARG)**

The Head of Planning advised that the notes of HARG would continue to be presented to the Planning Committee on a quarterly basis but the meeting papers would only be provided to members on the group.



## **Minute 14 – Appeals**

The Head of Planning advised that while the outcome of two appeals had been reported verbally at the last meeting, they remained on the schedule for this meeting as formal notification of closure of the case.

## **5. Matters of urgent business**

There were no items of urgent business.

## **6. Chair’s announcements and introduction to public speaking**

**Public Speaking:** The Chair stated that public speaking was in operation in accordance with the Authority’s Code of Conduct for Planning Committee.

## **7. Requests to defer applications and/or vary agenda order**

No requests to defer or vary the order of the agenda had been received.

## **8. Applications for planning permission**

The Committee considered the following applications submitted under the Town and Country Planning Act 1990 (also having regard to Human Rights), and reached the decisions set out below. Acting under its delegated powers, the Committee authorised the immediate implementation of the decisions.

The following minutes relate to additional matters of information or detailed matters of policy not already covered in the officer’s report, which were given additional attention.

**(1) BA/2020/0335/FUL – land at Redbeck adjacent Dilham Restricted Byway 11, Dilham**

**Use of land for siting of three glamping pods with associated car/cycle parking, landscaping and installation of package treatment plant.**

**Applicant: Mr Luke Paterson**

The Senior Planning Officer (SPO) corrected an error in the report, which referred to Calum Pollock as the report author, having originally been the case officer for the application. She then provided a detailed presentation of the application for the use of land for the siting of three glamping pods with associated car/cycle parking, landscaping and installation of package treatment plant.

In assessing the application, the SPO addressed the main issues of the principle of development, impact upon the landscape, ecology, amenity of residential properties, and highways and public rights of way. The SPO concluded that it had not been adequately demonstrated to be a sustainable form of tourism development, there would be unacceptable impacts on both the immediate and wider landscape character and the amenity of local residents, and there would be a conflict with the public’s right to use the Byway. Accordingly,

the proposed development was not in accordance with the provisions of the policies in the Local Plan for the Broads (2019) and the officer recommendation was to refuse.

In response to a member's request for clarity on the number of representations either in favour of or against the application, and the responsibility for maintenance of Oak Road, the SPO advised that there were three objectors and eight supporters to the scheme.

Responsibility for maintenance of the road was on the basis of one fifth per resident (three in total) and two fifths to the applicant.

In response to a question on the construction works and the impact they would have, such as damage to trees, and how this had been assessed, the SPO advised that details of construction had not been supplied and therefore the impact could not be taken into account as this was unknown. It was suggested that the agent could address this issue as part of his verbal presentation.

Alice Brown, an objector, provided a statement commenting that the presence of streams of cars traversing the Restricted Byway would blight the stunning landscape character of this area. The increased level and much more frequent vehicle noise would certainly not provide the expected level of tranquillity currently in great demand by walkers or horse riders using this PROW, a tranquillity which they currently enjoyed. The overbearing nature of the mere presence of motor vehicles on RB11 would only dissuade the public from using it and by extension, the public footpaths which branch off RB11, a much used local and visitor facility will be lost by wilful degradation. Furthermore, this would open the door to the use of other fields located along the length of the byway as 'pop-up' caravan / campsites. Use of just a couple of these fields could easily exceed the 70 units of accommodation the applicant already had in operation in the area and have a detrimental impact on the amenity of properties along both Oak Road and Broad Fen Lane. She had suggested that the Authority impose an Article 4 Direction to all land that bordered RB11, to prevent development without the grant of planning permission (such as caravans / tents for 28 nights). In summary, by permitting this development it would be impossible to safeguard the public right of way afforded by RB11.

In response to a member's question, Ms Brown confirmed that the Byway was owned by the farmer and used for farming purposes to access his fields, tend to horses, etc. However, there was more use by walkers, joggers, etc than vehicular use.

In response to a member's question on what was considered to be a stream of traffic, Ms Brown advised that she owned holiday cottages at Wayford Bridge and guests used their vehicles a lot, all throughout the day. The Restricted Byway was there for use by all people, both local and holiday-makers. She confirmed that she was not against the three pods but had concerns on the access of the Restricted Byway. The pods attracted people for shorter stays, resulting in more traffic movements, not just visitors but also for maintenance staff, cleaners, etc.

Mr Bootman, the agent, provided a statement in support of the application explaining that the applicant was a fourth generation farmer who lived and worked in Dilham and the

application was a direct response to the impending loss of income from the Basic Farm Payment Scheme, and represented precisely the kind of small-scale, environmentally sensitive development farm diversification project that should be supported by the Authority. The applicant was happy to agree to an officer request to create a new stretch of permissive path which provided a 'missing link' in the existing footpath network, and had agreed to provide interpretation boards at the boundary of Broad Fen. As with most rural areas, sustainable transport options within the Broads were limited; however, in this context, the site actually represented a relatively well-connected location. The application was supported by a detailed Landscape Visual Impact Assessment (LVIA) which concluded there would be no adverse cumulative landscape impact. The application site was not visible from any other tourism development (or any view from outside the site) and was sufficiently small in scale and distinct in character so as to have no cumulative landscape impacts. With regards to noise, this was an existing trackway which formed an important vehicle route for the farm and used to access the tourism development at Tonnage Bridge, three dwellings and several horse fields. In conclusion, he advised that a small lorry would deliver the pods to the site.

In response to a members' question, Mr Bootman advised that he had not been involved in the application for Tonnage Bridge and therefore was unaware of the infrastructure. The applicant had chosen the Redbeck site rather than extend his existing site of ten pods as he was mindful of the limits, landscape, etc. The application site would only be open to adults and be very low density.

In response to a member's question, Mr Bootman explained that there would be signage within the site ("no left turn"). The County Council as Local Highways Authority had confirmed it was satisfied any problems it had with the proposal could be controlled. Rather than rely totally on satellite navigation systems, users would respond to the directions supplied with the booking on the correct access route.

In response to a member's question on landscaping, Mr Bootman advised that a full LVIA had been submitted with the application, which identified there would be no clearance of trees or hedges and new planting would take place. The land surrounding the pods would be managed as a wildflower meadow with areas mown through for paths. The pods would be set up on pre-prepared timber blocks.

A member asked the agent to confirm that he had submitted all the information to accompany the application and also to elaborate on the sustainability of the application. Mr Bootman responded that he had submitted a LVIA, which had informed a detailed landscaping plan. This identified where trees would be planted, etc as they were mindful of the sensitive landscape. The SPO added that slide 6 of her presentation referred to the landscaping plan, and she referred to the wording of paragraph 6.28 of the report, explaining that the issues had been raised by the Authority's landscape architect and were not matters of fact but areas of concern. In terms of sustainability, Mr Bootman advised that the site was within five miles of the train station and one mile from the bus stop, but users tended to use their private cars regardless of the fact that the site was in a sustainable location.

A member commented that the pods were not buildings in planning terms as they were a moveable structure and, therefore, policy DM27 was not relevant as this was specifically for new build development. The agent responded that the proposal was for a change of use of the land and not proposed development. If the pods were removed, only the timber sleepers and utility connections would remain.

A member referred to the differences between the application site and the site at Tonnage Bridge, which was connected to the main road network. The Redbeck site was located in a much more rural area, close to a SSSI.

Andree Gee proposed, seconded by Harry Blathwayt, to refuse the application for the reasons given in the report.

Some members expressed their support for the application, on the basis that the Authority supported the local rural economy and farm diversification; the impact on the environment would be minimal; there were no highway issues; and the type of people who would use the pods would support sustainable principles. Furthermore, a comment was made that the arguments put forward by officers in the report were thinly stretched and presented an unbalanced assessment, with objections laboured and emphasised and no account taken of consultees' views of "no objection".

Leslie Mogford joined the meeting at 11.32am.

Lana Hempsall proposed, seconded by Fran Whymark, to approve the application.

The Head of Planning (HoP) responded that she was concerned by some of the comments raised by members on the content of the report, particularly that the report was not balanced. For example, it was clear that the officers had acknowledged that the concerns on the previous application had been addressed, with the application being scaled down to three pods, no issues of drainage, Highway Authority concerns addressed, etc. However, officers did not have all the required information, such as construction and landscaping details and therefore, it could not be assumed they would all be satisfactory. While it was accepted the agent had offered an extension of the permissive footpath to the road, no further details had been provided and there was no guarantee it would continue in perpetuity as it was proposed as permissive only.

On the matter of the application being submitted in response to loss of farming income, the HoP advised that 40 pitches had been provided three to four years ago (Canal Camping) to help with the loss of the farm income. This had been very successful in the first year and subsequently extended by another 15-20 pitches on the adjacent land, followed by an application for a further ten units in the form of glamping pods at Tonnage Bridge, providing a different sort of development and tourism offer. Following a site visit, this had been approved by the Planning Committee. This new application for a further three pods, while relatively small, needed to be assessed on a cumulative basis, alongside all the other schemes on offer. There was the issue of setting a precedent – and if three was an acceptable number, could six or ten units also be considered acceptable? In conclusion, there had been a significant amount of farm diversification at this site and possibly enough for a village of this size and in a

sensitive landscaping setting. Officers had assessed all of the issues and come to a recommendation of refusal.

A member responded that the application was finely balanced and he considered the officer report and presentation were both very good. He questioned whether, if planning permission were to be granted, an expansion would require full planning permission in the future or could they make use of the 28 days temporary permission. The HoP responded that planning permission would be required to expand the site but the applicant could make use of the 28 days' provision.

A member commented that these were three completely different sites, so the assessment should not be of cumulative impact and this application should be treated on its own merits, for three pods. Another member added that the NPPF supported farm diversification and the rural economy, and the cumulative impact should only be considered once other applications were received for this particular site, if received. There would be local public benefit, such as the provision of passing bays, which could be secured through a Section 106 Agreement. Furthermore, the pods mimicked the appearance of agricultural buildings and had been designed sensitively to fit in the rural atmosphere.

In response, the HoP advised that the issue of cumulative impact was covered in Policy DM29 and had been included as part of the officer presentation.

The committee then voted on the proposal to refuse as follows:

**With four votes in favour, six against and three abstentions (one due to a member having lost connection for a part of the presentation) this was declared lost.**

Gail Harris left the meeting at 12pm

Members then proceeded to discuss the basis on why the application should be approved, how to secure the public benefits and appropriate conditions. The HoP advised that a Section 106 Agreement should be used to secure the extension of the permissive path and passing bays, but members were content to cover this through planning conditions, which would be quicker and was the preference of the applicant. The other conditions should cover signage; the standard time limit; development to be in accordance with submitted plans and landscaping scheme; ecology to be agreed with Natural England for access to, and protection of, the SSSI; disposal of waste water; provision of parking; bin storage and connection to mains supplies. Any condition to enforce occupancy restrictions, such as adults only, would be difficult to monitor and enforce.

**It was resolved by 7 votes in favour, 3 against and two abstentions (one due to a member having lost connection for a part of the presentation)**

**to approve the application** subject to conditions securing the passing bays, permissive path, signage, landscape scheme including connections, bin storage, fencing.

The Committee adjourned at 12.20pm and reconvened at 12.30pm.

## (2) BA/2020/0002 – enforcement on land east of North End, Thorpe next Haddiscoe

### **Unauthorised development comprising the change of use to mixed use of a leisure plot and storage**

The Head of Planning (HoP) introduced her report on the unauthorised development which had taken place on land to the east of North End in Thorpe next Haddiscoe, a plot of land within the countryside. Historically it would have been used for agricultural grazing but in recent years there had been no subsequent use so it currently had a nil planning use. The HoP also provided a detailed presentation, including photographs of the site.

It was noted that the landowner had been written to on a number of occasions, being advised that the activities on the site were unacceptable in planning terms and requested to clear the site, but no action had been taken and nor had a response been received.

In assessing how to take this matter forward, members took into consideration whether the unauthorised development was acceptable in planning terms, whether it was capable of being made acceptable or whether it was unacceptable and accordingly, the expediency of taking enforcement action.

Stephen Bolt and Tim Jickells left the meeting at 1pm.

Due to conflict with policies DM50, DM16 and DM25, the authorised development was considered to be unacceptable and it would not be appropriate to seek a retrospective application. The conflict was considered to be so fundamental that it could not be overcome by any amendments to the development. The harm was considered to be significant and accordingly, enforcement action would be expedient, given the benefits of securing a cessation of the development. In terms of proportionality, it was considered that the private benefits being derived from the site did not override the public benefits associated with protecting the national asset and therefore, enforcement action to secure the cessation of the unauthorised development was proportionate. Finally, the principle of the approach would be consistent with the Local Enforcement Plan and regard was had to a recent appeal at Brograve Mill, which had been dismissed by the Inspector. The issue there was of impact on the protected landscape with the remedy sought being a cessation of the unauthorised use.

Andree Gee proposed, seconded by Lana Hemsall and

**It was resolved unanimously to serve an Enforcement Notice with a compliance period of four months.**

## **9. Enforcement update**

Members received an update report on enforcement matters previously referred to the Committee. Further updates were provided for:

**Marina Quays, Great Yarmouth:** It had been hoped to have the site completely cleared but following a site visit that week, the officer had noted it was about 85% clear. Unfortunately, a

ringbeam had needed to be extracted and removed, which would take an additional 7-10 days' work.

**Land at the Beauchamp Arms Public House, Ferry Road, Carleton St Peter:** The deadline for responding to the Planning Contravention Notices served on 13 November was today and as yet, no response had been received.

**Ditchingham Maltings:** Replanting had commenced. The Parish Council had requested access through the new area, a small copse of trees, to the east to provide pedestrian access to the footbridge. The contractors were in discussion with the Parish Council.

**The report was noted.**

## 10. Beccles Neighbourhood Plan – agreeing to consult

The Planning Policy Officer (PPO) introduced the report, which sought agreement for public consultation to go ahead on the Beccles Neighbourhood Plan. Members were advised that the Broads Authority was a key stakeholder and therefore able to comment on the Plan. It was anticipated that a report would be presented to the next meeting of the Committee for endorsement of the suggested response.

The Chair asked if members were happy to endorse the recommendation and unanimously **It was resolved to note the report and endorse the proposed response.**

## 11. Consultation responses

The Planning Policy Officer (PPO) introduced the report, which provided a proposed response to a consultation by East Suffolk Council on its draft Recreational Disturbance Avoidance and Mitigation Strategy Supplementary Planning Document.

The Chair asked if members were happy to endorse the recommendation and unanimously **It was resolved to note the report and endorse the proposed response.**

## 12. Circular 28/83 Publication by Local Authorities of information about the handling of planning applications (1 July to 30 September)

The Committee received the development control statistics for the quarter ending 30 September 2020.

**The report was noted.**

## 13. Appeals to the Secretary of State

The Committee received the latest schedule of appeals to the Secretary of State since November 2020.

**The report was noted.**

## 14. Decisions made by officers under delegated powers

The Committee received a schedule of decisions made by officers under delegated powers from 26 October to 20 November 2020.

**The report was noted.**

## 15. Date of next meeting

The next meeting of the Planning Committee would be on Friday 8 January 2021 at 10.00am and would be held remotely.

The meeting ended at 1:18pm.

Signed by

Chairman



## Appendix 1 – Declaration of interests: Planning Committee, 04 December 2020

Member	Agenda/minute	Nature of interest
Harry Blathwayt	13	Site was within his Ward and had discussed with the appellant
Bruce Keith	8.1	Had received representations from one of the objectors
James Knight	8.2	Site was within his Ward but had not had any contact with the owner

# Planning Committee

08 January 2021

Agenda item number 8.1

## BA/2017/0035/ENF – Enforcement at Brograve marshes, Coast Road, Waxham NR12 0EB

Report by Head of Planning

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### Summary

Unauthorised development has taken place comprising the excavation of a scrape on land at Brograve marshes. An appeal against the refusal of planning permission to retain the scrape has been dismissed and the site will need to be restored. An Enforcement Notice should be served in order to prevent the scrape becoming immune from enforcement action before this work is complete.

### Recommendation

To serve an Enforcement Notice.

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## Contents

1. Site location	1
2. The unauthorised development	2
3. The planning issues	2
4. Enforcement action	2
5. Financial implications	4
6. Conclusion	4
Appendix 1 – Location map	6
Appendix 2 – Appeal decision APP/E9505/W/20/3256122: Land east of Brograve Mill	7

## 1. Site location

- 1.1. The site is located within the Brograve marshes area, between Hickling Broad and the coast at Horsey Corner. It is to the immediate east of Waxham New Cut, on the opposite bank to the grade 2 listed Brograve Mill. Land to the north-west comprises an extensive dyke network used predominantly as grazing marsh, land to the south-west is an area of open marsh known as Brayden Marshes and the land to the south-east is mainly arable farmland.

- 1.2. The Brayden marshes area and Horsey Mere, which is located around 1km to the south, are designated as Ramsar Sites, Special Protection Areas, Special Areas of Conservation and Sites of Special Scientific Interest.
- 1.3. The site is within the North Norfolk Area of Outstanding Natural Beauty (AONB).

## 2. The unauthorised development

- 2.1. The development comprises an excavated scrape of approximately 91m x 33m in size and approximately 0.5m in depth. It is roughly rectangular in shape and with a small promontory to one end and two evenly spaced islands of approximately 17m diameter each beyond that. This water body is fed by a channel that links to the dyke running along the edge of the grazing marsh.
- 2.2. The scrape was dug as a feature within the marshes to attract wildfowl. Some of the spoil which was excavated has been spread on the marshes, while some has been used to create shallow bunds.

## 3. The planning issues

- 3.1. The scrape is understood to have been dug at some point in late 2017. The Broads Authority became aware of in November of that year and discussions were held during 2018 about how to resolve the matter. A planning application to retain the feature was submitted in November 2018 and discussions about what might be an acceptable landform continued through 2019. The landowner had prolonged discussions with the Internal Drainage Board (IDB) about whether or not he could retain the connection to the IDB drain and this delayed the determination of the application.
- 3.2. The planning application was refused on three grounds relating to the landscape impact in February 2020. An appeal against the refusal was submitted in July 2020.
- 3.3. The decision dismissing the appeal was received on 8 December 2020. In his decision, the Planning Inspector stated:

“... (this) unnatural, engineered feature causes a significant degree of harm to the intrinsic character of the Broads landscape. Notwithstanding the presence locally of other flight ponds, such a feature clearly conflicts with policies SP7 and DM16 of the Local Plan, as well as paragraph 172 of the Framework, insofar as these seek proposals be both appropriate to, and conserve and enhance, the landscape character of the Broads.”

## 4. Enforcement action

- 4.1. The Broads Authority has a Local Enforcement Plan, which was adopted on 8 July 2016 and sets out its approach to dealing with enforcement matters. At paragraph 3.7 it states that “...Whilst the law gives a Local Planning Authority strong legal powers to deal with breaches of planning control, in most cases the first choice of approach is to

use negotiation to reach a satisfactory resolution in a timely manner. The negotiations would aim to achieve one of the following outcomes:

- To apply for retrospective planning permission if the development is acceptable and would have got planning permission in the first place; or
- To amend the development so it is acceptable and then apply for retrospective planning permission if the development is capable of being acceptable; or
- To amend the development so it is in accordance with the approved plans if the amendments are acceptable; or
- To remove the unauthorised development or cease the unauthorised use if the development is unacceptable and incapable of being made acceptable”

- 4.2. In this case, the development was considered at the outset to be unacceptable. The negotiations during 2018 were aimed at trying to resolve the situation informally, with these discussions continuing in 2019 after the submission of the retrospective application. The application was refused in February 2020 when it became clear that there was no prospect of a negotiated resolution.
- 4.3. The appeal decision supports the view taken by officers that the development is unacceptable.
- 4.4. It is now necessary to remedy the breach by the removal of the unauthorised feature. This is in accordance with the Local Enforcement Plan, which requires the removal of an unauthorised development “if it is unacceptable and incapable of being made acceptable” and is required to correct the landscape impact.
- 4.5. Remedying the breach will involve the infilling of the scrape. This is not going to be straightforward as the marsh is wet until late in the year and care will need to be taken to avoid breeding birds and not to compromise the soil structure. In correspondence, the agent for the landowner has indicated that this cannot be undertaken until May 2021 at the earliest. Officers will discuss a timescale with the agent and/or the landowner and will be mindful of the constraints, but the breach needs to be remedied and within a reasonable period.
- 4.6. Planning law says that if unauthorised operational development persists for four years without any formal action being taken against it, it becomes immune from enforcement action. This is set out in section 171B of the Town and Country Planning Act 1990. Should restoration be delayed, therefore, for whatever reason, there is a risk that the development will become immune from enforcement action simply by the passage of time. The deadline for this is late 2021. This risk can, however, be addressed by the serving of an Enforcement Notice which will ‘stop the clock’.
- 4.7. Prior to serving an Enforcement Notice the Local Planning Authority (LPA) must be satisfied that, first, the development being enforced against is unacceptable and,

second, that enforcement action is expedient having regard to harm, proportionality and consistency.

- 4.8. In terms of the acceptability of the development, the appeal decision has confirmed the LPA's view that it is unacceptable and the comments of the Planning Inspector have been noted.
- 4.9. Considering expediency, the 'significant degree of harm to the intrinsic character of the Broads landscape' has already been noted, so it is not the case that a simple remedy such as an Enforcement Notice – which will require the restoration of the site to its former condition – is a disproportionate approach to address significant harm. This is also consistent with the approach taken in similar cases, such as recently at Thorpe next Haddiscoe where the objective was to remedy landscape harm.
- 4.10. Finally, as is noted in the Local Enforcement Plan, whilst the law gives an LPA strong legal powers to deal with unauthorised development, the preferred approach is always to seek to negotiate a solution. As has been set out above, there was a long period both prior to and during the consideration of the application when discussions took place, but no resolution was achieved. Overall, it is considered that enforcement action in the form of an Enforcement Notice can be justified.

## 5. Financial implications

- 5.1. The service of Enforcement Notices will require officer time; any costs associated with administration will be met from the existing planning service budget
- 5.2. If compliance is not achieved voluntarily there will be costs associated with enforcing this. Members will be advised of progress through the regular update to Planning Committee, so there will be the opportunity to consider any additional costs.

## 6. Conclusion

- 6.1. The unauthorised development at the site is unacceptable and an appeal against a refusal of planning permission has already been dismissed. There is no prospect of a negotiated solution.
- 6.2. This is also a case which has been characterised by delay and negotiations which achieve no resolution. There is a risk that the unauthorised development will become immune from enforcement action by the passage of time if there is any delay to the restoration so it is recommended that an Enforcement Notice is served. This will set out what is required to be done to remedy the breach, so will be a useful schedule for the landowner, and will have the effect of 'stopping the clock'. It is recommended that a compliance deadline of 31 August 2021 be set.

Author: Cally Smith

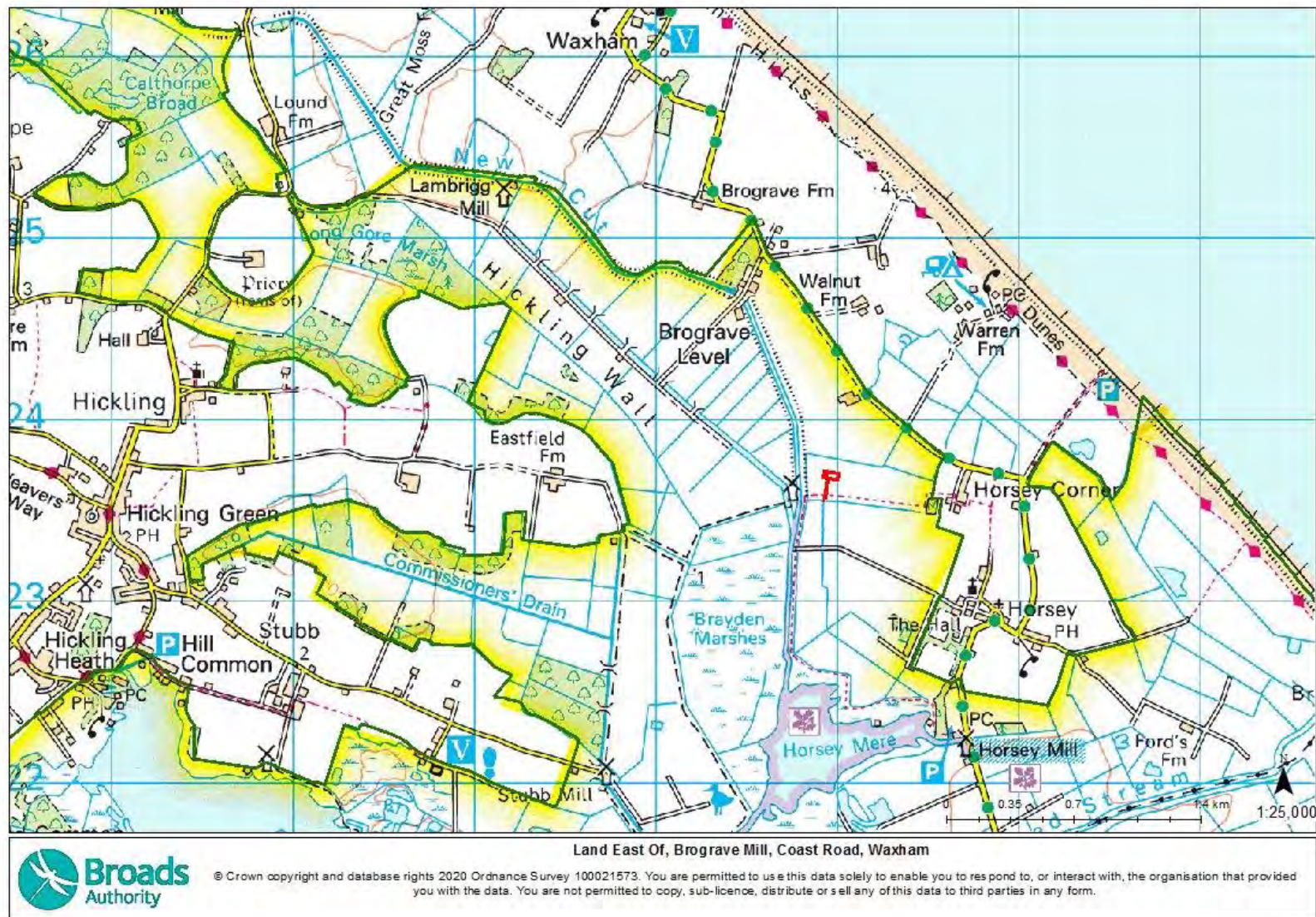
Date of report: 11 December 2020

Background papers: Enforcement file BA/2017/0035/ENF, planning file BA/2018/0463/FUL and appeal file BA/2020/0004/REF

Appendix 1 – Location map

Appendix 2 – Appeal decision

## Appendix 1 – Location map





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## Appeal Decision

Site visit made on 28 October 2020

by Jonathan Price BA(Hons) DMS DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 November 2020

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Appeal Ref: APP/E9505/W/20/3256122

Land adjacent to Brograve Farmhouse, Coast Road, Waxham, Norfolk NR12 0EB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Mr Harvey against the decision of the Broads Authority.
  - The application Ref BA/2018/0463/FUL, dated 1 November 2018, was refused by notice dated 5 February 2020.
  - The development proposed is to retain a scrape which has already been dug on land to the east of Brograve Farmhouse, Coast Road, Waxham, Norfolk NR12 0EB.
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### Decision

1. The appeal is dismissed.

### Preliminary Matter

2. The scrape in place appears to be as shown in the submitted plans, although the water levels at the time of my visit were high, covering the dug edges.

### Main Issue

3. The effect the scrape has on the landscape character of the area.

### Reasons

4. The site is within an Area of Outstanding Natural Beauty (AONB), as well as that of the Broads Authority. The scrape is within a marsh currently used to keep cattle. Such grazing marshes, which are drained by networks of straight dykes, comprise a characteristic wetland feature of the Broads landscape. Paragraph 172 of the National Planning Policy Framework (the Framework) requires that great weight should be given to conserving and enhancing landscape and scenic beauty in the Broads and AONBs which, along with National Parks, have the highest status of protection in relation to these issues.
5. The scrape is roughly rectangular in shape, with straight edges and rounded corners, and has a small promontory to one end and two evenly spaced islands beyond that. This water body is fed by a channel that links to the dyke running along the edge of the grazing marsh. As a man-made feature, this particular arrangement differs from the prevailing context of a mainly empty marsh landscape, traversed by a lattice of drainage dykes. In this context, the scrape comprises a somewhat alien feature. Whilst other water bodies in this area of the Broads might historically also relate to human works, these generally have irregular shapes and more naturalised, less well-defined edges.



6. Unlike more visually prominent man-made features, such as the modern farm-buildings which also dot this Broads landscape, above water level the scrape is a two-dimensional feature. Within an expansive, mainly very flat landscape, it is not prominent in views other than in positions quite near to its edges. From such close quarters, the overall form of the scrape is less perceptible, appearing not quite as discordant than as viewed on plan.
7. Nevertheless, despite the reduced visual accessibility, such an unnatural, engineered feature causes a significant degree of harm to the intrinsic character of the Broads landscape. Notwithstanding the presence locally of other flight ponds, such a feature clearly conflicts with policies SP7 and DM16 of the Local Plan<sup>1</sup>, as well as paragraph 172 of the Framework, insofar as these seek proposals be both appropriate to, and conserve and enhance, the landscape character of the Broads.
8. Planning law requires that this appeal be determined in accordance with the development plan, unless material considerations indicate otherwise. The scrape and connecting channel include measures to reinstate land drainage mechanisms and drinking places for livestock, although neither of these farming benefits require the scale and shape of water body that has been dug. The scrape could provide some benefit to wildlife, through the additional water space provided. However, the design is less than optimal for nature conservation, for example by lacking the shallow fringes that might benefit wading birds, and so any such benefits are likely to be relatively small.
9. The scrape occupies a grazing marsh adjacent to a Natura 2000 site covered by overlaying designations providing protection through the Conservation of Habitats and Species Regulations 2017 (the Habitats Regulations). As a flight pond, and by potentially focusing and intensifying wildfowling in this location, the scrape could likely have, indirectly, a significant effect on the adjacent Special Protection Area, through shooting disturbing wintering wildfowl. However, reaching a firm conclusion on this matter would require more information than is provided with this appeal. As competent authority under the Habitats Regulations, it would also require me to seek further advice from Natural England.
10. In this case, there is not the need to reach a conclusion as to whether or not this development satisfies the Habitats Regulations. This is because the farming and possible nature conservation benefits identified would not amount to material considerations of such weight as to indicate my decision be made otherwise than in accordance with the development plan, with which clear conflict is found.

## Conclusion

11. For the reasons set out above, having taken into account all other matters raised, I therefore conclude that the appeal should be dismissed.

*Jonathan Price*

Inspector

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<sup>1</sup> Local Plan for the Broads 2015-2036 adopted 17 May 2019.

# Planning Committee

08 January 2021

Agenda item number 10

## Enforcement update- January 2021

Report by Head of Planning

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### Summary

This table shows the monthly updates on enforcement matters. The financial implications of pursuing individual cases are reported on a site by site basis.

### Recommendation

To note the report.

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Committee date	Location	Infringement	Action taken and current situation
31 March 2017	Former Marina Keys, Great Yarmouth	Untidy land and buildings	<ul style="list-style-type: none"><li>• Authority granted to serve Section 215 Notices.</li><li>• First warning letter sent 13 April 2017 with compliance date of 9 May.</li><li>• 26 May 2017: Some improvements made, but further works required by 15 June 2017. Regular monitoring of the site to be continued.</li></ul>

Committee date	Location	Infringement	Action taken and current situation
			<ul style="list-style-type: none"> <li>• Monitoring 15 June 2017. Further vandalism and deterioration.</li> <li>• Site being monitored and discussions with landowner.</li> <li>• Landowner proposals unacceptable. Further deadline given.</li> <li>• Case under review.</li> <li>• Negotiations underway.</li> <li>• Planning Application under consideration December 2018.</li> <li>• Planning application withdrawn and negotiations underway regarding re-submission.</li> <li>• Works undertaken to improve appearance of building.</li> <li>• Revised planning application submitted 1 April 2019.</li> <li>• Planning Committee 19 July 2019: Resolution to grant planning permission.</li> <li>• Arson at building, with severe damage 18 August 2019.</li> <li>• Discussions around securing building and partial demolition 19 August 2019.</li> <li>• Pre-demolition surveys almost completed and works commence thereafter 24 October 2019.</li> <li>• Works underway to secure and commence agreed demolition. 16 December 2019.</li> </ul>

Committee date	Location	Infringement	Action taken and current situation
			<ul style="list-style-type: none"> <li>• Site now sold. New landowner intends to build out with some amendments to be agreed.</li> <li>• New owner asked to demolish building as does not propose conversion 12 February 2020.</li> <li>• Application received to demolish building (and other amendments to scheme) 20 February 2020.</li> <li>• Application approved and demolition almost complete. 24 September 2020.</li> <li>• Demolition completed and site almost cleared. November 2020</li> <li>• <b>Final inspection needed.</b></li> </ul>
14 September 2018	Land at the Beauchamp Arms Public House, Ferry Road, Carleton St Peter	Unauthorised static caravans	<ul style="list-style-type: none"> <li>• Authority given to serve an Enforcement Notice requiring the removal of unauthorised static caravans on land at the Beauchamp Arms Public House should there be a breach of planning control and it be necessary, reasonable and expedient to do so.</li> <li>• Site being monitored.</li> <li>• Planning Contravention Notices served 1 March 2019.</li> <li>• Site being monitored 14 August 2019.</li> <li>• Further caravan on-site 16 September 2019.</li> <li>• Site being monitored 3 July 2020.</li> </ul>

Committee date	Location	Infringement	Action taken and current situation
			<ul style="list-style-type: none"> <li>Complaints received. Site to be visited on 29 October 2020.</li> <li>Three static caravans located to rear of site appear to be in or in preparation for residential use. External works requiring planning permission (no application received) underway. Planning Contravention Notices served 13 November 2020.</li> <li><b>Incomplete response to PCN received on 10 December. Landowner to be given additional response period.</b></li> </ul>
8 November 2019	Blackgate Farm, High Mill Road, Cobholm	Unauthorised operational development – surfacing of site, installation of services and standing and use of 5 static caravan units for residential use for purposes of a private travellers' site.	<ul style="list-style-type: none"> <li>Delegated Authority to Head of Planning to serve an Enforcement Notice, following liaison with the landowner at Blackgate Farm, to explain the situation and action.</li> <li>Correspondence with solicitor on behalf of landowner 20 November 2019.</li> <li>Correspondence with planning agent 3 December 2019.</li> <li>Enforcement Notice served 16 December 2019, taking effect on 27 January 2020 and compliance dates from 27 July 2020.</li> <li>Appeal against Enforcement Notice submitted 26 January 2020 with a request for a Hearing. Awaiting start date for the appeal. 3 July 2020.</li> <li>Appeal start date 17 August 2020.</li> <li><b>Hearing scheduled 9 February 2021.</b></li> </ul>

Committee date	Location	Infringement	Action taken and current situation
6 March 2020	Ditchingham Maltings	Failure to implement approved landscaping scheme (BA/2012/0005/FUL) Approved in August 2016	<ul style="list-style-type: none"> <li>• Planning Contravention Notice (PCN) served 9 September 2019.</li> <li>• Breach of Condition Notice (BCN) served 22 October 2019 Non-compliance with condition 15 of planning permission - planting not in accordance with approved scheme.</li> <li>• Revised landscaping scheme submitted 21 January 2020.</li> <li>• Authority from Planning Committee to authorise prosecution, but stayed and delegated to Head of Planning to proceed only if adequate measures not undertaken by the developer to implement a satisfactory landscaping scheme and management plan. 6 March 2020.</li> <li>• Due to COVID-19, not been possible to engage contractors to work on the landscaping scheme for the site. New contractors now appointed and hoped that work could be progressed in the near future. 29 May 2020.</li> <li>• Maintenance work commenced, with replanting scheduled for autumn 2020/winter 2021 season. 15 June 2020.</li> <li>• Maintenance underway. Awaiting final approval of replanting scheme. 3 July 2020.</li> <li>• <b>Landscaping scheme approved and planting to commence in November 2020.</b></li> <li>• <b>Landscaping underway and almost complete.</b></li> </ul>

Committee date	Location	Infringement	Action taken and current situation
4 December 2020	Land to east of North End, Thorpe next Haddiscoe	Unauthorised change of use to mixed use of a leisure plot and storage.	<ul style="list-style-type: none"> <li>• Authority given for the service of Enforcement Notices.</li> <li>• <b>Planning Contravention Notices served 8 December 2020.</b></li> </ul>

Author: Cally Smith

Date of report: 10 December 2020

# Planning Committee

08 January 2021

Agenda item number 11

## Planning policy- consultation responses

Report by Planning Policy Officer

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### Summary

This report presents the officer's proposed response to planning policy consultations received recently by the Broad Authority, and invites members' comments and guidance.

### Recommendation

To note the report and endorse the nature of the proposed response.

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## 1. Introduction

- 1.1. Appendix 1 shows selected planning policy consultation documents received by the Broads Authority since the last Planning Committee meeting, together with the officer's proposed response.
- 1.2. Members' comments, guidance and endorsement are invited.

Author: Natalie Beal

Date of report: 14 December 2020

Appendix 1 – Planning Policy consultations received



# Appendix 1 – Planning Policy consultations received

**Organisation:** Beccles Town Council

**Document:** Beccles Neighbourhood Plan

**Due date:** 08 February 2021

**Status:** Regulation 16 – pre-submission version

**Proposed level:** Planning Committee endorsed

## Notes

This document represents the Neighbourhood Plan for the town of Beccles for the period 2019 to 2036. The Plan contains a vision for the future of Beccles and sets out clear planning policies to realise this vision. The principal purpose of the Neighbourhood Plan is to guide development within the town. It also provides guidance to anyone wishing to submit a planning application for development within the town. The process of producing a plan has sought to involve the community as widely as possible. The different topic areas are reflective of matters that are of considerable importance to Beccles, its residents, businesses and community groups

## Proposed response

### Summary

The Plan seems well written and we are generally supportive of it. There are some policy areas that we feel need improving, in particular where the Plan refers to materials, how it refers to the Broads Authority and related documents and dark skies. The main comments are set out in the following section, with other comments after that.

### Main comments

- 4.33 – Depending on the location, character and context, UPVC might not always be acceptable. As such, this needs to say that this depends on the scheme and its location and also design advice of experts at the Local Planning Authorities. Our Heritage and Design Expert has concerns about this. Given that much of the Beccles Conservation Area is covered by an Article 4 direction which controls the replacement of windows (there is an Article 4 direction), this wording might be in opposition to the advice being given by the LPAs in most instances, or certainly where the works relate to a historic building or building in a sensitive location – which most of the CA will be. They need to refer to the Article 4 direction (perhaps include it as an appendix?) and the policy should state that ‘where windows are being replaced on a historic building, timber windows should be replaced on a like-for-like basis or opportunities taken to enhance the appearance of historic buildings by reinstating timber windows of traditional design where they have been lost.’ They could perhaps go on to state that in some instances UPVC windows may be considered appropriate where they are of high

quality and good design and the building is not of historic importance or in a sensitive location.

- Para 4.35 doors: Our Heritage and Design Expert has concerns about this and suggests you replace 'have a major impact on' with 'contribute greatly to'. I would be wary of saying that new development should use 'Georgian or Victorian-style' doors and doorcases, so would remove the phrases 'wherever possible' and 'should' but they could perhaps say 'where appropriate they could be used on new development'.
- P33 red box – Community Actions – mention is made of degradation of the CA through inappropriate advertisements. Should there be a specific policy on shop signage and advertisements as this does have a major impact on the town centre (eg appropriate in scale, materials, type and level of illumination, number of signs, banner signs etc)?
- BECC9 – Considering the emphasis that the Plan makes on walking and cycling and tackling car use, it seems prudent that this policy should mention cycle parking and electric vehicle charging points.
- Policy BECC10C Replace with: 'Proposals should seek to avoid any adverse impact on heritage assets (including archaeological assets) on the development site or in its surroundings.'
- BECC10 E – Any development of any size can impact the considerations in this part of the policy. It is more about the location, context, character and proposed design than the size or scale, although of course size and scale can have an impact. It is not clear why a threshold of 10 or more has been used. This is an area that needs further consideration as it seems prudent that all development considers these aspects.
- BECC11 – With the Plan having such emphasis on promoting cycling, it seems prudent that this policy should include cycle parking.
- BECC11 Part C – please be aware that the Broads has intrinsically dark skies and seeks to address light pollution through its Local Plan. Low energy lighting is one consideration, but the need for lighting in the first place, how it is pointed so as not to add to light pollution are other considerations that need to be put in the policy.
- Policy BECC11G: it should seek – 'not to adversely affect any heritage assets on the development site or in its surroundings'.
- I wonder if somewhere they need to define what they mean by 'heritage assets'. They could then just refer to 'heritage assets' rather than 'historic architectural or archaeological assets' as they have done. Obviously, there is a difference between 'designated heritage assets' and 'heritage assets', which would include locally identified heritage assets as well as all of those that are designated (SAMs, LBs, CAs, RPGs). This wider term would probably be the most appropriate term for them to use.
- P60 Heritage / Conservation Area 'enhance its character and appearance' rather than quality. Partners should be the BA as well as ESDC.

- Page 61, lighting row - please be aware that the Broads has intrinsically dark skies and seeks to address light pollution through its Local Plan. Lighting near the Broads should be thoroughly justified and well designed so as to not add to light pollution. Perhaps the Broads Authority should be a partner as well.
- Better reference to the Broads: The following changes are requested to better refer to the Broads and the Broads Local Plan. They are fairly minor in nature and do not necessarily affect policy direction, but it is important to ensure the context is correct:
  - Do you want to mention what the Local Plan for the Broads says about Beccles – like allocating residential moorings at Hipperson’s Boatyard etc?
  - 1.10 – what about the vision in the Local Plan for the Broads?
  - 4.26 – and Broads Local Plan
  - 4.29 – Broads has undesignated heritage assets too. The Conservation Area is partly in the Broads.
  - Page 60, Conservation area row, add Broads Authority - as part of the CA is in the Broads.

#### **Comments relating to evidence**

- Figure 2.1 – In September 2019, the Indices of Multiple Deprivation were updated. Does this section therefore need updating?

#### **Observations**

- 2.9 and actions on page 38 and then 5.9 – is there a slight contradiction here. People saying that there is too much traffic in the town, but that parking should be cheaper, but more need to walk and cycle.

#### **Queries/suggestions**

- The introduction says that Beccles is the gateway to the Broads, but the challenges, objectives and vision do not mention the Broads. Should they?
- 2.10 – is there any monitoring to show if there is less traffic in the town as a result of the relief road which is now in place?
- The Beccles Today graphic, pages 14-17. It might be that I’m reading it wrong but some of the statements below the diagrams don’t seem to correspond to the information contained within them – eg ‘Large proportion of retirees, smaller number of working people’ – to me the graphic shows a smaller number of retirees (total of 27%) against a higher proportion of working people (total 47% - or potentially 7% more than that if you add 18-24 year olds); ‘lots of small 2 bed houses and fewer larger family houses’ the proportion of 3/4/5+ houses (59%) is actually more than the number of 1 or 2 bed houses (41%).

- 5.19 – do you wish to have a local standard for electric vehicle charging points, until a national standard comes in?
- Should Policy BECC3 make reference to the provision (or at least consideration) of interpretation as part of any proposals?
- Policy BECC4 suggests the re-use of existing buildings for hotel accommodation, which might be fine. However, should there be something to say ‘and for the re-use of existing historic buildings, provided the conversion is not detrimental to the significance of the building or its historic fabric’.
- BECC5 f: ‘Provide clear justification *and a description of mitigation measures...*
- BECC5 C – ‘and mitigation measures’.
- BECC6 – where does the traffic come from? Is it mostly short journeys starting within and ending in Beccles? If so, is there a community project that tackles travel behaviour of people rather than focusing on the impacts of vehicles or focussing on just hard infrastructure?
- BECC6 wording, in relation to cars and movements of motor vehicles uses ‘must’. Whereas the wording in BECC7, to do with walking and cycling, is ‘encouraged’. Does that need thinking about considering the emphasis in the Plan about seeking better walking and cycling facilities?
- BECC12 D – how does that fit with the EA and NPPF and our Local Plan requirements? Is it different? If so, what is the justification? If it is the same, is it needed?
- P50-51 – lots of mention of the importance of public spaces – provision for the ongoing and regular maintenance of these spaces should be considered and included in Policy BECC10F
- Section 7 – anything about the healthy design of new development? Anything about active lives etc?
- 8.11 – is there merit in referring to the Future Homes Standard that is being considered by the Government?

#### **Comments relating to access and recreation**

- Consider lowering the quay heading in places to allow specific use for canoeists/kayakers to get in and out of the water. If not possible then consider small floating pontoons to promote paddle sports.
- Consider increasing the number of cycle routes and cycle parking facilities. This could be achieved by upgrading current footpaths or creating cycle lanes on any new paths.
- There has also been a lot of queries from anglers concerning where they can fish from in and around Beccles. Could some areas be dedicated for fishing?

**Comments relating to formatting**

- BECC11 – bullet point number is a bit odd – maybe make the sub bullet point of A numbers or Roman numerals (minor point)

**Organisation:** Lound and Ashby, Herringfleet and Somerleyton Parish Councils

**Document:** Lound with Ashby, Herringfleet & Somerleyton Neighbourhood Development Plan

**Due date:** 26 February 2021

**Status:** Regulation 14 draft

**Proposed level:** Planning Committee endorsed

### Notes

This is the draft Neighbourhood Plan and Draft Design Guide.

### Proposed response

The Broads Authority welcomes the draft Plan and Guide, but there are some areas that need consideration. For example, better reference to the Broads, clarification as to whether a site is being allocated and amendments to the design guide to reflect that part of the area is in the Broads.

### Main comments

#### Neighbourhood Plan

- Objectives – should landscape and the Broads be mentioned in the objectives? They are mentioned in the vision.
- LAHS1 only includes numbers of bedrooms, but 7.1.7 implies that it endorses design elements – but the policy does not say that. You may wish to clarify 7.1.7 and LAHS1.
- 7.2.2 – what about the fact that with less than 10 dwellings there is likely to be no affordable housing. Does that contradict the objectives and vision? Especially the social objectives.
- 8.1 para 2- what about mitigating climate change – reducing emissions in the first place? This section talks of adapting to a changing climate and not reducing emissions.
- 8.1 we suggest this change ‘New developments will be expected to ~~take into account the impacts on~~ enhance biodiversity and climate change’ needs to be updated to keep step with new biodiversity gain requirements.
- Map on page 11 shows a Neighbourhood Plan allocation. I think it is called LAHS4, but it is not clear on the map. LAHS4 however is a design policy. Is the Neighbourhood Plan allocating the land shown as blue on the map on page 11, and if so, where is the policy?

#### Design Guide

- The design guide does not adequately reflect the Broads. There are many comments made on the design guide below. The issue is that what is in the design guide is effectively made policy by policies in the Neighbourhood Plan. The design guide needs to be amended to reflect the Broads and related documents and our comments.

## Neighbourhood Plan

- 1.3 – and the Broads Authority.
- 4.0, vision says ‘natural landscape tranquillity’. Should there be an ‘and’ before tranquillity?
- Objectives – should landscape and the Broads be mentioned in the objectives? They are mentioned in the vision.
- LAHS1 only includes numbers of bedrooms, but 7.1.7 implies that it endorses design elements – but the policy does not say that. You may wish to clarify 7.1.7 and LAHS1.
- LAHS1 Housing Mix. What does ‘preference’ really mean? As a developer do I need to just say ‘I can make more money on one 5 bed house’ and that will be accepted as ok? Do they want a more formal sequential approach? Do you want a more robust approach?
- 7.2.2 – what about the fact that with less than 10 dwellings there is likely to be no affordable housing. Does that contradict the objectives and vision? Especially the social objectives. I note that there may be a temporary increase in the threshold for affordable housing, muted by the Government as 40/50 dwellings, but that is temporary.
- 7.2 and 7.5 and 9.2 part of 9.3 and 9.4 – there is no policy. So, is this section just commentary? How would Development Management Officers at the LPAs be expected to use this section? Can its status be clarified? Is it just background?
- The photo on page 10 – what is that linked to? Is it meant to show the green space, parking or homes?
- Should section 7.3 refer to the allocation for residential moorings at Somerleyton Marina in the Local Plan for the Broads? The design principles may not apply, but reference to that might be prudent to show that the NP acknowledges various types of housing need.
- 7.3.5 – and the Local Plan for the Broads.
- The para after 7.4.3, 7.5.8 may need a number?
- LAHS3 – it would be prudent for the supporting text to refer to the open space policies in the Waveney Local Plan and Local Plan for the Broads. It could be stated that LAHS3 builds on those.
- 8.1 – para numbers have gone after this – the numbering is not the same from now on as before this section.
- 8.1 para 2- what about mitigating climate change – reducing emissions in the first place? This section talks of adapting to a changing climate and not reducing emissions.
- 8.1 does not mention the Broads.

- 8.1 we suggest this change ‘New developments will be expected to ~~take into account the impacts on~~ **enhance** biodiversity and climate change’ needs to be updated to keep step with new biodiversity gain requirements.
- 8.3.4 – is there scope for a community project to tackle this? Perhaps a school travel plan?
- 8.4 – and the Local Plan for the Broads.
- LAHS6 – have you liaised with Suffolk County Council Highways about this? Also, with East Suffolk?
- Map on page 11 shows a Neighbourhood Plan allocation. I think it is called LAHS4, but it is not clear on the map. LAHS4 however is a design policy. Is the Neighbourhood Plan allocating the land shown as blue on the map on page 11, and if so, where is the policy?
- The Plan is lacking in detail on Objective Env 6 ‘To plan for climate change, biodiversity and landscape conservation’. The mechanism for the creation of the plan and proposals where action could be lacking are missing.
- Could the plan set out where and how enhanced provision of biodiversity is going to be provided. This could be around the school, green, church, parish hall and the mardle (pond).
- Other elements to add that are missing:
  - Reference to the published aspirations of landowners to enhance biodiversity. [WildEast - A Movement of People, For Nature, Forever In East Anglia](#)
  - Any aspirations or proposals for first time rural sewage provision to reduce the nutrient input into the waterways via the groundwater and thus protecting biodiversity

### **Basic Conditions Statement**

Page 9 – assessed Waveney Local Plan but does not assess the Broads Local Plan. Please can you add a similar table for the Broads Local Plan?

### **Design Guide**

- In terms of the special qualities of the Somerleyton village itself, you would say that one of the most distinctive things about it is the cottages presumably built by the estate and giving it almost the appearance of an ‘Estate village’. I can understand why they have therefore focussed on that in terms of their policies / design guide for the main village itself. However, the village is on the edge of the Broads and the western edge is within the BA area so this does need to be considered.
- Page 7 talks of three allocations. See comment previously about the NP map showing one allocation with no policy. Can this situation be clarified please?



- Page 7 – last set of bullet points. Why have no Broads Authority documents been considered/assessed/mentioned?
- Page 7 – reference is made to Homes England’s Urban Design Compendium (2013). Better reference might now be made to the National Design Guide, October 2019.
- Page 7 – should the 4 sites include the one at Herringfleet Marina – albeit a slightly different form of development.
- Page 7 – and BA Local Plan 2019 and Design Guides
- Page 8 – within Waveney DC (now East Suffolk) and BA
- Page 9 – I’m not sure why para 196 of the NPPF re: the designation of CAs is included?
- 3.2.2 – Parts of Somerleyton fall within the BA Executive Area and we therefore perform the role of LPA in this area. Need to include relevant policies from the BA Local Plan and other relevant docs re moorings / waterside buildings and ‘Keeping the Broads Special’ etc. This does not mention the adopted Local Plan for the Broads and it needs to.
- Figure 5, page 10-11 – don’t forget that there is an allocation for residential moorings at Somerleyton Marina – see Local Plan for the Broads.
- Pages 13 can the Marina allocation be shown on the Somerleyton Plan?
- Page 14 – make reference to the ‘wooded ridge’ which runs along the eastern edge of the Herringfleet Marshes and forms quite a local landscape feature? The differentiation in height is clear from the plan.
- Page 14 – for planning purposes, the Broads is not a National Park. The Broads has a status equivalent to a National Park.
- 3.2.5 says: ‘The large grade II\* **listed was** originally Tudor-Jacobean but what you see today is largely Victorian’. Seems that there is a word like ‘building’ missing.
- 3.2.5 – this needs vast improvement. Somerleyton is partly within the Broads. As this section is about culture, there is much to say about the culture of the Broads. The paragraph might be ok, but the reference to the Broads Plan should be removed. Perhaps replace with ‘Broads’ and go on to say the cultural aspects of the Broads.
- Page 15 last para – the Conservation Area is part in the Broads and part in ESC areas. The Broads itself is a landscape designation and this section needs to say that. The Broads is not split – it covers Norfolk and Suffolk, but it is the Broads. Somerleyton falls within the Broads, not Broads Plan. As such, the settlement has strong cultural traditions linked to the wider Broads area.
- Page 15 – grade II\* listed Smock Mill at Somerleyton (Herringfleet mill) as well. I’m not sure that I would agree with the statement that the CA designation gives protection to all of the buildings and would suggest this is removed. They could say that ‘buildings

within the CA have some different permitted development rights and development is expected to enhance the conservation area’.

- Section 3.2.7 needs to mention and assess our Landscape Character Assessment.
- Page 18 – mention of Somerleyton (do they mean Herringfleet?) Mill and engine house at the east of the area – do they mean west?
- Page 23 says ‘In Lound the public footpath leads east from Blacksmith’s Loke where it splits and heads east to Hopton-on –Sea or south towards Church of St John the Baptist on Church Lane should be retained and enhanced in future development’; I don’t think this makes sense. It needs a read and re-wording.
- Page 23. What is ‘River Waveney Special Area’? Could they just say should link to public footpaths along the river, if that is what they mean?
- Page 23 ends with an ‘and’.
- 4.1.5 bullet 2 – Broads Plan or Local Plan for the Broads? Probably the latter.
- Page 27 – The Broads Local Plan, not Broads Plan. Proposals within the BA Exec area need to comply with all of the Local Plan policies, in particular those on character and landscape sensitivity are of relevance to the Design Guide.
- Page 31 – bullet point 3 – ‘The existing character must be appreciated.’ – would it be better to remove this sentence which does not really mean anything – (how would a developer show they appreciate the existing character?) and just say ‘Architectural design should reflect the local character and the rural setting but should not stifle innovation’?
- Page 31 bullet 5 ‘Buildings should *be spaced* to allow glimpsed views of the surrounding countryside’?
- Page 31 bullet point 6 – do they really mean 2.5 storeys? They have stated on the two previous pages that maximum heights are two storeys and a lot of the buildings in the villages appear to be 1.5 storeys (eg all three buildings shown in the photo on this page). I would think a maximum height of 2 storeys would be a more appropriate scale for new development.
- Page 31, 7th and 10<sup>th</sup> bullet - complement rather than compliment?
- Page 31, bullet point 8 – support, but you may want to mention the dark skies in the Broads and the work we did and our policy.
- Page 31, penultimate bullet – locating cycle parking in discrete locations implies there will be a lack of natural surveillance or they could be located with the bins, which often happens. Please re think what you have written.
- Page 33 4.1.9 Design checklist – I wonder if some of this needs to be checked as some of the Design Elements and Descriptions don’t quite seem to go together or reflect

what has been discussed in the Design Guide eg Buildings Heights and Rooflines' description is about historic materials and architectural detailing – should it not be about height, roof form and chimneys? Connectivity talks about the linear pattern of development but should it not be about footpaths and access?

- Page 33 4.2 typo 'influence'
- 4.1.9 – is the checklist for the Local Planning Authority or the developer? If for the developer, did you want a yes or no answer, or did you want some explanation? If explanation, could the wording be 'how do you...?'
- How has the Conservation Area appraisal been used to inform this work?
- 4.3 – is this for the LPA or the applicant? Also, this seems generic rather than area-specific, which might be fine, but is there scope to reference local things, like the Broads?
- Section 6 – do you have any thoughts about design associated with the residential moorings allocation? You may not, but that allocation is not mentioned in this document.
- Building for a healthy life has been released. Should this be reflected in the Design Guide?
- There seems to be no reference to local plan policies on design from the Local Plan for the Broads.
- Page 49 Will there be a 'Concept Masterplan' for the Somerleyton Marina site allocation?
- Page 51 References – I would suggest that the National Design Guide should be a reference, as should the Local Plan for the Broads, 2019.

### **Supporting Evidence**

- Section 5 – Character of Existing Somerleyton Village
- Page 13 plan – I was unsure whether the key is correct? The yellow is shown on the key as being 'Registered landscaped within the Conservation Area' by which I assume they mean parts of the Registered Park and Garden of Somerleyton Hall? But it appears to show quite a large number of houses in yellow which wouldn't come under this designation.
- Page 13e plan – should the BA Executive Area be shown on here too?

# Planning Committee

08 January 2021

Agenda item number 11

## Filby Neighbourhood Plan- agreeing to consult

Report by Planning Policy Officer

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### Summary

The Filby Neighbourhood Plan is ready for public consultation.

### Recommendation

To agree that the Filby Neighbourhood Plan proceeds to consultation.

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## 1. Introduction

- 1.1. The Filby Neighbourhood Plan is ready for consultation. The Plan says: 'Working on behalf of the community, the Filby Neighbourhood Plan Working Group has prepared this draft plan that will shape and influence any future development and change across the parish. A broad range of evidence has been reviewed to determine issues and develop policies for the plan. This includes evidence from the Census 2011, housing data, review of environmental designations, Index of Multiple Deprivation, habitat surveys and historical records. Further assessment to gather new evidence has also been undertaken, including an assessment of key views, all supported by consultation activities with the community. Any new development should serve both current and future residents. The policies contained within this plan will enable us to influence the design, location and type of any new homes being delivered in the village, as well as ensuring infrastructure improvements are delivered alongside growth so as to maximise community benefit'.
- 1.2. This report seeks agreement for public consultation to go ahead. It should be noted that the Broads Authority is a key stakeholder and is able to comment on the Plan. It is likely that a report with these comments will come to the next Planning Committee for endorsement.

## 2. Consultation process

- 2.1. Great Yarmouth Borough Council will write to or email those on their contact database about the consultation. The Broads Authority will also notify other stakeholders who may not be on the Borough Council's consultee list. The final details for consultation are to be clarified, but the document will be out for consultation for at least 6 weeks.

### 3. Next steps

- 3.1. Once the consultation ends, comments will be collated and the Parish Council may wish to submit the Plan for assessment. The Parish Council, with the assistance of Great Yarmouth Borough Council and the Broads Authority, will choose an Examiner. Examination tends to be by written representations. The Examiner may require changes to the Plan.
- 3.2. As and when the assessment stage is finished, a referendum is required to give local approval to the Plan. However, given that referenda are not able to go ahead until May 2021 at the earliest, the Government has made provisions that plans that have been examined and are ready for referendum have significant weight. Therefore, when we get to that stage the Authority will use the Plan to help determine relevant applications, thereby affording the Plan significant weight.

Author: Natalie Beal

Date of report: 10 December 2020

Appendix 1 – Submission version of Filby Neighbourhood Plan

Appendix 2 – Consultation Statement

Appendix 3 – Evidence Base

Appendix 4 – Basic Conditions Statement

Appendix 5 – SEA Screening Assessment

Appendix 6 – SEA Screening Opinion



# **FILBY NEIGHBOURHOOD PLAN 2020-2030**

December 2020



# **C O N T E N T S**

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Filby Neighbourhood Plan Submission Version October 2020

Page 1	Introduction
Page 3	Neighbourhood Planning
Page 6	Vision and Objectives
Page 8	Housing and Design
Page 13	Natural Environment
Page 32	Built and Historic Environment
Page 38	Access and Transport

## Introduction

1. Filby is a parish in rural east Norfolk, around 6 miles north-west of Great Yarmouth and 16 miles east of the city of Norwich. The parish has an area of a little over 2.2 square miles (543 acres) and a population of around 800.
2. Filby is quite well served by local facilities and amenities including a shopping parade along the main road, serving residents of both Filby and Fleggburgh. Services within the village include the primary school, pre-school, village hall, village shop and post office, a hairdressers and a bakery, All Saints church, the Kings Head, Community Centre, playing fields, and Filby Bridge restaurant by the Broads.
3. Filby has a strong sense of community, with various events taking place at the village hall and community centre, a community speedwatch initiative, volunteering on projects to support nature conservation, and annual participation in 'Filby in Bloom'. Filby has won the village category of Britain in Bloom on a number of occasions, and there was a considerable fundraising effort a short while ago for the new village hall.
4. The village has a limited peak-time bus service that connects it with neighbouring communities and Great Yarmouth. The A1064 runs through the parish, along which will be found most of the development. This connects the village with neighbouring parishes including Fleggburgh and Caister-on-Sea, and the village is an attractive base for commuters to both Great Yarmouth and Norwich. Despite the main road and its traffic, overall Filby remains a tranquil parish.
5. Filby has a close relationship with the natural environment, with the village surrounded by fields and of course, on the western side there are Filby Broad and Ormesby Little Broad, these being part of the Trinity Broads. These are a small network of landlocked Broads connected with the rest of the waterways via Muck Fleet, but not connected in terms of navigation. It is highly valued by both residents and visitors alike, as well as providing a water supply to local homes in the Great Yarmouth area. The Broads area is recognised nationally and internationally as a key site for wildlife and has nature conservation designations such as the Broads Special Area of Conservation (SAC) and Trinity Broads Site of Special Scientific Interest (SSSI). It also has status equivalent to a National Park. There are a number of Public Rights of Way that connect residents and visitors with the surrounding countryside. Many of these run along field boundaries and there is a concentration to the south-west around the Broads.
6. Filby has a number of buildings of historical and heritage value that provide a connection with the centuries of human activity. The area has a long and fascinating history. The Romans visited the area and when they left, Saxon invaders were followed by Vikings who entered East Norfolk via the river systems. Danes settled the largely unpopulated area and many of the local village names are Danish in origin, with Filby itself ending in 'by' which means 'new settlement'. Filby, which



was situated alongside the watercourse, today known as Muck Fleet, is thought to be the place of File the Dane.

7. Filby features in the Domesday Book as a community of 198 people and 287 acres whose Tenant in Chief was Rabel the Engineer, the artificer of the Norman army. In the middle ages peat was dug for burning and there was a substantial demand for this fuel, particularly from the large religious communities at St. Bennet's Abbey and in Norwich, to which it was transported by boat. Extensive peat 'quarries' were formed, some up to five metres deep and, as the water table rose, so the diggings were filled to form what are now known as the Norfolk and Suffolk Broads.
8. In the more recent history, Filby has been agricultural in character, known particularly for its market gardens. It was noted for its raspberries and half of the village acreage was given over to this single crop.
9. Back to today, Filby village is identified as a Secondary Village in the Great Yarmouth Local Plan Core Strategy 2013-2030. These are settlements containing relatively few services and facilities, with limited access to public transport and few employment opportunities. The current Local Plan Core Strategy requires 5% of housing growth to be accommodated in secondary and tertiary villages. The emerging Local Plan Part 2 makes no allocations in secondary or tertiary villages and draft Policy GSP2 makes it clear that there is no housing requirement for the neighbourhood plan area. The Local Plan for the Broads does not allocate land for development in Filby and it includes a policy on the Trinity Broads (SSTRI) which aims to strictly control the volume, extent and nature of boating on the broads for the purposes of quiet recreation and to reflect the importance of the area as a wild bird refuge. Despite this however, there have been, and there may continue to be, speculative planning applications.
10. This Neighbourhood Plan aims to build on the strengths of the parish and its community, notably its rural character and strong, valued sense of community. It will enhance the natural environment for wildlife and people, protect key historic assets and the tranquillity, help to tackle climate change, and facilitate opportunities for people to meet and get together. Importantly, if there is any further housing development, the plans aims to ensure it is the right type with the right design.

# Neighbourhood Planning

## Overview of Neighbourhood Planning

11. Neighbourhood planning was introduced by the Localism Act 2011. Neighbourhood Planning legislation came into effect in April 2012 and gives communities the power to agree a Neighbourhood Development Plan. It is an important and powerful tool that gives communities such as parish councils statutory powers to develop a shared vision and shape how their community develops and changes over time.
12. Filby is in Great Yarmouth borough and so the Neighbourhood Plan sits within the context of the Great Yarmouth Local Plan. The borough council has an adopted Local Plan Part 1: Core Strategy (2015). It is also well advanced in developing a Local Plan Part 2: Development Management Policies, Site Allocations and Revised Housing Target. Part of the parish is also within the Broads Executive Area, and so it is covered by the Broads Authority and its own recently adopted local plan.
13. The Neighbourhood Plan will be a document that sets out planning policies for the Parish and these will be used, alongside the local plans, to decide whether planning applications are approved or not. It's a community document, that's written by local people who know and love the area.
14. The Neighbourhood plan has to support the delivery of the 'strategic policies' contained in the Great Yarmouth Local Plan and that for the Broads Authority, and so it cannot promote less development than set out in local plans. That is, the local plans set the overall strategic policies such as the amount of new development and the distribution of that development across the borough. In the case of Filby, the emerging local plan for Great Yarmouth and the Local Plan for the Broads do not allocate land for housing in the parish.
15. The Neighbourhood Plan can include 'non-strategic policies', such as the mix of housing if any comes forward, design principles for new development, conserving and enhancing the natural and historic environment, protecting local green spaces from development, and setting out other development management policies. Importantly, the Neighbourhood Plan will contribute to the achievement of sustainable development as described in the National Planning Policy Framework.
16. Once a Neighbourhood Plan has been 'made', following consultation with residents and a local referendum, it becomes part of the statutory development plan for the parish and will be used by the borough council and Broads Authority in deciding on all planning applications in the parish.

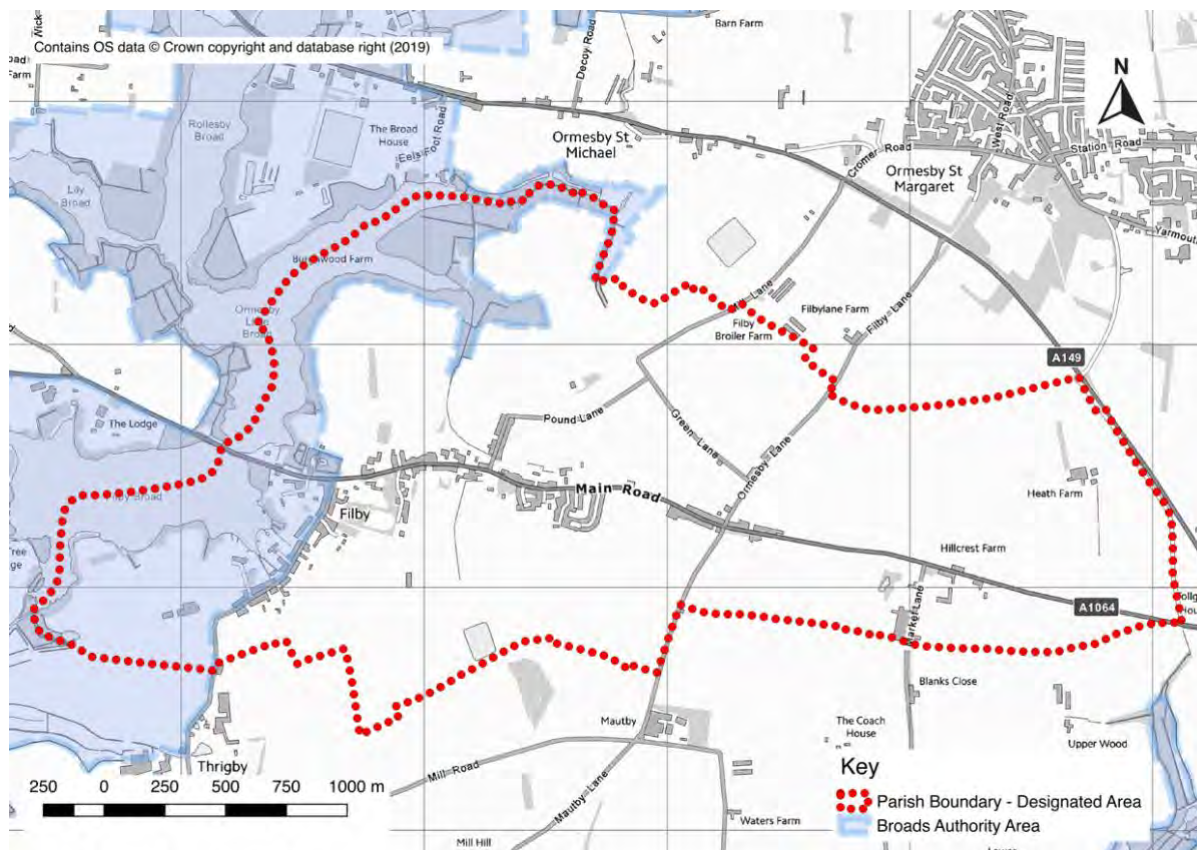
## Process of Developing this Neighbourhood Plan

17. The parish area shown in **Figure 1** was designated as a Neighbourhood Plan Area in June 2019. Working on behalf of the community, the Filby Neighbourhood Plan

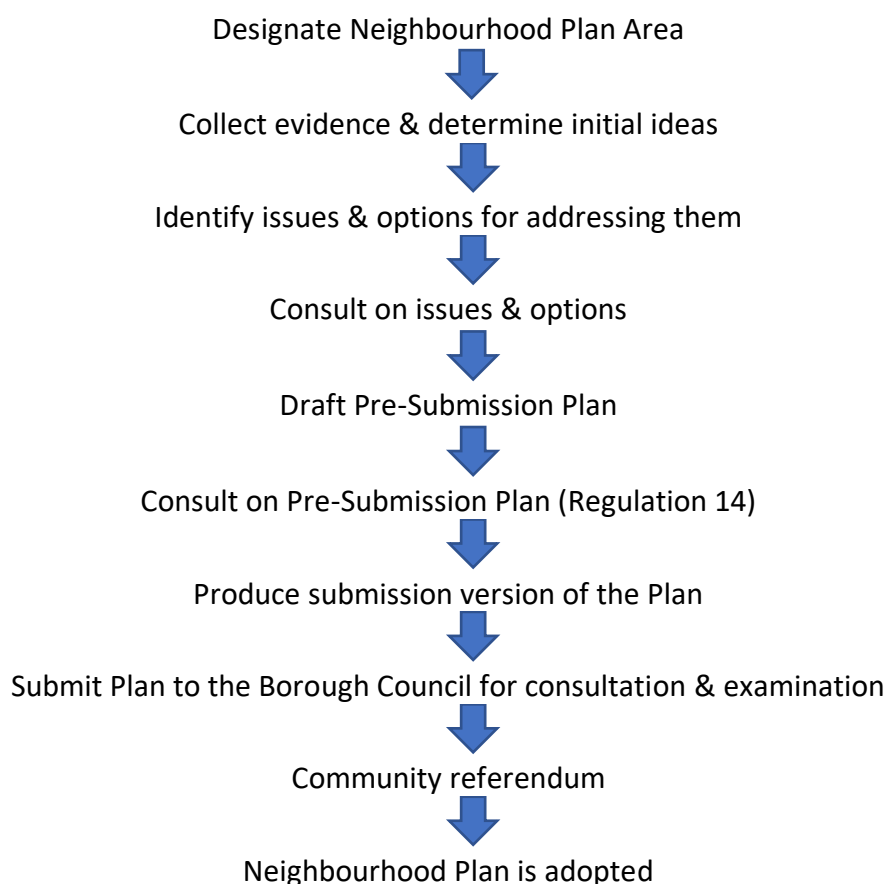
Working Group has prepared this draft plan that will shape and influence any future development and change across the parish.

18. A broad range of evidence has been reviewed to determine issues and develop policies for the plan. This includes evidence from the Census 2011, housing data, review of environmental designations, Index of Multiple Deprivation, habitat surveys and historical records. Further assessment to gather new evidence has also been undertaken, including an assessment of key views, all supported by consultation activities with the community.
19. Any new development should serve both current and future residents. The policies contained within this plan will enable us to influence the design, location and type of any new homes being delivered in the village, as well as ensuring infrastructure improvements are delivered alongside growth so as to maximise community benefit.

**Figure 1: Designated Neighbourhood Plan Area**



**Figure 2: Neighbourhood Plan Process**



## **Consultation with Residents**

20. Filby Neighbourhood Plan has been developed by residents of the village on behalf of the wider community. A working group, comprising a mix of residents and parish councillors, has overseen the process throughout on behalf of the Parish Council as the qualifying body. Engaging the wider community in the Neighbourhood Plan's development has been a key focus for the working group.
21. In August 2019 a consultation on Issues and Options for the Neighbourhood Plan was undertaken. This included a questionnaire sent to all households in the village and a consultation event attended by people who live in the village. This enabled residents to provide their views on a wide range of issues and comment on policy options. The early engagement helped the working group to formulate a Regulation 14 pre-submission draft, which was consulted upon August – September 2020.
22. A full account of consultation activities, the key points and how these were considered by the working group is provided in the Consultation Statement which accompanies the Neighbourhood Plan.

## Vision and Objectives

### Vision

23. The rural character and special identity of Filby, nestled as it is alongside the Norfolk and Suffolk Broads, will be protected and enhanced. The rural character is defined by many features, but especially habitats and green infrastructure for wildlife, the openness of the landscape, historic buildings, and the tranquillity of the parish and village.

In protecting and enhancing this rural character, the plan will result in a more coherent, connected and expansive ecological network of key habitats that delivers a significant net ecological gain for wildlife over the plan period. The plan will ensure that the openness of the landscape is retained for the enjoyment of residents and visitors alike, adding as it does to the tranquillity of Filby, and that the parish's historic and heritage assets continue to provide a sense of place. Where possible, the plan will help ensure that the impact on tranquillity of the heavy traffic flows through the parish are minimised. Underpinning life in Filby is the wonderful community spirit, and the plan will build on this, helping people to stay in the parish, and creating opportunities for people to meet, interact, and get to know each other.

Finally, the plan will make a key contribution towards addressing climate change, both through reducing greenhouse gas emissions and overseeing a radical change in the development of a network of trees and hedgerows to absorb CO<sub>2</sub>.

### Objectives

- 24.
- A. Ensure the natural environment is a key consideration in all decisions about how Filby changes;
  - B. Conserve and enhance Filby's ecological network;
  - C. Ensure any future housing development meets the needs of current and future residents of the parish;
  - D. Promote sensitive development that protects and enriches the landscape of the parish, safeguarding key views and protecting valuable agricultural land;
  - E. Respond to climate change, promoting sustainable development and energy efficiency;
  - F. Conserve the significance of heritage assets;
  - G. Protect important green spaces;
  - H. Promote access to the countryside for recreation and enjoyment; and
  - I. Reduce the impact of traffic through the village, investigating ways to emphasise entrances to the village, signifying the change from rural roads to speed restricted areas.

25. Although the neighbourhood plan does not have a specific policy on climate change, it is seen as such a priority that it has been woven into many of the policies. For example:
1. Policy H2 requires new homes to be designed to high standards of energy efficiency. Policy E4 discourages the use of street lighting. These will reduce energy consumption which should reduce CO2 emissions;
  2. Policies H2, E1, E2 and E3 promote the protection of the natural environmental and natural features such as trees, as well as the planting of new trees, hedges and habitats. Increased vegetation should not only have a cooling effect on air temperature, but will absorb CO2 emissions;
  3. Policy E6 focuses on flood risk and drainage, which will need to take account of the increase in severe weather storm events due to climate change; and
  4. Policy AT1 encourages the use of sustainable transport such as walking. This should reduce some car journeys which in turn will reduce CO2 emissions.

## Housing and Design

This section on **Housing and Design** and the policies it contains aims to deliver the following neighbourhood plan objectives for Filby:

**Objective A:** Ensure the natural environment is a key consideration in all decisions about how Filby changes;

**Objective C:** Ensure any future housing development meets the needs of current and future residents of the parish;

**Objective E:** Respond to climate change, promoting sustainable development and energy efficiency;

### Housing Type and Mix

26. Although Filby is a relatively small village there have been 28 new homes built over the last six years and there are 26 more with permission. Overall this is a 17% increase in homes within the parish. The Local Plan for the Broads does not allocate land for housing and the Borough Council has indicated that it does not intend to allocate further sites within Filby within their Local Plan Part 2, however the borough council does not have a 5-year housing land supply at the time of writing this plan, which makes further speculative or windfall development more likely. This situation could change, particularly as the emerging Local Plan 2 intends to demonstrate that it now has a 5-year housing land supply.
27. Consultation with the community highlights a lack of support for further housing growth in the village. Over half of respondents to a survey felt strongly that there wasn't a need for further new housing. However, if there is any further housing it is important that it meets a local need in terms of the type and mix of houses provided, not least so that local people are able to stay in the parish rather than having to move away, and this is seen as important in retaining the special community spirit of the parish.
28. Filby's housing profile is currently dominated by detached homes. Home ownership is high and there are very few homes available to rent. In terms of size, just over a third have 4 or more bedrooms, and indeed almost 10% have at least 5 bedrooms, which is a much higher proportion than for the borough as a whole. There is a very low proportion of one-bedroom homes, 14 or 5%, and in contrast over a fifth of households are single occupancy, suggesting that there may be an unmet need for smaller housing units. Similarly, compared to the borough or England in general, there is a very low proportion of 2-bedroomed homes. The profile indicates that homes will tend to be more expensive and they may be unaffordable for younger people or first-time buyers, which could result in younger residents having to move away.
29. A Neighbourhood Plan can influence the size and type of new homes that will be built in the future. When asked about preferences for new homes the community

indicated a slight preference towards medium sized homes of 3 or 4 bedrooms, followed by smaller homes of 1 or 2 bedrooms being built. In terms of housing type there was a strong preference for more bungalows in the village, followed by detached homes, and then semi-detached homes.

30. There are indications that the population is ageing with the proportion of residents aged 65 or over increasing. The number of households comprising just this age group however, including those living alone, has been fairly steady at around one quarter of all households in the parish. Future housing must meet the on-going needs of our older population.
31. A mix of responses were received about the kind of housing there was a need for, though starter homes for younger people, lifetime homes and family homes received the most votes. Affordable housing was talked about by many at the consultation event. The demand for affordable housing in the village outstrips its supply, with current data indicating that demand is highest for homes that are 1 or 2 bedrooms. **Policy H1** especially supports affordable housing delivery within the development limits, recognising that proposals located here will be supported by the emerging Great Yarmouth Local Plan (Policy GSP1).

#### **Policy H1: Housing Type and Mix**

All housing proposals for five or more dwellings will need to provide a mix of housing types and sizes, and these should aim to reflect local need using the best available and proportionate evidence. This should include, unless evidence is provided either showing a lower need is justified or the scheme is made unviable:

- a) All housing must be accessible and adaptable, M4(2) standard, with bungalows strongly encouraged; and
- b) A minimum of 25% of dwellings comprising two bedrooms or fewer, to enable older residents to downsize or younger residents to get on the housing ladder.

Conversely, the inclusion of dwellings comprising five bedrooms or more will not be supported unless it is clearly and demonstrably meeting a local housing need.

These requirements apply to the whole proposal, and so open-market and affordable housing combined.

Proposals for sheltered housing will be encouraged subject to meeting other policies in this plan and the local plans.

Proposals within the development limits that will deliver affordable housing but fall below the national threshold requiring provision of such<sup>1</sup> will be especially supported.

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<sup>1</sup> The national threshold in the 2019 NPPF is that affordable housing is required on sites where 10 or more homes will be provided, or the site has an area of 0.5 hectares or more.



For the whole of this policy, separate proposals on contiguous sites that are in the same ownership and/or control, or have a planning history indicating that they have been considered together, will be considered as single proposal.

32. The Borough Council or Broads Authority will ensure that any planning permission granted for affordable housing schemes is subject to appropriate conditions and/or planning obligations to secure its affordability in perpetuity (for the life of the property), whilst recognising the national Right to Buy scheme. Within the Broads Authority Executive Area, Policy DM34 of the Local Plan requires development of 6-9 dwellings to contribute a commuted sum (off-site contribution) towards the provision of affordable housing. **Policy H1** intends to ensure appropriate levels of affordable housing are delivered where landowners/developers own large sites within the village, but choose to divide these up in such a way that affordable housing thresholds are not met.
33. Although a mix of housing as set out in **Policy H1** will be expected, it is recognised that with building conversions it might not always be possible.
34. The emerging Local Plan 2 and the Local Plan for the Broads seeks all dwellings to meet M4(2): Category 2 – Accessible and adaptable. This requires the dwelling to meet the needs of occupants with differing needs, including some older or disabled people, and allow adaptation of the dwelling to meet the changing needs of occupants over time. **Policy H1** seeks to align with this and provide support in particular for bungalows.

## Design

35. Design is another key area where the Neighbourhood Plan can have influence. A number of suggestions were made by people during the consultation about the local characteristics of buildings in Filby. This included Norfolk red brick, flint in the walls, traditional clay tiles, thatch, timber cladding, cottage style, pitched-roof dormers and use of hedges for boundary treatments. Some people indicated that they felt any new homes should be in-keeping specifically with those nearby, others felt a mix of building styles should be encouraged.
36. Design, however, is more than just what the actual building looks like. It also relates to layout, density and how it incorporates habitat features and landscaping. The augmenting of ecological networks is a key feature of the plan, and all development will be expected to contribute to this.

### Policy H2: Design

All development will be designed to a high quality, reinforcing and complementing local distinctiveness and character. Design which fails to have regard to local context and does not preserve, complement or enhance the character and quality of its immediate area and the wider parish will not be acceptable. Any new development in the Broads area must be

designed to the highest standard which is fitting with the areas equivalence of National Park status.

Proposals must be of an appropriate density, height, variety, scale and layout, and the use of traditional materials that are prevalent in the parish will be supported.

This is not intended to discourage innovation, which will be welcomed. Designs that reduce energy requirements will be encouraged. All new housing will need to be designed as a minimum to the highest allowable prevailing energy efficiency requirements unless clear evidence is provided that this makes the proposal unviable. Homes built to even higher energy efficiency standards will be considered as delivering a significant benefit. Electric car charging points will be expected to be provided as part of all new development, reflecting the number of car parking spaces. One charge point per formal parking space will be expected on residential development unless it can be clearly demonstrated that this would be unviable.

New residential development should not be over-developed and should ensure that the building footprint, including any outbuildings, does not exceed 50% of the plot area, and that it provides sufficient outdoor amenity and landscaping space.

Landscaping and vegetation must be used to retain and augment the overall sense of rural character. Proposals will also need to fully incorporate landscaping and natural features such as trees, both those that are retained and those introduced, where the opportunity exists to help to deliver or complement the ecological network (see also **Policy E1**). Boundaries will be expected to have 'soft' treatments, comprising of hedges and/ or trees rather than hard boundaries such as close boarded fencing.

New development situated along the A1064 should have an active street frontage.

37. Planning practice guidance allows planning policies to require energy efficiency standards 20% above building regulations (which at the time of writing equates to Level 4 of the Code for Sustainable Homes). This should be used for **Policy H2** unless the guidance changes and more rigorous standards can be applied. In support of the emerging Local Plan 2 for Great Yarmouth Borough an area wide viability study has been undertaken which demonstrates that there is sufficient viability for such standards to be met and achieved on small sites under 0.5ha or for 10 units.
38. In line with **Policy H2** electric vehicle charging points should be provided in line with national technical standards if available, or one per residential parking space. A judgement will need to be made with respect to other types of development. In July 2019 the Government published "*Electric Vehicle Charging in Residential and Non-Residential Buildings*" as part of its industrial strategy and its zero-carbon target. This sets out the preference for incorporating electric vehicle charge points into building regulations, but it also provides the option for planning policy. It is understood that in October 2019 the Government announced its intention to use

building regulations but at the time of preparing this neighbourhood plan it is not obvious that this has happened. When it does, that aspect of the policy could be superseded.

39. The requirement for any new development to have an active street frontage is to enhance the sense of place and reinforce the existing 30mph speed limit along Main Road. An active frontage in this policy is where each home accesses directly the A1064, rather than via a shared driveway or estate road. This design provides more activity in terms of turning movements which, combined with the street facing housing, tends to reduce the speed of traffic.

## Environment

This section on **Environment** and the policies it contains aims to deliver the following neighbourhood plan objectives for Filby:

**Objective A:** Ensure the natural environment is a key consideration in all decisions about how Filby changes;

**Objective B:** Conserve and enhance Filby's ecological network;

**Objective D:** Promote sensitive development that protects and enriches the landscape of the parish, safeguarding key views and protecting valuable agricultural land;

**Objective E:** Respond to climate change, promoting sustainable development and energy efficiency;

**Objective G:** Protect important green spaces;

### Habitat for Wildlife

40. Filby is a parish rich in wildlife, nestling on the east side of the Trinity Broad catchment with two of the five broads within its boundaries. The open water habitat of Ormesby Little Broad stretches to the north-west of the parish and Filby Broad is to the south-west.
41. This part of the Broad network is designated The Broad Special Area of Conservation (SAC) and Trinity Broad Site of Special Scientific Interest (SSSI). They are extremely rich in wildlife with some species rarely found outside of the Broad fen habitats. Habitats include wide expanses of shallow open water, extensive tracts of broadshore reedbed and undisturbed areas of wet woodland. These habitats support a wealth of wildlife, from the tiniest rare snail, to stands of bulrushes which have virtually disappeared from the rest of the Broad area, to the bittern. The ecological importance of the area is reflected in the variety of international, national and local nature conservation designations.

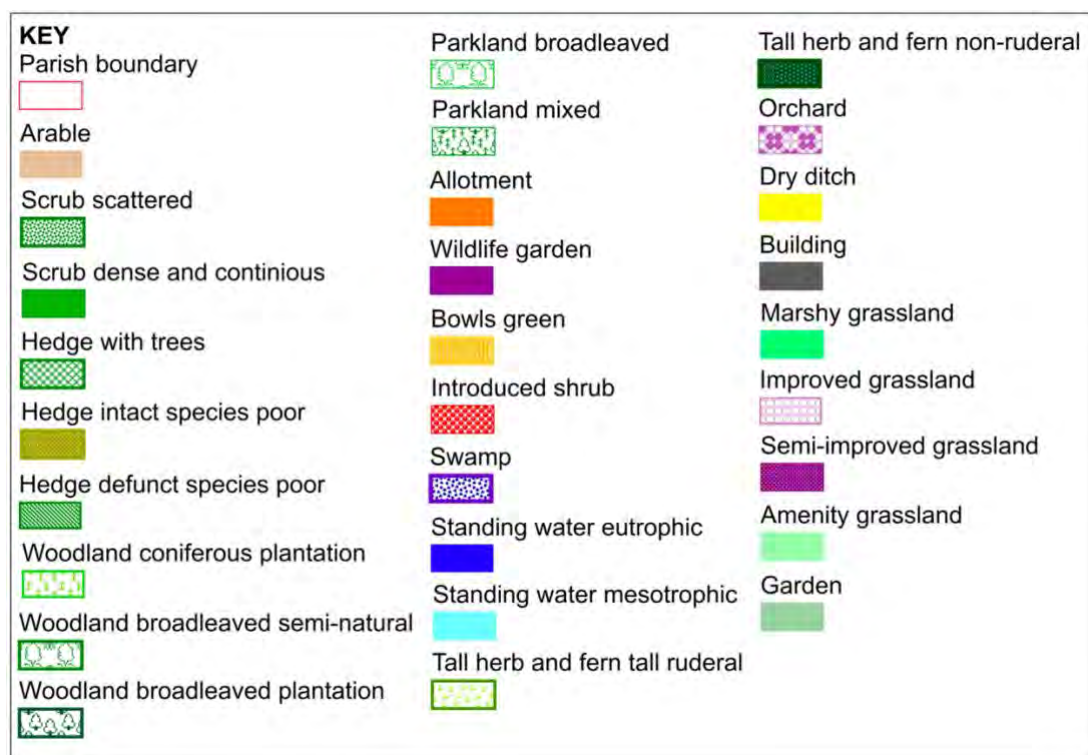
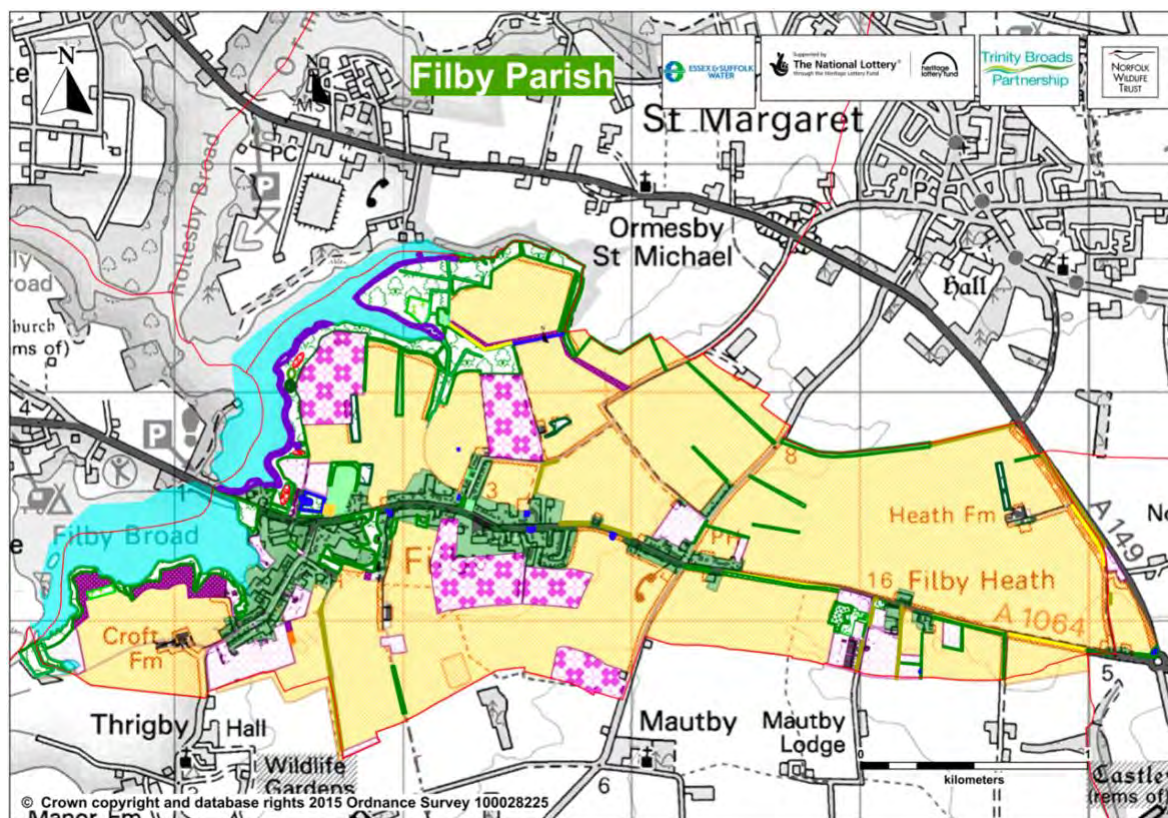


*Filby Broad*

42. Trinity Broads make up 14% of the open water within the Broads. They are a significant fresh water supply with approximately 5 million litres of water abstracted each day, supplying 80,000 homes in the surrounding villages and Great Yarmouth. They cover 162 hectares of open water in total, with 21km of broadshore habitat including fen meadow, tall herb fen, littoral reed bed and alluvial forest. It is important to ensure that the water quality is not impacted by future development.
43. These designated sites are critical for biodiversity in the parish, but they connect with a range of other important habitats for wildlife, including ponds, trees, hedgerows and gardens. This ecological network as a whole is crucial for wildlife and contributes significantly to the overall quality of life for residents within the parish.
44. A Habitat Survey undertaken in 2015 by the Norfolk Wildlife Trust and volunteers from Filby village provides an important record of the ecological network that this neighbourhood plan aims to conserve and enhance. The Habitat Map is provided in **Figure 4**. Building on this, Wildlife Corridors have been identified as part of development this Neighbourhood Plan, by residents in conjunction with the Norfolk Wildlife Trust and Trinity Broads Partnership, these are identified in **Figure 5**. They reflect the key corridors connecting wildlife within the parish. Typically, these include native vegetation, tree or hedgerow lines, follow public rights of way and join some key habitats, such as Filby Common, and designated Local Green Spaces. These will be considered a priority for preservation and improvement locally. Where the corridors are on private land the Parish Council will work with local landowners to explore opportunities for improvement.
45. During consultation to develop the neighbourhood plan 97% of local people who responded to the resident survey agreed that any new development should be expected to protect the environment and improve wildlife areas. This accords with emerging national requirements. Following consultation in 2018 the government is to introduce a requirement for developers to deliver a biodiversity net gain on new housing or commercial developments. Filby Neighbourhood plan puts this into a local context to ensure that Filby's rich ecological network is enhanced through development. In the absence of national legislation and guidance on measurement of biodiversity net gain, the calculation tool available from Defra should be used. This considers the on and off-site baseline and post development habitat, including habitat creation or enhancement. This enables losses and gains in biodiversity to be measured in an objective and repeatable manner. For the avoidance of doubt, the requirement set out in **Policy E1** is for all future housing and commercial development schemes to deliver a mandatory 10% net gain in biodiversity.



Figure 4: Habitat Map



Norfolk Wildlife Trust, 2015

### **Policy E1: Habitat for Wildlife**

Filby's wildlife rich habitats must be safeguarded and enhanced through proactive action as part of development. Proposals will be supported where they can demonstrate:

- Delivery of at least a 10% net gain in biodiversity;
- Action has been taken to conserve existing biodiversity features such as ponds, orchards, hedgerows and trees on site;
- How they can support the Trinity Broads Partnership with conservation management and enhancing the natural carbon capture of the Trinity Broads area; and
- Opportunity has been taken to enhance connectivity for wildlife across or to existing wildlife corridors.

This requirement can be delivered through the use of Sustainable Drainage Systems, as set out in **Policy E6**.

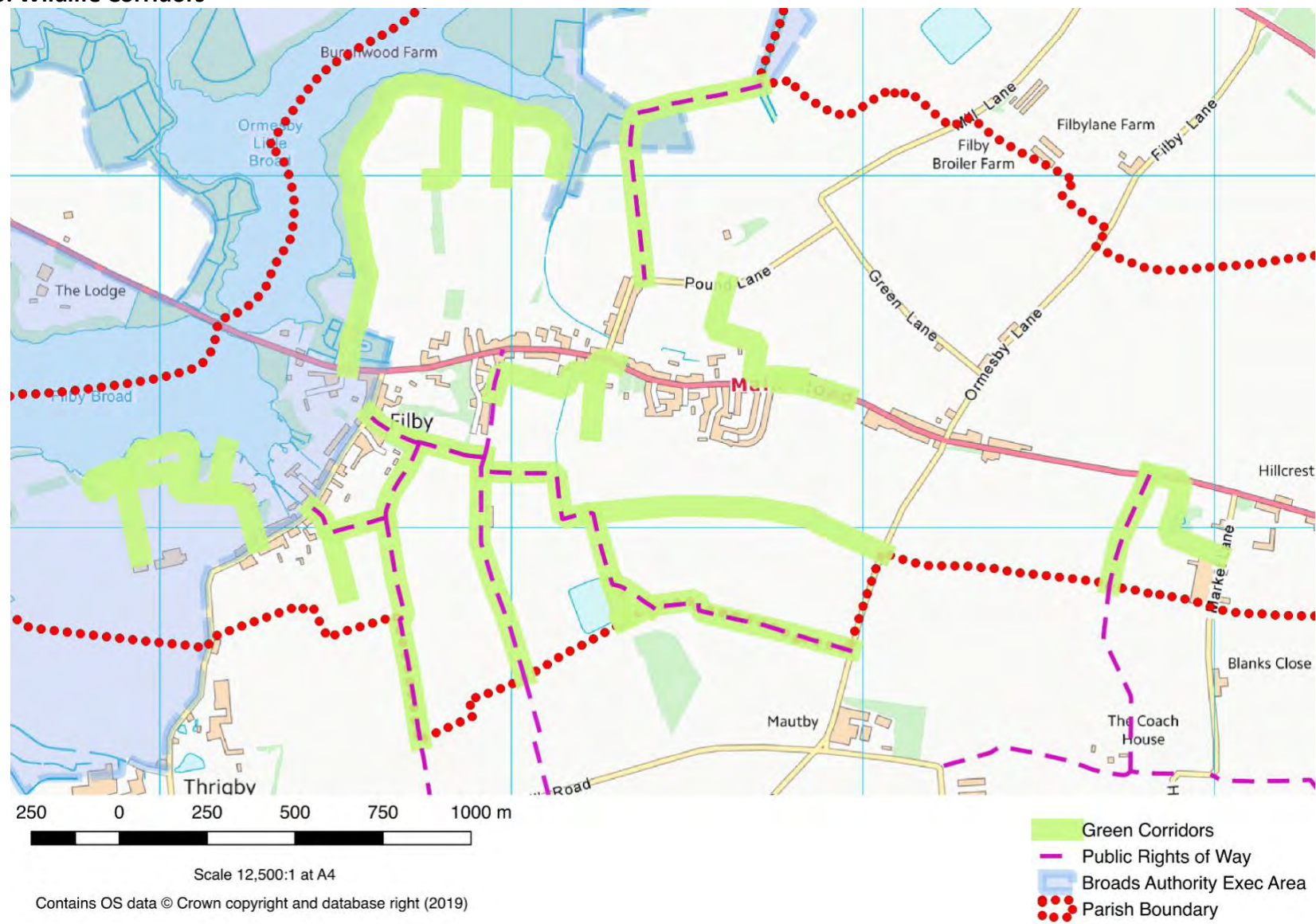
Proposals that would result in net loss of biodiversity on site will be expected to compensate for this by delivering habitat improvement to local wildlife corridors, as identified in **Figure 5**.

## **Trees and Hedgerows**

46. Trees and hedgerows form an essential part of Filby's landscape character and provide a vital link between wildlife areas such as the Broads, the community orchard and domestic gardens. They provide diversity and richness to the landscape, as well as forming wildlife corridors and providing a rich source of food for insects, birds and wild animals. The Trinity Broads area is of exceptional importance for bats which use trees for roosts.
47. The Habitat Survey (2015, NWT) recorded around 8km of hedgerow in Filby parish, which may have increased slightly due to proactive planting by the community. The retention of existing trees and hedgerow and the provision of additional planting within new development is therefore important.
48. Some trees in the parish have protected status, mainly under the designation of a Tree Preservation Order (TPO) made by the Local Planning Authority for their protection. A map of protected trees is available from Great Yarmouth Borough Council and the Broads Authority. It includes a corridor of mature and veteran oaks alongside a public footpath near to the allotments and church, which in themselves can support over 350 different species of wildlife.
49. **Policy E2** seeks to protect Filby's trees and hedgerow. It has due regard of the National Planning Policy Framework which in Paragraph 175 lists some examples of irreplaceable habitat. Within Filby Neighbourhood Plan the view has been taken that woodlands, mature trees and biodiversity rich hedgerow are also irreplaceable as they make a significant contribution to Filby's wildlife habitat and landscape.



Figure 5: Wildlife Corridors





### **Community Policy 1: Protection of Trees**

The Parish Council will build on the Habitat Survey results from 2015 to develop a list of important trees within the parish and seek protection of these trees through the Borough Council or Broads Authority.

### **Policy E2: Trees and Hedgerows**

Existing trees and hedgerows must be retained and integrated into the design of new development. Proposals requiring the loss of woodlands, mature trees or biodiversity rich hedgerows will not be supported unless there are wholly exceptional reasons, or removal is necessary to enhance the survival of other protected trees or mature hedgerow.

Where proposals will result in the loss of trees or hedgerow, adequate replacement provision, using native British species of greater value, will be required. Developers should ensure sufficient space is available on site for this. In exceptional circumstances where it can be demonstrated that this is not feasible, planting should take place to fill known gaps in Filby's Wildlife Corridors, identified in **Figure 5**. Where on-site planting is demonstrated to be unfeasible developers are expected to work with the Parish Council to find appropriate alternative sites.

Where development will affect trees and or hedgerows, proposals must be accompanied by a survey which establishes the health and longevity of affected trees and/or hedgerows and an appropriate management plan.

## **Conservation Trust**

50. Filby residents are especially keen on promoting the conservation of wildlife and biodiversity in and around Filby. In February 2020 they established Filby Lands and Conservation Trust, which aims to enhance the Filby area for wildlife, habitat conservation and community amenity. This will be achieved through the purchase and management of land as and when available or under threat from undesirable development. Any areas of purchased will be managed for wildlife and habitat conservation in perpetuity. Land south-west of the Church, adjoining a designated Local Green Space and linked to the wildlife corridors has been purchased by the Trust and will be planted up as a community woodland. The new woodland will be called Trinity Wood in celebration of 25 years of the Trinity Broads Project. Adjoining land has been gifted to the church, to later become an extension to the burial ground, and until that point the community intend to create a wildflower meadow.

## Community Policy 2: Filby Lands and Conservation Trust

The Trust will take opportunities to enhance the Filby area for wildlife, habitat conservation and community amenity by purchasing and managing areas of land that become available. This includes creation of a new woodland south-west of All Saints Church.

## Local Green Space

51. The National Planning Policy Framework sets out that specific areas of land that are demonstrably special to the local community may be protected against development through designation as Local Green Space (LGS). The designation should only be used where:
- The green space is reasonably close to the community it serves;
  - The green area is demonstrably special to the community and holds a particular local significance, for example because of its beauty, historic significance, recreational value, tranquillity or richness of its wildlife;
  - The green area concerned is local in character and is not an extensive tract of land.
52. This neighbourhood plan designates ten LGSs for protection, these are identified in **Figure 6**. They are important not only for the wildlife they support, but provide significant quality of life benefits to residents, for example through encouraging recreation. Many of these contribute to the distinctiveness of Filby, making it an attractive place to live. All of the LGSs were identified by the community during consultation to develop this neighbourhood plan.
53. These local green spaces are additional to those protected by the Great Yarmouth Local Plan Core Strategy. Local Plan 2 includes a general policy to protect open spaces, but these sites will not be mapped.
54. Local Green Space policy is required to be broadly consistent with national policy for Green Belt. The national policy for Green Belt refers to protecting against inappropriate development, essentially the construction of new buildings, except in very special circumstances. There are some developments that are not considered inappropriate, including limited in-filling in villages, affordable housing, mineral extraction and material changes in the use of the land. Whilst these might not undermine the purpose a large-scale Green Belt designation, clearly any of these on small Local Green Spaces would undermine the purpose of their protection. Therefore, the policy does not refer to 'inappropriate' development, but rather just to 'development'. The policy still allows for development in very special circumstances. Additionally, there is a departure with respect to adjacent proposals. **Policy E3** does not prevent adjacent proposals but recognises that as some Local

Green Spaces are very small in nature, their integrity could be affected by adjacent development, which is less likely to be the case for large areas of Green Belt.

**Figure 6: Local Green Space Designations in Filby**

	<b>Green Space</b>	<b>Location</b>	<b>Why its special to the community</b>
FLGS1	Playing field, play area and bowls green	Off Main Road adjacent the Village Hall.	Recreational value. These green spaces are well maintained and utilised by a range of clubs and local families. These are identified as Greenspace on OS Maps.
FLGS2	Allotments	Off Thrigby Road	Recreational value & wildlife habitat. Well used by residents of Filby as an opportunity to grow food locally. The land is owned by Norfolk County Council with a lease to the parish overseen by Norfolk Property Consultants. The allotments are identified as Greenspace on OS Maps.
FLGS3	Community Orchards	Off Thrigby Road	Recreational value & wildlife habitat. Adjacent the allotments these have a variety of fruit trees and are well looked after by Filby residents. The land is owned by Norfolk County Council with a lease to the parish overseen by Norfolk Property Consultants. The community orchards are identified as Greenspace on OS Maps.
FLGS4	Community Paddocks	Off Thrigby Road	Recreational value & wildlife habitat. Currently used for grazing horses that are owned by residents of the parish. These are owned by Norfolk County Council with a lease to the parish overseen by Norfolk Property Consultants.
FLGS5	Village pond	Off Main Road	Wildlife habitat & recreational value. The pond is in private ownership but can be observed from a public standpoint.
FLGS6	Filby Dissenter' Chapel	Off Thrigby Road near to the orchard and allotments	Heritage & recreational value. Remains of an early chapel built in 1705 that was badly damaged in World War 2. Also listed on the Norfolk Historic Environment Record. Enjoyed by residents and visitors accessing the public footpath. The Chapel is in private ownership.
FLGS7	Church of All Saints	Church Lane	Heritage value and wildlife habitat. A medieval church dating from the 14 <sup>th</sup> Century with an active congregation. The building is Grade II Listed. A survey of the churchyard in 2018 identified a range of notable species that create habitat for

	Green Space	Location	Why its special to the community
			wildlife. The church is identified on the OS Green Space map. The Church is identified as Greenspace on OS Maps.
FLGS8	The Pound	Corner of Main Road and Pound Lane	Wildlife habitat and heritage value. A small grassy area with a bench and the location of the Filby Village Sign. An area adorned with flowers during the summer months as part of Filby in Bloom.
FLGS9	Filby Common	Off Common Lane	Wildlife habitat, its beauty, tranquillity & recreational value. The common has lovely views over Filby Broad and is part of the transitional landscape between the broads and Filby settlement.
FLGS10	Filby Claypits	Thrigby Road, near the school	Heritage value & wildlife habitat. Original houses in the village were constructed of clay lump from this pit which is now publicly accessible and has a small pond. Parish ownership.

### Policy E3: Local Green Space

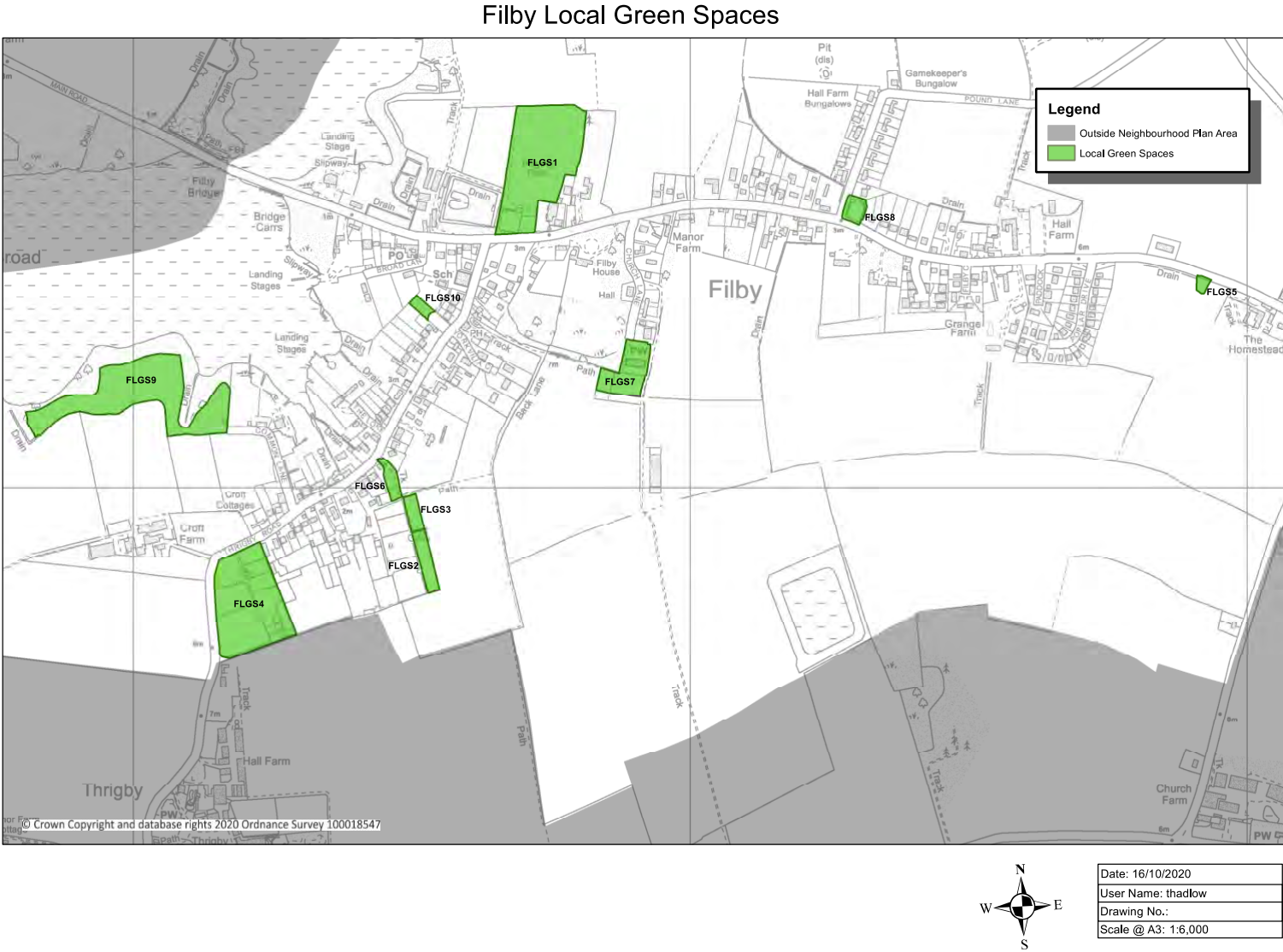
The areas shown in Figure 6 are designated as Local Green Space for special protection. Development on designated Local Green Space will only be supported in very special circumstances where the harm resulting from the proposal is clearly outweighed by other considerations.

Development proposals adjacent to LGSs will be required to:

- a) Not encroach on the LGS; and
- b) Complement its setting and not impact upon the integrity of the space.

Opportunities to create linkages between LGSs, for example through the creation of new rights of way, may be considered favourable.

Figure 6: Local Green Spaces



## Dark Skies

55. Filby is valued by residents for its tranquillity. Its proximity to the Broads and a lack of street lighting means there are dark expansive skies at night. The Campaign to Protect Rural England's Light Pollution and Dark Skies Mapping<sup>2</sup> identifies Filby parish to be in one of the darkest areas, except for a small zone along Thrigby Road, Ormesby Lane and Main Road, see Filby Neighbourhood Plan Evidence Base. Recent evidence from the Broads Authority identifies the Broads, including Filby and Ormesby Little Broad, as intrinsically dark landscapes which must be preserved. Dark skies are a valuable asset and that is important to wildlife and benefits the health and wellbeing of residents. Artificial light can be detrimental to wildlife. Around 60% of insects are nocturnal and it is estimated that a third of those attracted to artificial light are killed as a result.
56. Residents place particular value on the peace and tranquillity of the area. In the resident's survey 82% of people strongly agreed that dark skies should be retained and preserved, with any new lighting needed as part of development required to be low energy.
57. The Local Plan for the Broads contains **Policy DM22: Light Pollution and Dark Skies** which seeks to conserve and enhance the tranquillity and dark sky experience of the Broads. This policy applies in the area of Filby parish covered by the Broads Authority Executive Area, see **Figure 1**, the following **Policy E4** applies to the rest of the parish.

### Policy E4: Dark Skies

There will be a presumption against proposals that detrimentally affect the tranquillity of the area including through unnecessary lighting that results in the loss of night time dark skies.

Any applications that involve external lighting will only be permitted where they are required for safety, security or community reasons. They will need to be accompanied by a lighting scheme that should show how the status of dark skies will be protected and designed to minimise light spillage.

In considering the impacts, regard will be had to the Institute of Lighting Professionals guidance and other relevant standards or guidance for lighting<sup>3</sup>.

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<sup>2</sup> [https://www.nightblight.cpre.org.uk/maps/?\\_ga=2.217528022.1718306731.1573479253-820694389.1573479253](https://www.nightblight.cpre.org.uk/maps/?_ga=2.217528022.1718306731.1573479253-820694389.1573479253)

<sup>3</sup> For the purposes of the ILP lighting guidance (CIE 150:2003 Guide on the Limitation of the Effects of Obtrusive Light from Outdoor Lighting Installations [www.theilp.org.uk/documents/obtrusive-light/](http://www.theilp.org.uk/documents/obtrusive-light/)) the Broads Authority is included within Environment Zone 1 as a reflection of its protected status and its intrinsically dark skies.



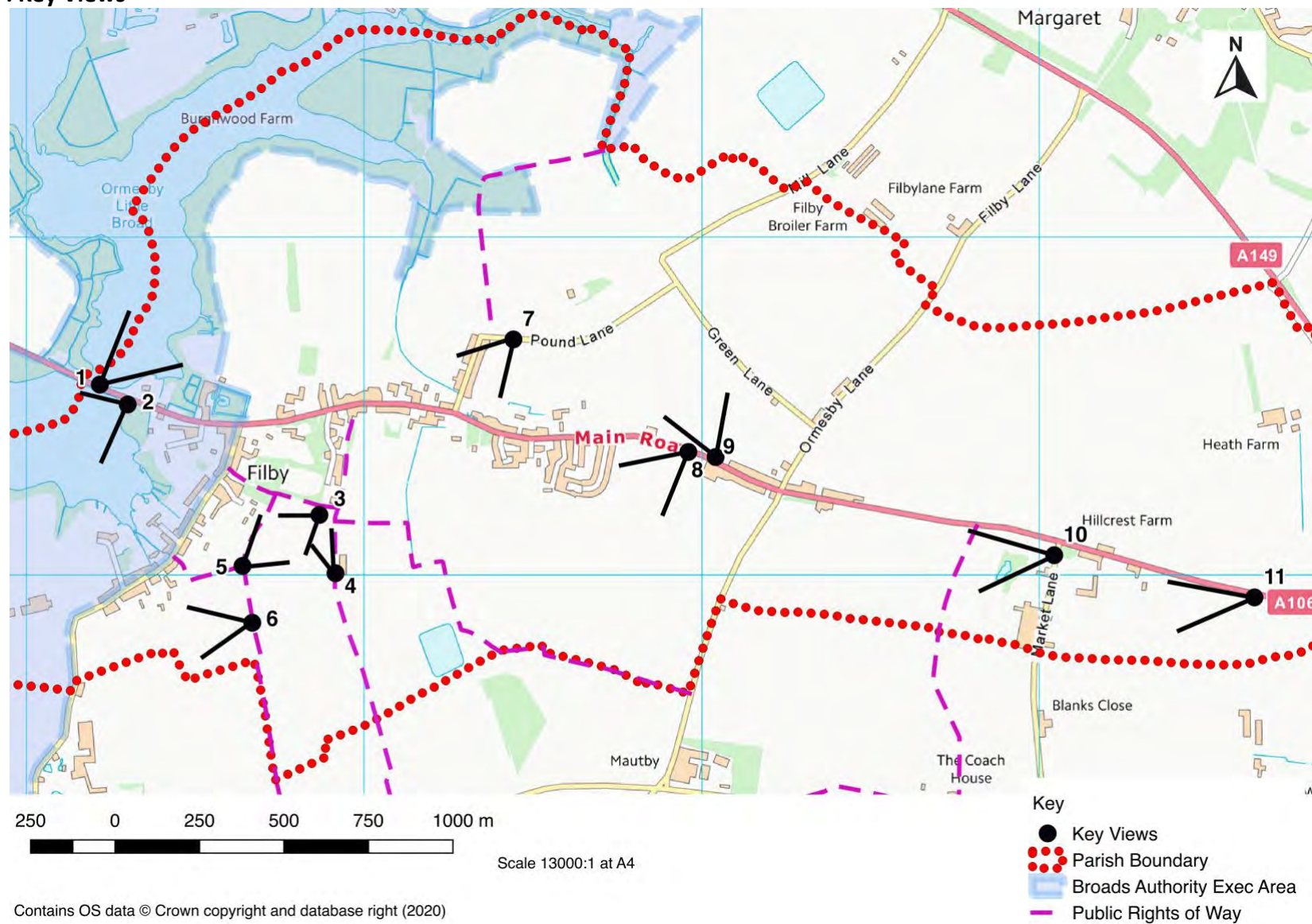
## Landscape Character

58. The landscape setting of the parish is open and dominated by arable farmland which makes up around 76% of the parish and amounts to approximately 388 hectares. Accordingly, the Great Yarmouth Character Assessment classifies the parish as 'Ormesby and Filby Settled Farmland', an enclosure of arable landscape. The character area is fringed by and forms the landscape setting of the Broads, which is reflected in the Broads Authority Character Assessment of the Muck Fleet Valley – The Trinity Broads. The wooded backdrop of the Broads creates a sense of heightened tranquillity and wildness, in an otherwise arable landscape. Key considerations in relation to development include ensuring that settlement edges are transitional in character and integrate within their landscape setting. Existing hedgerows should be reinforced and wooded wetlands which form part of the Broadland landscape setting should be conserved. This is reflected in **Policy E5**.
59. The Broads and surrounding arable farmland play an important part in Filby's sense of place and local distinctiveness. The topography, which is fairly flat, results in a number of stunning views over the countryside and of the church, a key landmark. The neighbourhood plan seeks to conserve Filby's landscape character by protecting eleven key views and vistas, all of which are accessible from public places within the parish. These views were identified by residents as part of consultation exercises to develop the plan and have been independently assessed against objective criteria to determine their inclusion. A separate document, Filby Views Assessment is available as part of the evidence base.
60. The key views are protected in **Policy E5**. This does not rule out all forms of development, but requires that the location, scale and design have given full consideration of key views and the development will not obstruct or punctuate key views in a way that would undermine the contribution they make to defining the character of Filby parish.

View 1: Ormesby Little Broad



Figure 7: Key Views



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View 2: Filby Broad



View 3: From All Saints Church



View 4: All Saints Church





View 5: All Saints Church and down to the village settlement



View 6: Thrigby Hall & Wildlife Gardens



View 7: The village from Pound Lane





View 8: Across arable fields in the gap between the two distinct parts of the settlement



View 9: Across arable fields in the gap between the two distinct parts of the settlement



View 10: Filby Heath from Market Lane





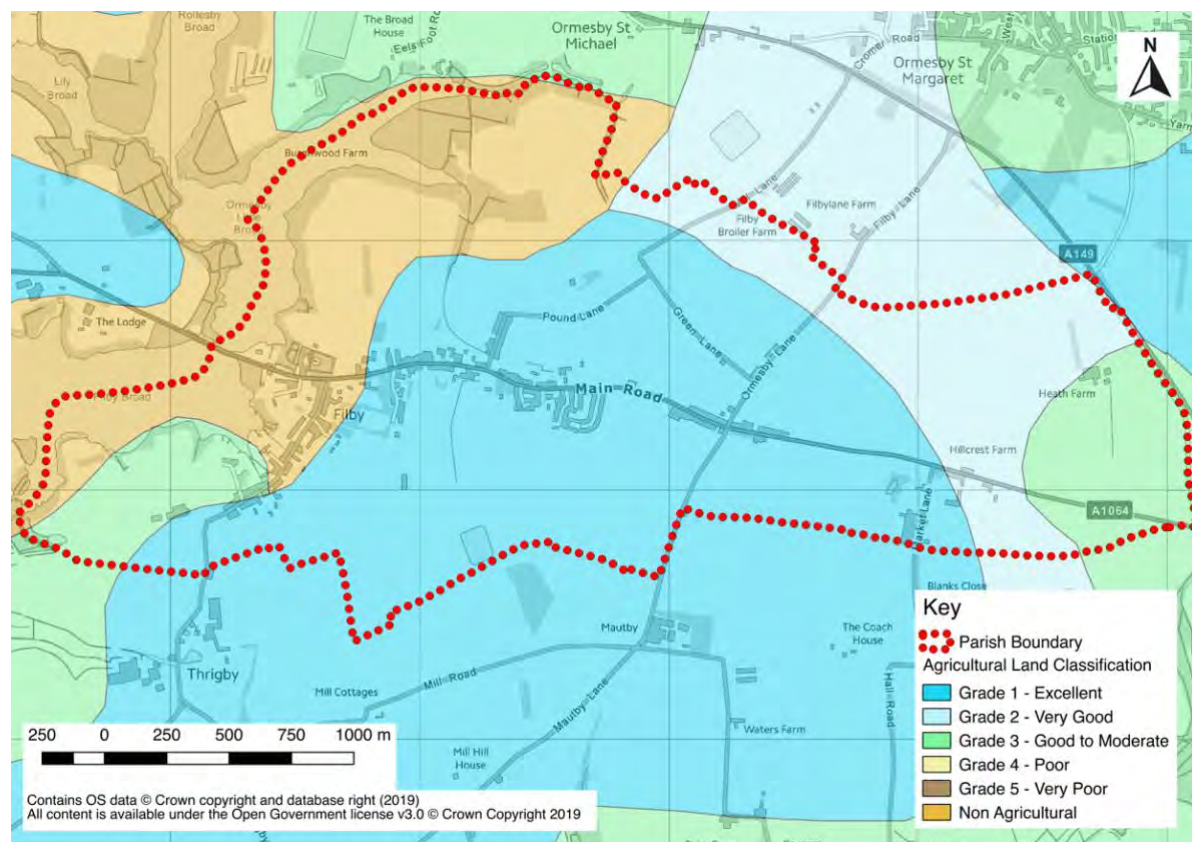
View 11: Filby Heath from Wood Farm Loke



## Agriculture

61. Much of the arable farmland surrounding the main settlement is classified as the best and most versatile agricultural land, see **Figure 8**. The plan seeks to protect valuable agricultural land classified as Excellent quality (Grade 1) through **Policy E5**, as this contributes to the sustainability of the area, given the importance of farming to the economy, and Filby's setting. This complements Policy SP4: Soils in the Local Plan for the Broads, which seeks to protect the best and most versatile agricultural land, defined as Grades 1, 2 and 3a. This specifically covers the Broads Authority area. Planning applications for development of agricultural land may need to include an updated survey of land quality in accordance with current guidelines.

**Figure 8: Agricultural Land Classification**



### **Policy E5: Landscape Character**

Development proposals must conserve and enhance the character, utility and setting of the parish.

Proposals will be supported where it can be demonstrated they are sited, designed and of a scale that does not significantly harm the key views identified in **Figure 7**.

Proposals sited on Grade 1 agricultural land that is currently in farming use will not be supported, unless the community benefits of such development significantly and demonstrably outweigh the harm of losing the land in the long term, such as affordable housing.

Proposals adjacent the Broads must reflect the transitional nature of this part of the parish by reinforcing existing hedgerow and conserving wetland areas.

## **Flood and Water**

62. The area to the west of Thrigby Road, and a smaller area to the west of Pound Lane are identified as being within fluvial flood risk zones 2 and 3, medium and high risk. Here the risk of surface water flooding is also greater. In addition, Environment Agency maps indicate surface water flooding along the main A1064 and Mill Lane, Green Lane and Filby Lane. To a large extent, policies in the NPPF, Great Yarmouth Local Plan and the Local Plan for the Broads, ensure flood risk is considered through the planning process. This policy framework cannot solve existing flooding problems, but it should ensure issues are not worsened through development proposals.
63. Filby's surface water collection and disposal is largely based on the original medieval system. In the main this system continues to work well. An interesting network of ditches takes the water north and then west in stages until it discharges into the Trinity Broads. At various points ponds were located which help to smooth the flow of water during heavy rain and provide drinking water for animals. There were also boggy areas which helped balance the flow. One of these still remain today. The lowest point of the village is on the main road where it joins Pound Lane. Water from both directions flows towards this point and is carried to the Broad through critical ditches which skirt around or are cut through the rising ground to the west.
64. Changes to the system in recent years have affected its efficiency:
  - At least one pond has been filled in, another has had its flow interrupted recently.
  - The west flowing dyke on the north side of the main road has been filled and the flow diverted further to the north to join a pre-existing parallel system to the Broad;
  - At least one dyke has had the flow reversed and been partly filled and sections piped under buildings;

- Instances have been discovered where dumping in the ditch, usually garden waste, have blocked the flow.
65. The success of the system relies on the careful management of surface water flows and open land holding and balancing flows during spells of heavy rainfall. Any future development resulting in an increase in hard, impervious surfaces will result in increased water needing to be carried away that could cause problems in the future.
66. In line with its environmental objectives, the neighbourhood plan will ensure that development supports wildlife habitat and extends the ecological network through the use of Sustainable Drainage Systems (SuDS). SuDS provides an effective way of both managing surface water and creating diverse habitats for wildlife. With good design SuDS provide shelter, food and breeding opportunities for a variety of wildlife species. Biodiversity benefits can be delivered by even small, isolated components, but the greatest value is likely to be delivered where SuDS are planned as part of wider green landscapes and they can assist with wildlife connectivity.

#### **Policy E6: Managing Surface Water**

To promote sustainable development and help address vulnerability to the effects of climate change all development proposals should incorporate Sustainable Drainage Systems (SuDS) appropriate to the scale and nature of the development. Such measures will be required except where this is not technically feasible or where it can be demonstrated that other factors preclude their use.

Development must maximise the use of permeable materials to increase infiltration capacity and incorporate on-site water storage. This will be required unless the developer can provide justification to demonstrate that it is not practicable or feasible within the constraints or configuration of the site. Proposals making use of green roofs will be seen to deliver significant benefit.

SuDS should link with Filby's key wildlife corridors (as identified in **Figure 5**), acting as a stepping stone.



## Built and Historic Environments

This section on the **Built Environment** and the policies it contains aims to deliver the following neighbourhood plan objectives for Filby:

**Objective A:** Ensure the natural environment is a key consideration in all decisions about how Filby changes;

**Objective F:** Conserve the significance of heritage assets;

### Heritage Assets

67. Historically Filby developed as a farming community. There are numerous finds of archaeological importance, fragments of field systems are visible as cropmarks dating back to the Bronze Age, Iron Age and Roman Period (Norfolk Heritage Explorer). There are nine Grade II Listed Buildings, the majority of which are along the main road through the village and cluster around All Saint's Church which is grade II\* listed. There are also non-designated heritage assets of significant local importance, some of which are listed on the Norfolk Historic Environment Record.



*Filby Church of All Saints, Grade II\*, Mike Page*

68. A robust evidence base has been developed to support the neighbourhood plan. This includes consultation with residents, character assessment, review of historic records including the Norfolk Historic Environment Record, and advice from the

Historic Environment Team at Norfolk County Council, to assess the significance of heritage assets. This has enabled identification of twelve non-designated heritage assets that are worthy of protection in the Neighbourhood Plan. In accordance with national guidance, each of these has been assessed against criteria provided in Historic England's Advice Note 7 on Local Heritage Listing<sup>4</sup>. This is provided as a supplementary evidence document to support the Neighbourhood Plan. Preservation of these assets and their settings are important for good community reasons and help to engender community feel and identification.

69. The National Planning Policy Framework requires the submission of a Heritage Statement for any application for works to any heritage asset, including a locally designated one such as those identified in Filby Neighbourhood Plan. Where an application proposes the demolition of any non-designated heritage building the Heritage Statement will need to justify its loss through a structural survey and reasoning as to why the existing building cannot be retained or extended.
70. The following assets are identified in Filby Neighbourhood Plan as non-designated heritage assets, they are also located on **Figure 9**.
  - A. **The Homestead**: This property is not listed, although the barn behind it is a Grade II Listed building that dates to the late 17<sup>th</sup> Century. The Homestead may be of the same date as the barn, but it has been heavily modified.
  - B. **Filby Clubroom**: This is one of the last remaining buildings made from local clay lump from the Filby Claypit. It used to be the reading room and is an interesting building worthy of protection.
  - C. **The King's Head Pub**: This is also one of the last remaining buildings built of locally sourced clay lump. It was previously a significant smugglers location. The building dates from before 1840, though has been heavily modified.
  - D. **The Dissenters Chapel**: This is an early chapel worthy of preservation. It was built in 1705, though badly damaged during World War 2. The chapel is also listed on the Norfolk Historic Environment Record NHER 31187.
  - E. **The Primary School**: The original school room was built in Tudor style and dates to 1838, enlarged in 1877 and a further room added in 1882. The school is listed on the Norfolk Historic Environment Record NHER 55147.
  - F. **The Raspberry (Jam) Shed**: Filby used to be an important community growing raspberries and this is where they were weighed prior to shipping to London. The building is not listed, but of local interest and worthy of preservation.
  - G. **Vine Cottage**: This is a 19<sup>th</sup> Century house of some status, being the old Curates House. The cottage is not listed, but of local importance.

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<sup>4</sup> <https://historicengland.org.uk/images-books/publications/local-heritage-listing-advice-note-7/heag018-local-heritage-listing/>



- H. **The Toll House:** This is the last house in the village, not listed, but of community value. It is identified on Norfolk Historic Environment Record NHER 18357.
- I. **White Thatch Cottage:** This building dates back to 1600 and is very pretty cottage of local importance. Visitors to the village sometimes stop to take photos.
- J. **The White House:** This was originally built as a Methodist chapel, now a private dwelling. It is of significant local importance and its history has recently been recorded by residents.
- K. **Earthworks of a medieval moated site:** This monument is on Norfolk Historic Environment Record NHER 31191. It is the earths of a possible moat or decoy pond, ditches and possible water meadow of probable medieval date which are visible on aerial photographs.
- L. **Filby Broad & Ormesby Little Broad:** The entire Rollesby Broad complex is listed on the Norfolk Historic Environment Record NHER 13509 as a series of medieval peat cuttings which flooded in the late medieval and post medieval periods to form the Broad. The complex is shown on Saxton's Map of 1574. The Broad has a special designation by Historic England as 'an area of exceptional waterlogged archaeology'.

#### **Policy BE1: Heritage Assets**

Development should preserve, and wherever possible enhance the historic character, appearance and setting of designated and non-designated heritage assets.

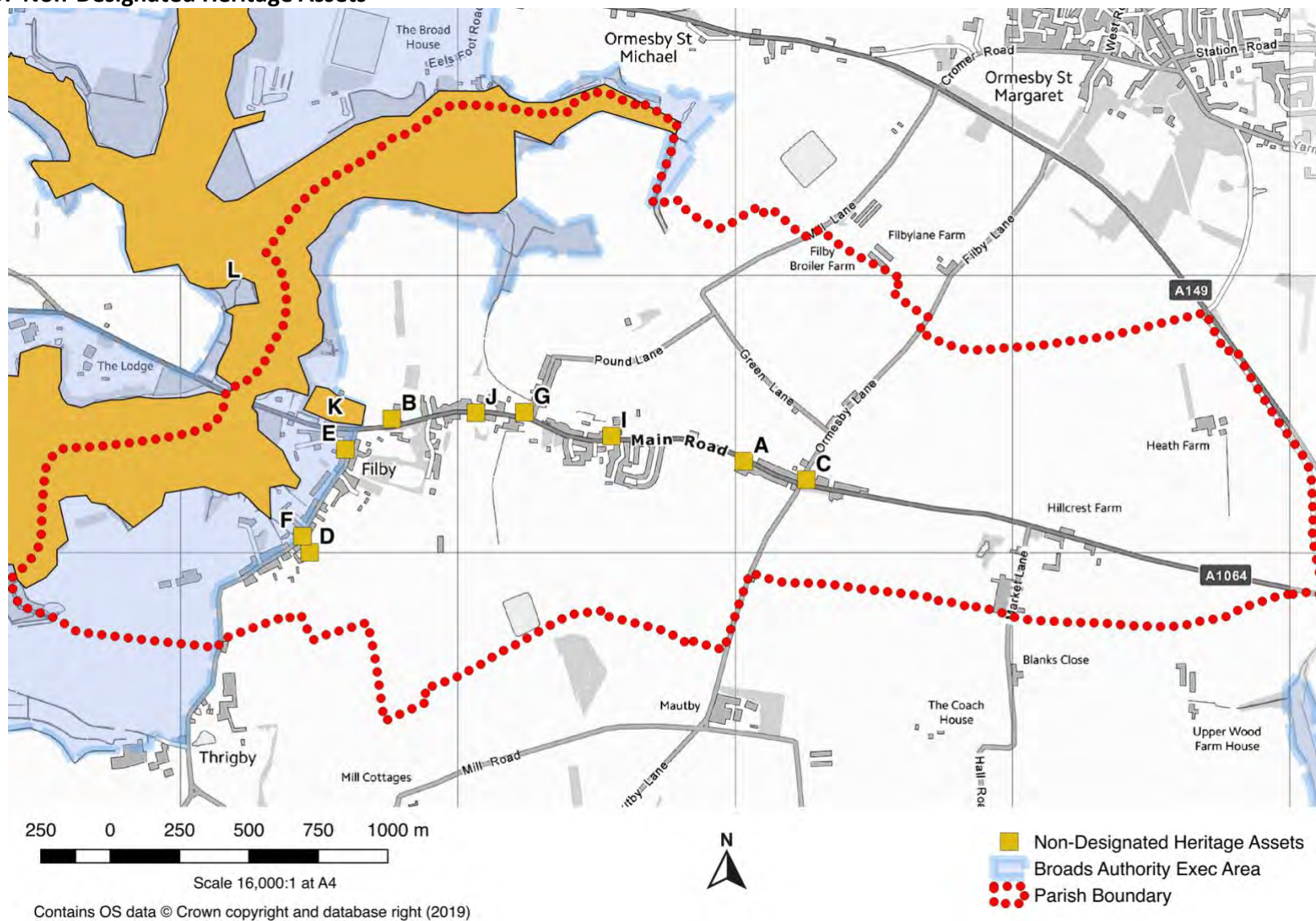
Proposals that could affect such assets will be expected, through agreement with the local planning authority, to submit an assessment that is suitable and proportionate in line with the significance of the asset.

For buildings listed as non-designated heritage assets (**Figure 9**):

- a) Conversions for economic or residential purposes in locations that would otherwise be unacceptable will be considered where this would ensure the retention of the building; and
- b) Applications for replacement dwellings will be expected to be accompanied by a Heritage Statement that justifies its loss. Any replacement should make an equal or more significant positive contribution to the wider character of the area to mitigate the harm caused by the loss of a heritage asset.

Norfolk County Council, acting as advisors to the Local Planning Authority, will advise on suitable mitigation measures (if required on all new developments within the parish) if they potentially affect buried archaeological remains.

Figure 9: Non-Designated Heritage Assets



## Filby Village Gap

71. The emerging Great Yarmouth Local Plan Part 2 recognises there are two distinct parts of the built-up area of Filby and seeks to retain the gap between them.
72. The village gap is defined in **Figure 10**. Any development within this gap would change the rural aspect of the village and affect the long views currently possible into the surrounding countryside. The gap also has an important historical role in Filby, as the village used to comprise three distinct Manorial systems; one around the crossroads by the King's Head pub; another manor in the middle area; and a third around Church Lane. The history of the village is well documented in the Village Archives and on historical maps, which remain in the village today. There is a listed building (the Barn at the Homestead) and non-designated heritage asset identified in this Neighbourhood Plan (the Homestead), situated adjacent the gap defined to the south of Main Road. Any development on the southern side may affect the setting of these heritage assets. The Neighbourhood Plan seeks to provide additional protection against development happening in the village gap, enabling each element of the settlement to retain its separate identity.

### Policy BE2: Filby Village Gap

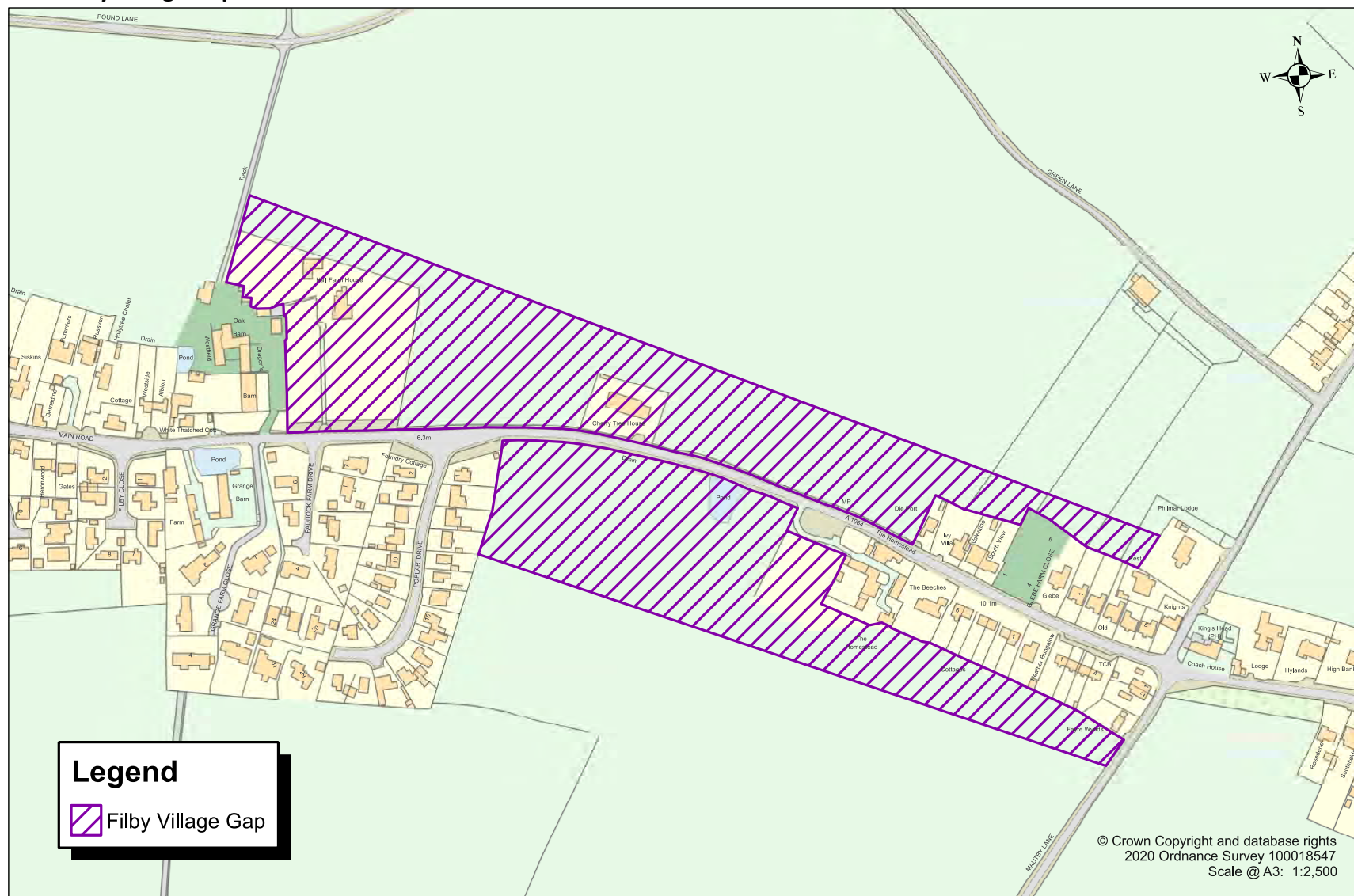
An area of separation between the two distinct parts of the village settlement, as defined in **Figure 10**, will be maintained. Development that detracts from the open character of this area or reduces the visual separation will not be permitted.



*The White House (Non-designated heritage asset - J)*



### Figure 10: Filby Village Gap



## Access and Transport

This section on **Access and Transport** and the policies it contains aims to deliver the following neighbourhood plan objectives for Filby:

**Objective A:** Ensure the natural environment is a key consideration in all decisions about how Filby changes;

**Objective C:** Ensure any future housing development meets the needs of current and future residents of the parish;

**Objective E:** Respond to climate change, promoting sustainable development and energy efficiency;

**Objective H:** Promote access to the countryside for recreation and enjoyment;

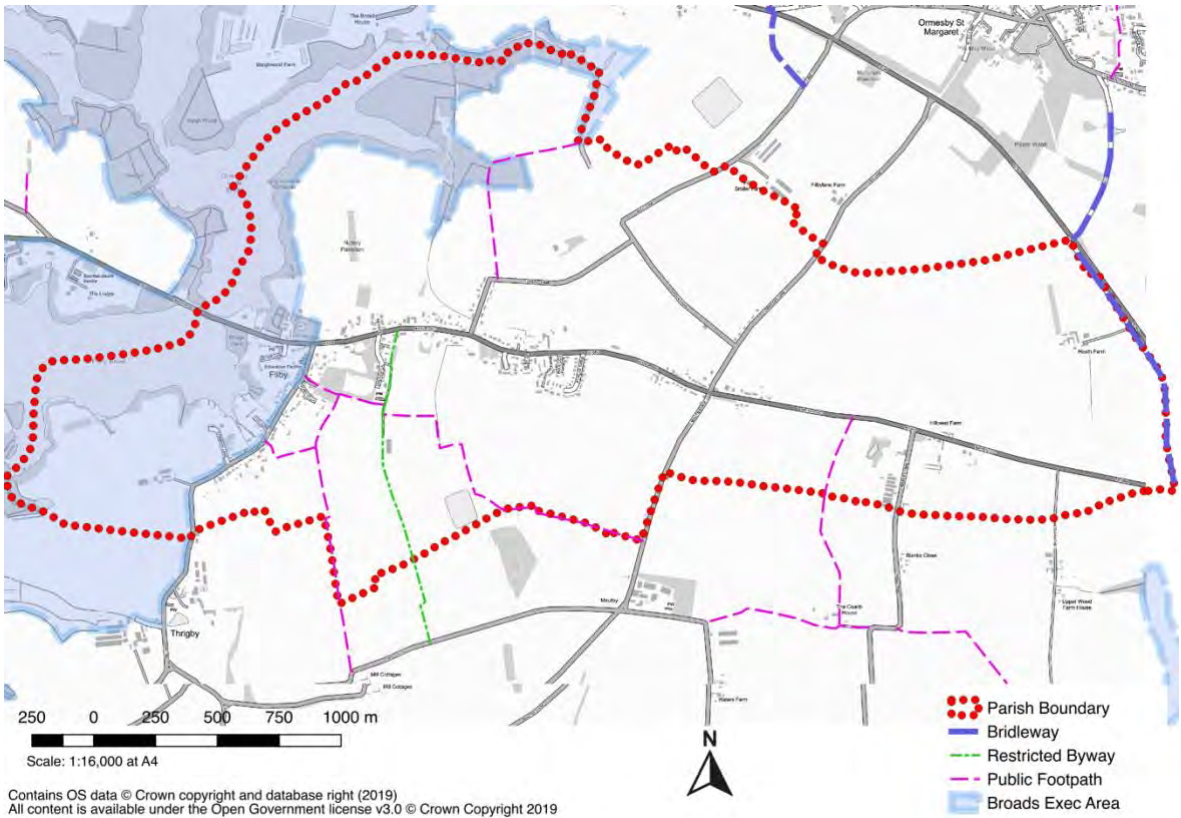
**Objective I:** Reduce the impact of traffic through the village, investigating ways to emphasise entrances to the village, signifying the change from rural roads to speed restricted areas.

### Countryside Access and Sustainable Transport

73. The NPPF and the Local Plans support the promotion of sustainable transport and highway safety. Highway safety will be picked up in the next section on **Traffic and Speed**, with this section focusing on access and sustainable transport such as walking.
74. A lack of good public transport within the village contributes to high levels of private car use. Although a relatively low proportion of households have no car, they are very dependent on local services and public transport. In addition, for other households with just the one car, many of the household members will not have the use of the vehicle if it is used for commuting and so not available for much of the day.
75. Support for walking as an active form of travel was a key outcome from community consultation, especially to access the wider countryside and enabling people to walk to local services and facilities, such as the school. Walking improves both physical and mental well-being and health. It also reduces the need to use the car which has environmental benefits. Within the village, walking appears to be the most popular mode of transport for local trips, but only 5% walk to work, no doubt because of the scarcity of local jobs. There is a footway along one side of the main road through the village, though part footway along Ormesby Lane, which is narrow, for residents to gain access to the village centre. Being able to cross Main Road safely to access the footway on the north side, or just to get to the primary school or playing fields for example, is a concern for many residents, especially with respect to children.
76. Filby has a number of Public Rights of Way, including bridleways, see **Figure 11**, that connect the village with surrounding countryside. Many of these run along field boundaries and there is a concentration to the south-east around the Broads. There are concerns about the condition/ maintenance of some of the footpaths and the

provision of safe off-road routes for horse riders is a priority in the Rights of Way Improvement Plan. There is an aspiration to enhance access across Filby Common and provide circular riding routes for local stables. Access into the open countryside is not only good for wellbeing but, by providing alternatives, may take some recreational pressure off the Broads SSSI and SAC which are environmentally very sensitive, although improving access via footpaths to the Broads will be supported where this is appropriate.

**Figure 11: Public Rights of Way**



### **Community Policy 3: Public Rights of Way**

The Parish Council will work with partners such as landowners and the county council to ensure that Public Rights of Way within Filby are well maintained for the continued enjoyment of residents and visitors. This includes provision for horse riders, enhancing access across Filby Common.

77. Filby is served by public transport, with bus stops mainly along the main road. There is one peak hour bus service to Great Yarmouth and another to Acle, but no other services. This is not sufficient to attract many people away from their cars with very few travelling to work by public transport. In part this is because public transport options are limited and not flexible enough to meet the needs of most people.

78. Developments will be expected to take all reasonable opportunities to provide for safe and convenient access for pedestrians and public transport users. This could include providing new or enhanced facilities as well as improving the physical condition of existing facilities. As required by national and local policy, it is expected that housing and other development will contribute towards improving such local services and infrastructure through the payment of a Community Infrastructure Levy (CIL); planning obligations; or the use of planning conditions.

#### **Policy AT1: Sustainable Transport**

New developments will be expected to encourage and enhance sustainable travel choices. Development proposals must demonstrate safe walking links to local services and community facilities, especially to the primary school, playing field and bus stops. Any reasonable opportunities to make crossing Main Road safer must be exploited.

Where necessary, new developments will be expected to improve and/or extend footpaths and footways. Enhancements to existing Public Rights of Ways will need to focus on those that have the potential to take recreational walking pressure off those parts of The Broads SSSI and SAC where habitat deterioration and disturbance are a concern.

All reasonable opportunities to promote and enhance the use of public transport, such as improved waiting facilities, will need to be taken.

79. While using the car in rural areas such as Filby is often the only practical way to get around, the policy promotes the use of more sustainable modes of transport. The benefits vary from reduced air pollution, reduced CO<sub>2</sub> emissions contributing to climate change, better health and well-being, less congestion and less money spent on fuel. Developers can contribute by encouraging a modal shift, for example with a travel plan and by providing infrastructure.
80. To promote sustainable access, applications must, where reasonable to do so, be able to demonstrate that the site is accessible by walking and that future occupiers will be able to walk to most of the local services and facilities and to a bus stop. Contributions and improvements must be proportionately related to the development. These may include the provision of entirely new footway or footpath links, or the improvement, such as the widening, of existing ones, or the provision of crossing points on Main Road. Footway width should ideally be sufficient for two parents pushing a child's buggy to walk side by side. Footpath improvements will need to have regard to any prevailing Public Rights of Way Improvement Plan of Norfolk County Council, as well as the Broads Integrated Access Strategy.

#### **Traffic and Speed**

81. Under 10% of residents travel less than 5km to work, which is very low compared to the 43% of people who travel less than 5km across the Borough. This is no doubt

related to the fact that the village lacks services and employment opportunities. The car is the most popular mode for travelling to work by far with 92% of residents either driving or being a passenger. This is higher than the national figure and that for the borough, which is around 70%, which likely reflects limited employment locally and infrequent/inconvenient public transport links.

82. In the consultations, the community is particularly concerned about traffic, both through traffic as the A1064 is a popular commuter route towards Great Yarmouth one way and Norwich the other, and that generated by new development. Traffic is often diverted along the A1064 through the village if the A47 Acle Straight is closed, which can make it very busy. It is not just traffic volume however that causes concern, but the type of traffic – lorries and farm vehicles, and its speed. Although the data indicates that road safety is not a significant issue within the village in terms of actual injury accidents, vehicles travelling in excess of the speed limit is currently a major concern for local residents. The roads through the village are subject to a 30mph limit, however local monitoring as part of Community Speedwatch indicates that average speeds are nearer 40mph and sometimes considerably higher. Speeding traffic compromises pedestrian safety, raising the risk of serious injury, and many people are simply concerned about crossing Main Road safely. Measures to slow down traffic on the A1064 has strong local backing.

#### **Policy AT2: Traffic and Speed**

Development should not be detrimental to highway safety and will be required to mitigate its own impacts. New development will need to take reasonable opportunities to reinforce the 30mph speed limit through Filby on the A1064. This could include implementing specific schemes that help to reduce traffic speeds.

83. Specific schemes could include a village gateway scheme at each end of the village, highlighting the change of environment where a 30mph limit applies, or crossing points for pedestrians. However, the speed limit can also be reinforced through the design of new development, such as providing accesses directly onto the A1064, as per **Policy H2**.





# **FILBY NEIGHBOURHOOD PLAN 2020-2030**

Consultation Statement

September 2020

# Introduction

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## Overview of Filby Neighbourhood Plan

1. Filby Neighbourhood Plan has been prepared in accordance with the Town & Country Planning Act 1990, the Planning & Compulsory Purchase Act 2004, the Localism Act 2011, the Neighbourhood Planning (General) Regulations 2012 and Directive 2001/42/EC on Strategic Environmental Assessment.
2. It establishes a vision and objectives for the future of the parish and sets out how this will be realised through non-strategic planning policies.

## About this consultation statement

3. This consultation statement has been prepared by [Collective Community Planning](#) on behalf of Filby Parish Council to fulfil the legal obligation of the Neighbourhood Planning Regulations 2012. Section 15(2) of Part 5 of the Regulations sets out that a Consultation Statement should contain:
  - a) Details of the persons and bodies who were consulted about the proposed neighbourhood development plan;
  - b) Explains how they were consulted;
  - c) Summarises the main issues and concerns raised by the persons consulted; and
  - d) Describes how these issues and concerns have been considered and where relevant addressed in the proposed neighbourhood development plan.
4. It has also been prepared to demonstrate that the process has complied with Section 14 of the Neighbourhood Planning (General) Regulations 2012. This sets out that before submitting a plan proposal to the local planning authority, a qualifying body must:
  - a) Publicise, in a manner that is likely to bring it to the attention of people who live, work or carry on business in the Neighbourhood Plan area:
    - i. Details of the proposals for a neighbourhood development plan;
    - ii. Details of where and when the proposals for a neighbourhood development plan may be inspected;
    - iii. Details of how to make representations; and
    - iv. The date by which those representations must be received, being not less than 6 weeks from the date on which the draft proposal is first publicised;
  - b) Consult any consultation body referred to in paragraph 1 of Schedule 1 whose interests the qualifying body considers may be affected by the proposals for a neighbourhood development plan; and
  - c) Send a copy of the proposals for a neighbourhood development plan to the local planning authority.
5. Furthermore, the National Planning Practice Guidance requires that the qualifying body should be inclusive and open in the preparation of its Neighbourhood Plan, and ensure that the wider community:
  - Is kept fully informed of what is being proposed;

- Is able to make their views known throughout the process;
  - Has opportunities to be actively involved in shaping the emerging Neighbourhood Plan; and
  - Is made aware of how their views have informed the draft Neighbourhood Plan.
6. This statement provides an overview and description of the consultation that was undertaken by Filby Parish Council in developing their Neighbourhood Plan, in particular the Regulation 14 Consultation on the pre-submission draft. The working group have endeavoured to ensure that the Neighbourhood Plan reflects the views and wishes of the local community and the key stakeholders which were engaged with from the very start of its development.

## Summary of consultation and engagement activity

7. This section sets out in chronological order the consultation and engagement events that led to the production of the draft Filby Neighbourhood Plan that was consulted upon as part of the Regulation 14 Consultation.
8. A significant amount of work went locally into engaging with the community early in development of the plan, so that it could be informed by the views of local people. Consultation events took place at key points in the development process, and where decisions needed to be taken, for example on local green spaces. A range of events and methods were used and at every opportunity the results were analysed and shared with local people.

### Summary of Early Engagement

Activity	Date	Who was consulted	Summary
Public meeting to discuss developing a Neighbourhood Plan	March 2019	Local residents Great Yarmouth Borough Council (GYBC)	Public meeting to discuss development of a Neighbourhood Plan for Filby. Approximately 35 residents attended in addition to neighbouring parishes and GYBC. Several presentations given on Neighbourhood Planning and a question / answer session.
Website	April 2019	All local residents	<a href="#">Neighbourhood Plan</a> page established on the Filby Parish Council website. Regularly updated throughout development of the plan.
Area designation	June 2019	GYBC, Broads Authority	Area designation approved through the Borough Council and Broads Authority
Working group established	June 2019	Parish Council, all residents	Including 4 members of the Parish Council and 6 residents. This met

			as and when required to take decisions around the plan's development.
Issues and options consultation	August 2019	All local residents Local businesses	All households received a paper survey with 19 questions ( <b>Appendix A</b> ). The survey could also be filled in online and there was a consultation event. The event and survey were both advertised in the Mercury and via the village shop/PO. People could drop completed surveys at the shop/PO or wait for it to be collected at the end of the consultation period. The consultation ran for 3 weeks from 12 to 30 August. There was a 34% response rate to the survey and 24 people attended the consultation event. A full report is provided in <b>Appendix B</b> .
Gathering evidence on Non-designated heritage assets	November 2019	Norfolk Historic Environment Service	Input sought from Norfolk County Council Historic Environment Service on non-designated heritage assets to be identified and protected in the plan.
Information on protected trees	November 2019	GYBC	Input on protected trees in the parish provided by Great Yarmouth Borough Council and reviewed by the working group with additional trees identified for consideration.
SEA Screening Opinion	December 2019 – February 2020	Statutory Environmental Bodies GYBC	Statutory Environmental Bodies consulted on the draft plan as part of a Strategic Environmental Assessment Screening exercise.
Local Green Spaces / non-designated heritage assets	December 2020	Landowners	Owners of local green spaces and non-designated heritage assets identified in the plan contacted to explain implications and intentions.
Identifying green/wildlife corridors	January 2020	Members of the working group & Norfolk Wildlife Trust	Interactive session to map green/wildlife corridors in the parish, based on existing evidence compiled.
GYBC & Broads Authority review draft plan	February 2020	GYBC Broads Authority	Review draft plan and provide feedback prior to Regulation 14 Consultation

## **Early engagement - summary of the main issues raised**

9. These included:

- Accessing the wider countryside and Broads for enjoyment;
- Better infrastructure for walking;
- The amount and speed of traffic on Main Road;
- The amount of recent housing development;
- A lack of support for further housing development in the village, but if there is further housing then ensuring this better meets the needs of local residents;
- Need to support local businesses;
- Ensuring any new houses are sensitively designed, but supporting innovative eco-design;
- Protecting habitats for wildlife, and protecting the 'dark skies';
- Flooding and sewerage issues;
- Retaining what residents love about the village, including its peacefulness, tranquility and attractiveness;
- Retaining and building on the strong sense of community.

## **Early engagement - how this was considered in development of the pre-submission plan**

10. Filby is a very special place environmentally due to its proximity to the Trinity Broads network. Many residents are actively involved in conservation activities and have participated in habitat surveys, working with the Norfolk Wildlife Trust / Trinity Broads Partnership. The importance of the environment and local wildlife preservation was reinforced through feedback received during the Issues and Options Consultation. Following this, the working group decided to develop wildlife corridors for the parish, building on previous survey work undertaken and ideas from local residents. These wildlife corridors are a central part of the plan.
11. Flooding was identified as a key issue during consultation. Making use of expertise on the working group, the plan has sought to provide greater context and a history to the way drainage works within the parish and why particular problems have arisen. The policy on surface water included within the plan seeks to link with the central approach of enhancing habitat for wildlife.
12. Feedback from residents on local housing need has influenced policies in relation to housing mix and type.
13. Feedback from residents on likes and dislikes was used to identify a vision and objectives for the plan.
14. The issues and options consultation in August 2019 was used to refine key policy areas for the plan, including housing mix and design, habitat for wildlife, trees and hedgerows, local green space and landscape.

15. Many comments were received about potential Local Green Spaces and important views during the consultation, with residents asked to make comments on why they were special to the community. Responses particularly related to the wildlife value and recreational benefit of spaces. Following consultation, a shortlist of Local Green Spaces and key views were independently assessed and further considered by the working group before being included within the Neighbourhood Plan.

## Regulation 14 Consultation

### Details of who was consulted

16. The consultation ran for eight weeks from 27 July to 20 September 2020. Everyone who was consulted is listed in the table below. This meets the requirements of Paragraph 1 of Schedule 1 in Regulation 14.

Who	Method	Response Received
All residents of the parish	<ul style="list-style-type: none"> <li>Leaflet and survey delivered to all households in the parish (<b>Appendix C</b>)</li> <li>Hard copies of the plan available from Filby Post Office or by calling the chair of the parish council</li> <li>All documents, including supporting evidence, <a href="#">available online</a> (<b>Appendix D</b>)</li> <li>Online survey</li> <li>Posters in key locations around the village (<b>Appendix E</b>)</li> <li>Advertised on the website</li> <li>Article in the NR29 Magazine on Neighbourhood Planning advertising the consultation, this is sent to all residents and available online (<b>See Appendix F</b>)</li> <li>Advertised on various local Facebook pages (<b>Appendix G</b>)</li> </ul>	51 responses
Neighbouring parishes – Fleggburgh, Ormesby St Michael, Ormesby St Margaret with Scratby, Mautby,	Emailed stakeholder letter (see <b>Appendix H</b> )	No
Anglian Water	Emailed stakeholder letter	Yes
British Pipeline Agency	Emailed stakeholder letter	No
Broads Authority	Emailed stakeholder letter	Yes
Cadent Gas	Emailed stakeholder letter	No
Environment Agency	Emailed stakeholder letter	Yes
Essex and Suffolk Water	Emailed stakeholder letter	No

Great Yarmouth Borough Council	Emailed stakeholder letter	Yes
Health and safety Executive	Emailed stakeholder letter	No
Highways England	Emailed stakeholder letter	No
Historic England	Emailed stakeholder letter	Yes
Natural England	Emailed stakeholder letter	Yes
Norfolk and Waveney STP	Emailed stakeholder letter	No
Norfolk County Council	Emailed stakeholder letter	Yes
Norfolk Wildlife Trust	Emailed stakeholder letter	No
Openreach	Emailed stakeholder letter	No
Sport England	Emailed stakeholder letter	No
UK Power Networks	Emailed stakeholder letter	No

## Consultation Methods

17. Several methods were adopted to ensure that all relevant bodies and parties were informed of the consultation, as well as ensuring that local residents were made aware of the consultation and provided with opportunities to provide their views and comments. The approach aligns with updated Planning Practice Guidance with respect to Neighbourhood Plans and the Coronavirus (Covid-19) pandemic.
18. A leaflet on the Neighbourhood Plan and survey was sent to every household and business in the parish, this was undertaken at the beginning of the consultation period. This informed people how they could access the draft plan and supporting documents, make representations and the timeframe for doing so. A copy of the leaflet/survey is in **Appendix C**.
19. A poster was placed in various locations around the village, including all noticeboards and in the shop/post office. A copy of this is provided in **Appendix E**. This provided details on where and when the Neighbourhood Plan could be inspected, including electronic and hard copies. Posters were put up at the beginning of the consultation period.
20. The consultation was advertised in the NR29 magazine, a magazine sent to all residents in the NR29 postcode area. The article was combined with a wider piece on Neighbourhood Planning in addition to a specific reference to the Filby Neighbourhood Plan Reg 14 consultation. The article is shown in **Appendix F**.
21. During the consultation period the Neighbourhood Plan was advertised and available for download along with all the supporting documents on the website:  
  
<http://www.filbyparishcouncil.org.uk/neighbourhood-plan/4594998144>
22. The supporting documents available included the SEA/HRA Screening Assessment, SEA Screening Opinion, the Evidence Base and Consultation Report (from issues and options).
23. The website included the dates of the consultation and the various methods of commenting on the draft plan to encourage as many responses as possible.

24. Hard copies of the draft plan were available to view in the Post Office and shop, which is key focal point within the centre of the village. In addition, it was possible for people to request a hard copy of the plan by contacting the chair of the Parish Council and Neighbourhood Plan working group. One person requested a hard copy in this way.
25. An email was sent directly to each of the statutory consultees supplied by Great Yarmouth Borough Council, as listed above, meeting the requirements of Paragraph 1 of Schedule 1 in Regulation 14. This was sent on 28 July. A copy of this is provided in **Appendix H**. The email informed the statutory bodies of the commencement of the consultation period. These contacts involved numerous bodies and individuals that the Neighbourhood Plan working group and the Borough Council believed will be affected by the Neighbourhood Plan for Filby, such as neighbouring parishes, key bodies such as Historic England and Natural England. The email notified consultees of the Neighbourhood Plan's availability on the website, alongside supporting materials, and highlighted several methods to submit comments.
26. Throughout the consultation it was possible for people to make representations by:
- Completing an online survey;
  - Filling in a hard copy of the survey or electronic version of the survey and sending this to the working group;
  - Providing feedback via letter or electronically to the working group.

## Responses

27. At the end of the consultation period there were 51 completed forms from local residents, either filled in electronically, by hand or online. One resident also responded via letter.
28. Seven statutory consultees wrote to the working group with their comments on the draft plan, either in letter or email form.
29. The next section summarises the main issues and concerns raised and describes how these were considered in finalising the Neighbourhood Plan.



## Responses to the survey from local residents

Residents were asked to indicate whether they agreed with each policy in the plan and provide any comments they had.

Policy	Yes	No	Summary of Comments	How taken into account
H1: Housing Type & Mix	46	3	Broad agreement that there is a need for more affordable housing, or homes suitable for younger people. A few comments about affordable housing products and how these work in practice, and whether they are well suited to the village given the current demographic.	Noted
H2: Design	45	4	Most comments in support, emphasising that new development should fit with the rural character of the village. A number of people object to new development in the village and felt that this policy encouraged it. One comment was received in relation to insulation and the downfall of having too much. Query in relation to compatibility with Policy E6 (this is explored in E6) and Policy BE2 (Filby village gap) due to the requirement for active street frontage for new development along the A1064.	The policy intends to influence development proposals, should they come forward, to ensure they adequately reflect the needs of the community. Whilst it is recognised that the village gap is one of the only plausible locations for new development along the A1064 and BE2 seeks to restrict this, in a situation where the Borough Council does not have a 5-Year Housing Land Supply, limited weight may be given to this policy.
E1: Habitat for Wildlife	49	0	Protecting and improving the environment for wildlife seen as a key priority by those who provided comments, reference made to climate change by some respondents.	Noted
E2: Trees & Hedgerow	48	1	Question raised about land ownership and where the green corridors cross private land. Request that the policy requires any replacement hedgerow to be native British species and of similar maturity, and that adequate care for their survival is provided going forward.	Most corridors have been identified on designated / public land. Where they exist on privately owned land the Parish Council will work with local landowners. The plan has been updated with respect to this.

E3: Local Green Space	49	0	Support for inclusion of LGS within the plan. Requests that the Community Policy be updated to reflect the Conservation Trust having been established and parcel of land purchased for the community to establish a wildflower meadow and woodland.	This section on the Community Trust and community policy has been updated to reflect comments.
E4: Dark Skies	47	1	Questions raised about what this means for existing lighting and/or homeowners who choose to have bright external lights. Some streets have existing street lighting.	This policy applies to future development only and will not affect those streets with existing lighting.
E5: Landscape Character	46	3	Suggestion that this should include Grade 2 Agricultural Land too. Comment made about adding photos for a couple of the views.	A relatively small area of the parish is identified as Grade 2 agricultural land and this on the periphery away from the main village, this is shown in Figure 8 in the plan. It is considered unlikely that development will come forward in this area of the parish. Photos for all views now added to the document.
E6: Managing Surface Water	48	1	Compatibility with H2 queried in relation to green roofs and whether they fit with existing local character and whether they should be required for all development. Concern that lagoons will attract vermin. Support for more permeable surfaces.	Valid point in relation to green roofs, policy text amended to say that proposals making use of green roofs will be seen to deliver significant benefit rather than being a requirement. Prevalence of vermin is not considered to be health and safety concern in relation to sustainable drainage systems.
BE1: Heritage Assets	46	0	Suggestion that a requirement to assess for archaeological and other historical references that are currently unknown. Reference made to Bronze Age archaeological finds, and a suggestion that where further finds are identified there should be a full assessment and they should be preserved accordingly.	Additional text added to the policy on archaeology
BE2: Filby Village Gap	48	0	Supported in relation to preserving the rural nature and heritage of the village – in particular relating to the	Comments on the heritage aspects of the gap included in the policy justification.

			historical manorial system. Query about whether this policy is compatible with H2 (explored in H2)	
AT1: Sustainable Transport	48	1	Support for additional footpaths, though query about where there is not land to accommodate them. Comments made about the safety of walking along Main Road, not just crossing it, due to the volume of farm/lorry traffic.	Lack of land available to extend or introduce new footways along the road is a potential constraint and there will be challenges where a developer does not own the land adjacent the highway. Additional text added to reflect concern about the type of traffic – farm/lorry.
AT2: Traffic & Speed	48	1	Support for traffic calming measures, though mixed views on particular measures. Comments that schemes should be refused where they would add to traffic issues on the A1064.	The traffic impacts of any new development would be considered under existing local and national policy.

## Responses Received from Statutory Consultees

### Great Yarmouth Borough Council

Any typos were automatically made and are not referenced in the table below.

Policy	Comments	How comments were taken into account
H1: Housing Type and Mix	<ul style="list-style-type: none"> <li>'Proposals for sheltered housing will be supported subject to other policies' what is meant by sheltered housing? Which 'other policies' will scheme be subject to? Rather than supporting it would be better to encourage this type of development. However, the Borough Council has emerging Policy H11 to support elderly and specialist needs housing, but the critical considerations are the scale and location (i.e. Policy CS2) of proposals to access local facilities. Accordingly, it is the Borough Council's view that such facilities will be</li> </ul>	<p>Sheltered housing encouraged subject to meeting other policies in the neighbourhood plan and local plans.</p> <p>Policy amended to reflect suggested wording around affordable housing.</p>

	<p>more appropriately located in higher order settlements such as main towns, key service centres and primary villages.</p> <ul style="list-style-type: none"> <li>• 'Proposals that will deliver affordable housing within the development boundary, but which do not meet the national threshold requiring provision of such may be supported' this does not make sense. The Borough Council has Policy GSP1 for Development Limits, so such development would already be supported. The policy could be re-worded to explain that developments below the threshold but which will provide affordable housing will be especially supported.</li> </ul>	
H2: Design	<ul style="list-style-type: none"> <li>• Has the cost for electric car charging points been assessed for viability, particularly in meeting all other development costs? This may not be supported without a viability clause.</li> <li>• 'New residential development should not be over-developed and should ensure that the building footprint, including any outbuildings, does not exceed 50% of the plot area, and that it provides sufficient outdoor amenity and landscaping space'. What is over-development? Some plots may already exceed this such as along Mulberry Tree Close. The problem with this approach is that more land will be used to accommodate dwellings which may contradict other objectives of this plan in terms of reducing land-take.</li> </ul>	<p>Wording added in relation to viability of electric charging points.</p> <p>The predominant pattern of development in Filby, as a rural village, is one that aligns with the policy of the building footprint not exceeding 50% of the plot area, which justifies its inclusion within the plan. The fact that this is inconsistent with recent development built within the village does not mean that future development should not be in keeping.</p>
E1: Habitat for Wildlife	<ul style="list-style-type: none"> <li>• The policy states 'proposals will be supported... delivery of at least a 10% net gain in biodiversity' Which types of development will apply? Are there any exemptions, such as where the Government was considering exemptions for brownfield development?</li> </ul>	<p>Added 'all housing and commercial development schemes' to para 45 for clarity.</p> <p>Additional text in relation to connectivity for wildlife added to the policy</p>

	<ul style="list-style-type: none"> <li>Where it says 'enhance connectivity' is this wildlife across the ecological network, i.e. not public footpaths for people? If so, this should be clearer.</li> </ul>	
E2: Trees and Hedgerows	<ul style="list-style-type: none"> <li>There is concern that this is inconsistent with the NPPF in applying the 'wholly exceptional' test. Paragraph 175 is clear in identifying relevant irreplaceable habitats. Those listed within Policy E2 do not have the same status.</li> <li>There is concern as to how planting off-site on areas of land beyond the developer's control could be implemented.</li> </ul>	<p>The policy isn't in conflict with the NPPF, which just says: 'such as ancient woodland and ancient or veteran trees' which would imply that other features could fall into this category too.</p> <p>Planting off-site can be undertaken in conjunction with the Parish Council. This has been added to the policy for clarity.</p>
E3: Local Green Space	<ul style="list-style-type: none"> <li>The first sentence is incorrect, refer to paragraph 144 of the NPPF. It would be better to management of development being consistent with those for Green Belt as identified in the NPPF.</li> </ul>	First sentence updated '
E4: Dark Skies	<ul style="list-style-type: none"> <li>Policy E4 – _Suggest amending final sentence to explain that in considering the impacts, regard will be had to the 'Institute of Lighting Professionals guidance and other relevant standards or guidance for lighting'</li> </ul>	Amended
E5: Landscape Character	<ul style="list-style-type: none"> <li>Key views – _It would be good to have images of each key view. Key views 5 and 6 appear in the same direction. The map annotations in Figure 7 need to be clearer to refer back to the table. Can the reference numbering be enlarged?</li> <li>Policy E5 – _Suggested amendment: 'Proposals sited on Grade 1 agricultural land that is currently in farming use will not be supported, unless the community benefits of such the development significantly and demonstrably outweigh the harm of losing the land in the long term, such as affordable housing.</li> </ul>	<p>Photos of all views added and map updated for clarity purposes.</p> <p>Policy wording amended 'The areas shown in Figure 6 are designated as Local Green Space for special protection. Development on designated Local Green Space will only be supported in very special circumstances where the harm resulting from the proposal is clearly outweighed by other considerations.'</p>

E6: Managing Surface Water	No comments	
BE1: Heritage Assets	<ul style="list-style-type: none"> <li>There is concern that this is not supported by adequate evidence as required by National Planning Practice Guidance. Historic England provide a guide, with page 9 providing guidance as to the kind of criteria that should be assessed identifying non-designated heritage assets. To be compliant with the requirements, such assessment should be prepared and published to support the listing of these buildings. Once this has been completed, the Borough Council should be consulted to review these and provide confidence in the required evidence.</li> <li>Figure 9 – _Suggest amending Broads Area on map (perhaps a hatching), so that building L is clearly identified on the map.</li> </ul>	<p>Each of the assets included in the plan were agreed by Norfolk Historic Environment Service prior to being assessed against criteria recommended by Historic England in their Local Listing Advice Note 7. This assessment is available as a supplementary evidence document to support the Neighbourhood Plan. Feedback received from Great Yarmouth Borough Council who are content that this evidence suffices in the absence of a local list.</p> <p>On the map L is Filby and Ormesby Little Broad rather than a building</p>
BE2: Filby Village Gap	<ul style="list-style-type: none"> <li>Where is the 300m recorded from? Is the gap from Poplar Drive eastwards? The Homestead is already within 300m, therefore no development could take place on the southern side of the A1064 but there is space on the northern side. This need to be identified somehow on a map to clarify the relevant area.</li> <li>I recommend bulking the supporting evidence/explanation for this policy, for example that development within this gap would change the rural aspect of the village, etc.</li> </ul>	<p>Map now included within the plan to provide greater clarity.</p> <p>Additional supporting evidence added to the plan, para 69.</p>
AT1: Sustainable Transport	No comments	
AT2: Traffic and Speed	<ul style="list-style-type: none"> <li>Policy AT2 – _The first sentence of the policy is adequately covered by local (CS16) and national policy.</li> </ul>	Decision to keep the current wording

## Responses from the Broads Authority

General Comments	How comments were taken into account
<ul style="list-style-type: none"> <li>The authors have given good consideration and a comprehensive assessment of the environment, with ecological corridor opportunities mapped out which is exemplary.</li> <li>The reference to the need to provide safe horse-riding routes for the riding businesses in the Broads, benefiting hundreds of riders is useful</li> <li>Para 9 – _Local Plan for the Broads does not allocate land for development in Filby, but does have a policy on the Trinity Broads. It is appropriate to mention that.</li> <li>Para 14 – _and the Local Plan for the Broads does not allocate land for housing.</li> <li>Para 26 - and the Local Plan for the Broads does not allocate land for housing.</li> </ul>	<p>Reference added to Policy SSTRI on the Trinity Broads</p> <p>Local Plan for the Broads added as suggested para 14 and 26</p>

Policy	Comments	How comments were taken into account
H1: Housing Type and Mix	<ul style="list-style-type: none"> <li>Why five dwelling threshold? Seems housing in the area will be in 1s and 2s going by permissions in the past, so will many schemes trigger this threshold? Also, the M4(2) standard is only a 'should' so it is not a set requirement so it might be difficult for the Local Planning Authorities to require. I see what you said in response to previous comment on this saying that elsewhere an Examiner said to be flexible, but you need to decide if it is something you really want and need as opposed to something that is not an absolute requirement. The policy also says 'for the whole of this policy, separate proposals on contiguous sites that are in the same ownership and/or control, or have a planning history indicating that they have been considered together, will be considered as a single proposal.' I do not understand this part of the policy. What does it actually mean in practice?</li> <li>Para 34 – _and the Broads Authority has a policy on M4(2) as well, as mentioned before. You might want to mention that.</li> </ul>	<p>There have been recent planning applications in Filby for 5 and above.</p> <p>'Should' replaced by 'must'</p> <p>Reference to the Local Plan for the Broads added</p> <p>The final sentence referring to contiguous sites is explained in para 32.</p> <p>Reference to Broads Authority added</p>

H2: Design	<ul style="list-style-type: none"> <li>Paragraph 35 – when the report says ‘timber panels’ do you mean timber cladding? And ‘sloping dormers’ perhaps pitched- roof dormers? And a minor thing – _perhaps they should have the list of materials and then put ‘use of hedges for boundary treatments’, as otherwise it sounds a bit like hedges are another building material.</li> <li>Again, how many electric charging spaces per dwelling? You say in your response to our comments, 1 per dwelling, and it says that in para 38. But the policy does not say that. Strongly recommend that the information in para 38 is included in the policy.</li> </ul>	<p>Amended as suggested</p> <p>Detail provided in the policy requesting 1 electric charging point per formal parking space, subject to viability to pick up the GYBCs comment.</p>
E1: Habitat for Wildlife	<ul style="list-style-type: none"> <li>E1 starts using the word should. See previous about using firmer wording.</li> </ul>	‘Must’ added instead of should
E2: Trees and Hedgerows	<ul style="list-style-type: none"> <li>Para 48 - There may be some TPOd trees in the BA area so please can this be amended to say that the BA can also be contacted for a TPO check.</li> <li>Community Policy 1 - Protection of Trees – again it states ‘the protection of trees through the Borough council, but should read ‘or the Broads Authority’</li> </ul>	Broads Authority added for both
E3: Local Green Space	No comments	
E4: Dark Skies	No comments	
E5: Landscape Character	<ul style="list-style-type: none"> <li>Figure 7 – _some views do not have images – _is that intentional?</li> </ul>	Images added for all views in the submission version
E6: Managing Surface Water	No comments	
BE1: Heritage Assets	<ul style="list-style-type: none"> <li>Policy BE1- Heritage Assets – the first line should perhaps be changed to state ‘Development should preserve’ rather than ‘conserve’ so that the wording is in accordance with other national policies. Also, rather than stating in policy b) ‘to make up for the loss of a heritage asset’, they could perhaps change it to ‘mitigate the harm caused by the loss of a heritage asset’? In terms of the related text to BE1 and its context, the NPPF would require a Heritage Statement to be submitted for an application for works to any heritage asset including a locally designated one, and again in both the Local Plan DM11 and</li> </ul>	<p>Conserve replaced by preserve</p> <p>Supporting text amended to reflect comments</p> <p>GIS layers will be sent following submission</p>



	<p>the NPPF the presumption is in favour of the retention and protection of heritage assets (including locally listed ones) and 'putting them to uses consistent with their conservation'.</p> <ul style="list-style-type: none"> <li>As and when this is adopted/made then please can you make sure you send over the GIS layers that are important for example Local Green space and non-designated heritage assets?</li> </ul>	
BE2: Filby Village Gap	No comments	
AT1: Sustainable Transport	<ul style="list-style-type: none"> <li>Para 73 – as this is a planning document, best not to say 'Broads National Park' Just say 'the Broads'.</li> <li>Para 74 – _peak hour bus services? Provide some detail about the bus services to higher order settlements I suggest.</li> </ul>	<p>Amended</p> <p>Some detail added, there are only two services, both during peak hours to either Acle or Great Yarmouth</p>
AT2: Traffic and Speed	No comments	

### Responses from all other Statutory Consultees

Consultee	Response	How this was considered
Natural England	Thank you for consulting Natural England on the draft Neighbourhood Plan for Filby. I am going to ask our administrative team to submit a standard response as your plan doesn't involve any development but I just wanted to say your draft plan is really excellent in terms of protecting and enhancing the environment, one of the best I have seen recently. This will not come across in the standard letter you see! From the standard letter: Natural England does not have any specific comments on this pre-submission draft neighbourhood plan	Fantastic to hear!
Anglian Water	Policy E6: Managing Surface Water  Reference is made to sustainable surface drainage systems (SuDS) being incorporated within the design for all development proposals.  Anglian Water support the requirement for applicants to include the provision of Sustainable Drainage Systems (SuDS). The use of SuDS would help to reduce the risk of surface water and sewer flooding and which have wider benefits e.g. water quality enhancement.	Noted.
Environment Agency	Thank you for the below consultation request. We have reviewed the plan and our comments remain the same as our previous response referenced AE/2020/124802/01-L01 and dated 28 January 2020.  Taken from the response to the Filby Neighbourhood Plan SEA/HRA Screening Assessment (AE/2020/124802/01-L01: Thank you for consulting us on under regulation 9 of the Environmental Assessment of Plans and Programs. We have reviewed the SEA report in relation to the Filby Neighbourhood Draft Plan. We can confirm that under our statutory remit, we do not disagree with the	Noted

	<p>conclusion reached within the SEA screening report. While there are environmental constraints within the designated area of Filby Neighbourhood, we do not consider the Neighbourhood plan to have significant impact on the environment. If sites are allocated or the draft plan changes, then we believe Flood Risk and the impact on water habitats should be considered.</p>	
Norfolk County Council	<p><b>Infrastructure Delivery</b></p> <p>The Neighbourhood Plan could contain the following text in order to assist with the sustainable and effective delivery of the Plan;</p> <ul style="list-style-type: none"> <li>Housing and other development will be expected to contribute towards improving local services and infrastructure (such as transport, education; library provision, fire hydrant provision, open space etc.) through either the payment of a Community Infrastructure Levy (CIL); planning obligations (via an s106 agreement / s278 agreement); or use of a planning condition/s.</li> <li>Norfolk Fire and Rescue Service advocates the installation of sprinklers in all new developments. Sprinklers have a proven track record to protect property and lives. It would therefore be helpful if the emerging Neighbourhood Plan could refer to the installation of Sprinklers in new developments.</li> </ul> <p><b>Historic Environment</b></p> <p>The Historic Environment Planning (HEP) Team have been directly consulted on the Filby Neighbourhood Plan by Collective Community Planning, in 2019 and did issue HEP advice about the Historic Environment aspects within the neighbourhood plan. Policy BE1 (page 31) does not address the buried archaeological remains. This could be addressed by including the following statement in Policy BE1: "Norfolk County Council, acting as advisors to the Local Planning Authority, will advise on suitable mitigation measures (if required on all new developments within the parish) if they potentially affect buried archaeological remains."</p> <p><b>Lead Local Flood Authority</b></p>	<p>Sentence added to para 75</p> <p>Considered, decision not to include this as a requirement in H02</p> <p>Suggested text added to the policy BE1</p>

	<p>The Plan requires that any future development (or redevelopment) proposals show there is no increased risk of flooding from an existing flood source and mitigation measures are implemented to address surface water arising within the development site.</p> <p>Any new development or significant alteration to an existing building within the parish should be accompanied by an appropriate assessment which gives adequate and appropriate consideration to all sources of flooding and proposed surface water drainage. Any application made to a local planning authority will be required to demonstrate that it would:</p> <ul style="list-style-type: none"> <li>• Not increase the flood risk to the site or wider area from fluvial, surface water, groundwater, sewers or artificial sources.</li> <li>• Have a neutral or positive impact on surface water drainage</li> <li>• Proposals must demonstrate engagement with relevant agencies and seek to incorporate appropriate mitigation measures manage flood risk and to reduce surface water run-off to the development and wider area.</li> </ul>	Comments noted
Historic England	<p>We welcome the production of this neighbourhood plan, and are pleased to note that considerations of the historic environment are evident throughout, as well as considerations of wider landscape context. We would like to make the following minor comments on your neighbourhood plan:</p> <p>We are pleased to note the inclusion of Section 6: Built Environment, but suggest that it could be called 'Natural, Built and Historic Environments', owing to the fact that its first objective relates to the natural environment, and that key policies within it relate to the historic environment, not all of which is the 'built environment' (for example, the archaeological designations you have identified).</p> <p>We welcome Objective F, but suggest it is slightly reworded to "Conserve the significance of heritage assets" to reflect national policy more closely.</p>	<p>Chapter title amended to 'Build and Historic Environment'. Natural not included as 'Natural Environment' is the title of another chapter of the plan.</p> <p>Amended</p>

	<p>We are pleased to see that you have taken advantage of the opportunity to identify non-designated heritage assets as part of the plan process. We consider that neighbourhood plans represent the best opportunity for local communities to undertake this process for buildings and features that might otherwise be overlooked at District or National level. In order to strengthen the justification for any non-designated heritage asset's inclusion, we would recommend that you include the selection criteria against which they have been identified in the plan. This could either be in the plan section or as an appendix. Our Advice Note 7: Local Heritage Listing provides advice on ensuring the selection criteria for local heritage is robust, and this can be found here: <a href="https://historicengland.org.uk/images-books/publications/local-heritage-listing-advice-note-7/">https://historicengland.org.uk/images-books/publications/local-heritage-listing-advice-note-7/</a></p> <p>You can also use the neighbourhood plan process to identify any potential Assets of Community Value in the neighbourhood area. Assets of Community Value (ACV) can include things like local public houses, community facilities such as libraries and museums, or again green open spaces. Often these can be important elements of the local historic environment, and whether or not they are protected in other ways, designating them as an ACV can offer an additional level of control to the community with regard to how they are conserved. There is useful information on this process on Locality's website here: &lt;<a href="http://mycommunity.org.uk/take-action/land-and-building-assets/assets-of-community-value-right-to-bid/">http://mycommunity.org.uk/take-action/land-and-building-assets/assets-of-community-value-right-to-bid/</a>&gt;</p> <p>Communities that have a neighbourhood plan in force are entitled to claim 25% of Community Infrastructure Levy (CIL) funds raised from development in their area. The Localism Act 2011 allows this CIL money to be used for the maintenance and on-going costs associated with a range of heritage assets including, for example, transport infrastructure such as historic bridges, green and social infrastructure such as historic parks and gardens, civic spaces, and public places. As a Qualifying Body, your neighbourhood forum can either have access to this money or influence</p>	<p>An assessment has been undertaken in accordance with Advice Note 7 as recommended, and is available as part of the evidence based that supports the Neighbourhood Plan</p> <p>Considered and decision not to identify ACVs at this late stage of the Neighbourhood Plan's development, could be considered for the plan's first review.</p> <p>Great Yarmouth currently does not have CIL in place.</p>
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	<p>how it is spent through the neighbourhood plan process, setting out a schedule of appropriate works for the money to be spent on. Historic England strongly recommends that the community therefore identifies the ways in which CIL can be used to facilitate the conservation of the historic environment, heritage assets and their setting, and sets this out in the neighbourhood plan. More information and guidance on this is available from Locality, here:  <a href="https://mycommunity.org.uk/resources/community-infrastructure-levy-neighbourhood-planning-toolkit/">https://mycommunity.org.uk/resources/community-infrastructure-levy-neighbourhood-planning-toolkit/</a></p> <p>If you are concerned about the impact of high levels of traffic through your area, particularly in rural areas, the “Traffic in Villages” toolkit developed by Hamilton-Baillie Associates in conjunction with Dorset AONB Partnership may be a useful resource to you.</p>	<p>This has been reviewed in finalising the submission version of the plan.</p>
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# Filby Neighbourhood Plan Resident Survey

**A neighbourhood plan is a new way for local people to influence the planning and development in their community.**

**Once our plan is made it will have legal status and form part of the Borough Council's Local Plan upon which all planning applications are judged.**

<http://www.smartsurvey.co.uk/s/FilbyNP/>



### About Filby

1. What three words describe Filby to you?
2. What are the three best things about living in Filby?
3. Is there anything you dislike about living in Filby? List up to three things.



### The environment

4. What areas of local green space within the village or particular views do you think should be protected from future development?  
*Please tell us what these are and why they are special to you. They could be special for all sorts of reasons, such as: wildlife, tranquillity, heritage, recreation or amenity.*
5. Please describe any environmental issues you think need to be addressed in the village.
6. How strongly do you agree that any new development should be expected to protect the environment and improve wildlife areas?  
☐ Strongly agree  
☐ Agree  
☐ Not sure  
☐ Disagree  
☐ Strongly disagree
7. To what extent do you agree that we should retain our Dark Skies at night and request that any new lighting needed as part of development helps to reduce light pollution and uses less energy so as to preserve our view of the night skies?  
☐ Strongly agree  
☐ Agree  
☐ Not sure  
☐ Disagree  
☐ Strongly disagree

<http://www.smartsurvey.co.uk/s/FilbyNP/>

## New housing in the village

8. Do you agree that there is a need for new housing to be built in the village?
- ☐ Strongly agree
  - ☐ Agree
  - ☐ Not sure
  - ☐ Disagree
  - ☐ Strongly disagree
9. If there is development in the village, what kind of housing do you think should be built?
- ☐ Family homes
  - ☐ Starter homes
  - ☐ Housing for older people
  - ☐ Self-build schemes
  - ☐ Lifetime homes that could easily be adaptable as people's needs change
10. If there is development in the village, what size of homes do you think should be built?
- ☐ Small (1 or 2 bedroom)
  - ☐ Medium (3 or 4 bedroom)
  - ☐ Large (5 bedroom or more)
11. If there is development in the village, what type of property do you think should be built?
- ☐ Bungalows
  - ☐ Terrace properties
  - ☐ Apartments or maisonettes
  - ☐ Detached homes
  - ☐ Semi-detached homes
12. Are there any local characteristics of buildings in Filby that you think new development should incorporate – ie Slate tiles, flint in the walls
13. Would you support more modern or contemporary designs for homes, such as eco-homes
- ☐ Yes
  - ☐ No



## Community matters

14. To what extent do you agree that speeding is an issue within the village?

- ☐ Strongly agree
- ☐ Agree
- ☐ Not sure
- ☐ Disagree
- ☐ Strongly disagree

15. Do you think the neighbourhood plan should include policies for supporting local business in Filby? If yes please include your suggestions.

- ☐ Yes
- ☐ No

16. What improvements to infrastructure, such as improved footpaths, would you like to see in the village?

## About you

17. Which of the following indicates your interest in Filby:

- ☐ Resident
- ☐ Business owner/work here
- ☐ Visitor

18. Indicate whether you are:

- ☐ Employed or self-employed
- ☐ Not working
- ☐ Retired

19. Indicate your age category:

- ☐ 0-24
- ☐ 25-44
- ☐ 45-64
- ☐ 65-74
- ☐ 75+

## Our neighbourhood plan

Through a neighbourhood plan we can influence development, not stop it altogether. It must comply with the Borough Council's Local Plan and the government's wider policy of sustainable development. This means that it is inevitable that some new housing will be built in Filby, but through this plan we can influence where it goes and ensure it better meets the needs of our village.

If you would like to be involved in developing the plan further please include your name and contact details here:

Everyone has the chance to influence the neighbourhood plan as it develops. Please complete the resident survey and attend our consultation event at the Club Room on **14 August 10am-1pm**.

Completed surveys can be left at Filby Post Office, or will be collected from you on Friday 30 August.

You can also complete it online: <http://www.smartsurvey.co.uk/s/FilbyNP/>

**Thank you for taking the time to help create a neighbourhood plan for Filby**

## Appendix B: I&O Report



# FILBY NEIGHBOURHOOD PLAN

September 2019

### CONSULTATION REPORT

Report of the consultation on issues and  
options for Filby Neighbourhood Plan

Prepared by Collective Community Planning on  
behalf of Filby Parish Council



1. Summary	
Who was consulted	Filby residents
How people were consulted	All households received a paper survey with 19 questions. This was dropped through letterboxes. The survey could also be filled in online and there was a consultation event. The event and survey were both advertised in the Mercury and via the village shop/PO. People could drop completed surveys at the shop/PO or wait for it to be collected at the end of the consultation period. The consultation ran for 3 weeks from 12 to 30 August. There was a 34% response rate to the survey and 24 people attended the consultation event.
Main issues and concerns raised	<p>The amount and speed of traffic on Main Road</p> <p>The level of recent development</p> <p>A lack of support for further development in the village, but if there is new housing ensuring this better meets the needs of local residents</p> <p>Protecting habitats for wildlife</p> <p>Retaining what residents love about the village, including its peacefulness, tranquillity and attractiveness</p> <p>Accessing the wider countryside and Broads for enjoyment</p>
How these were taken into account	Considered by the Filby Neighbourhood Plan Working Group at their meeting on 3 October 2019.

## 2. Survey Findings

**2.1. Question 1: What three words describe Filby to you?**



Respondents were very positive in their response to this question, with Filby described as a friendly, beautiful, pretty, peaceful, quiet and tranquil community by many. The wordle above

is a summary of all responses with size of the word related to the number of times it was mentioned.

## 2.2. Question 2: What are the three best things about living in Filby?

A strong community spirit, friendly people and the village shop/PO was commonly mentioned in response to this question.



## 2.3. Question 3: Is there anything you dislike about living in Filby?

The level and speed of traffic on Main Road was the most common dislike that residents identified, with two-thirds of people identifying this. The table below highlights the issues that more than 4 or more people identified.

Dislike	Number of respondents
The level or speed of traffic on Main Road	66 (63%)
Poor bus services	38 (37%)
Housing Development	35 (34%)
Poor public footpaths	9 (9%)
Lack of services	4 (4%)
Parking issues	4 (4%)





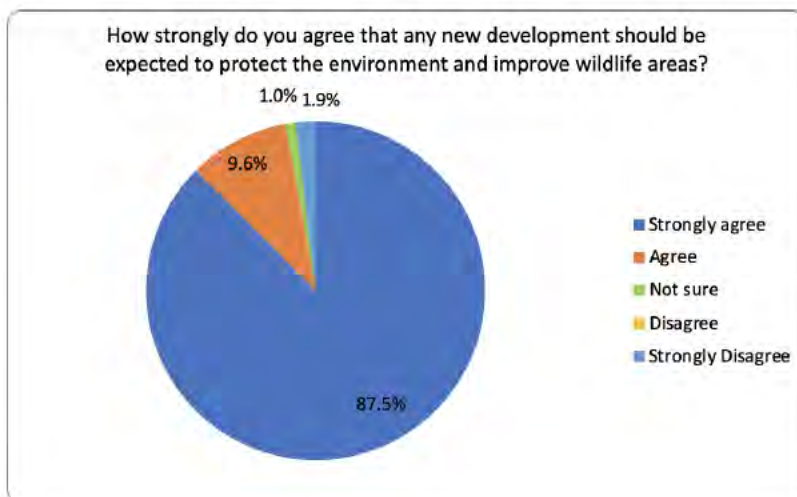
**2.5. Question 5: Describe any environmental issues you think need to be addressed in the village**

The table below categorises the responses to this question. The most common issues identified were those in relation to traffic on Main Road, with people referring to the speed of traffic, volume of HGVs and pollution it creates. A large proportion of people who answered this question felt that development had resulted in a reduction of habitats for wildlife, with some people referring to fewer wildlife corridors or cutting down of trees. Flooding and sewerage issues were also commonly identified.

Issue	Number of respondents
Traffic, including the volume of HGVs	29
Reduction in wildlife habitat	19
Flooding / sewerage issues	19
Litter or dog fouling	9
Poor maintenance of footpaths	5
Poor conservation of special environmental areas	3
Other	6

**2.6. Question 6: How strongly do you agree that any new development should be expected to protect the environment and improve wildlife areas?**

The majority of respondents agreed that new development should protect the environment.

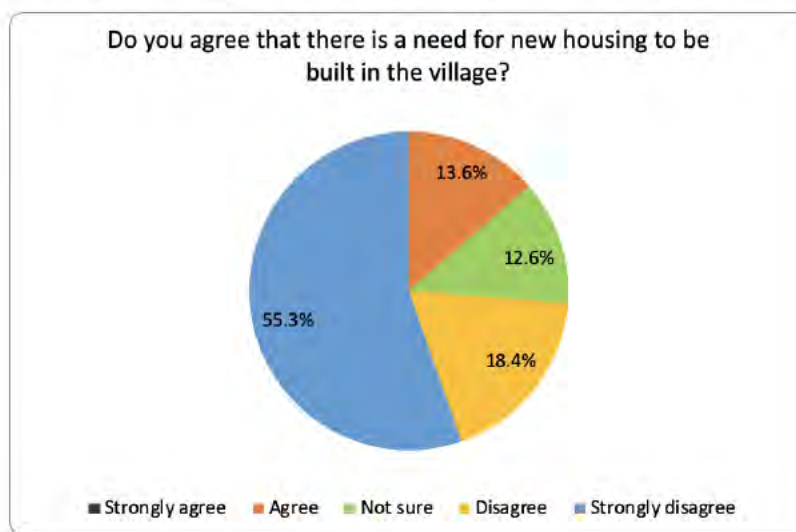


**2.7. Question 7: To what extent do you agree that we should retain dark skies at night and request that any new lighting needed as part of development helps to reduce light pollution and uses less energy so as to preserve our view of the night skies?**

There was strong support for this - 82% of respondents strongly agreed and 12% agreed. 5% of people were unsure and 1% disagreed.

**2.8. Question 8: Do you agree that there is a need for new housing to be built in the village?**

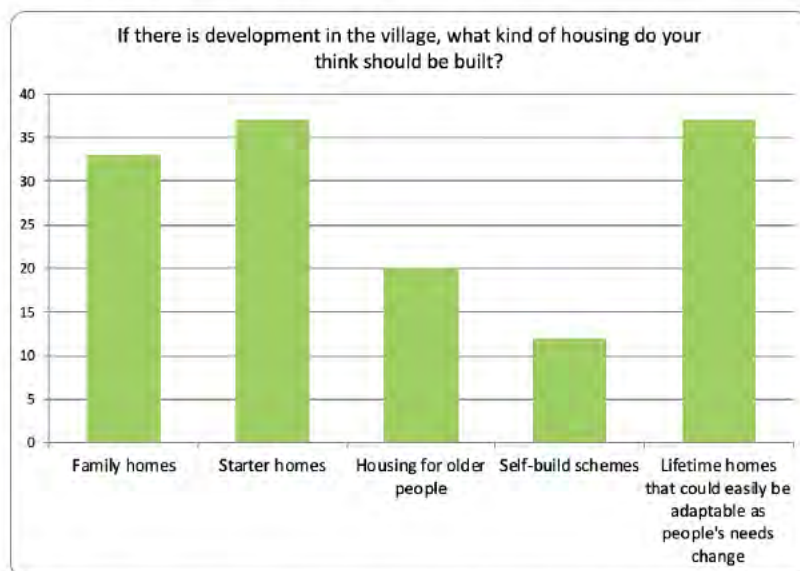
The majority of people disagreed that there was a need for new housing, with over half strongly disagreeing. This accords with the responses to previous questions in which people indicated they felt there had been too much development recently in Filby.



**2.9. Question 9: If there is development in the village, what kind of housing do you think should be built?**

This is the first of a series of questions that ask people to consider the type of housing there is most need for in Filby, should development come forward and be agreed. A response to this question does not necessarily indicate that the respondent is in favour of development, indeed analysis from question 8 (**section 2.8**) reflects a significant lack of support for new houses in the community.

Starter homes and lifetime homes were most commonly identified. Respondents to this question could select more than one answer.



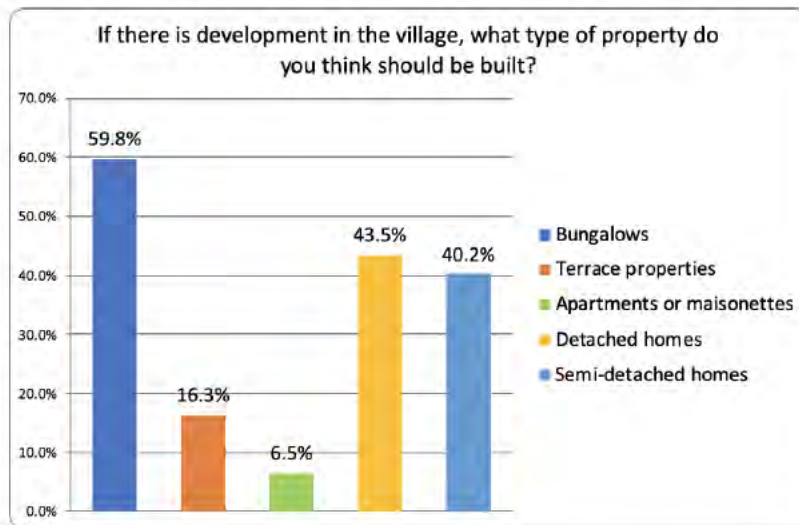
**2.10. Question 10: If there is development in the village, what size of homes do you think should be built?**

Medium sized homes of 3 or 4 bedrooms were most popular, followed by smaller homes of 1 or 2 bedrooms. Respondents to this question could select more than one answer.

Size	Responses
Small (1 or 2 bedrooms)	48
Medium (3 or 4 bedrooms)	56
Large (5 bedrooms or more)	9

**2.11. Question 11: If there is development in the village, what type of property do you think should be built?**

There was a broad spread of responses to this question, with bungalows being most popular and identified by almost 60% of respondents. Note that respondents to this question could select more than one answer.



**2.12. Question 12: Are there any local characteristics of buildings in Filby that you think new development should incorporate?**

Suggestions included:

- Norfolk red brick
- Flint in the walls
- Traditional clay tiles
- Thatch
- Timber panels
- Cottage style
- Hedging
- Sloping dormas

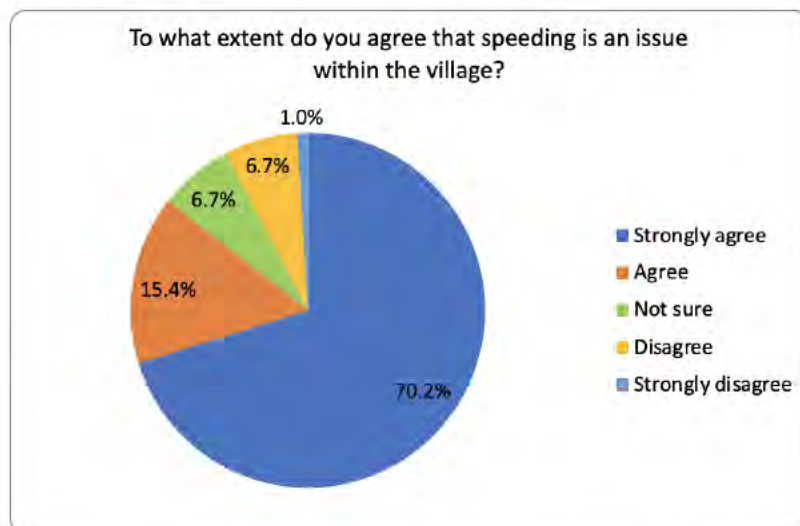
Some people indicated that they felt any new homes should be in-keeping specifically with those that are nearby, others felt that a mix of building styles should be encouraged.

**2.13. Question 13: Would you support modern or contemporary design for homes, such as eco-homes**

62% of people who responded to this question were in support, selecting 'yes'.

**2.14. Question 14: To what extent do you agree that speeding is an issue within the village?**

Speeding and traffic were identified in earlier questions as problems faced by the village, so it is not surprising that 70% of people responding to this question strongly agreed that it was an issue and 15% agreed.



**2.15. Question 15: Do you think that the Neighbourhood Plan should include policies for supporting local business in Filby?**

76% of people felt that there should be a policy supporting local business and some respondents provided their suggestions. These included:

- To enable expansion of existing businesses
- Encourage local independent shops/business
- Small businesses
- Artisan and craft business
- Business start ups
- In association with existing business – ie Thrigby wildlife gardens
- Pharmacy
- Bakery
- Local producers
- Taxi / bus services

**2.16. Question 16: What improvements to infrastructure would you like to see in the village?**

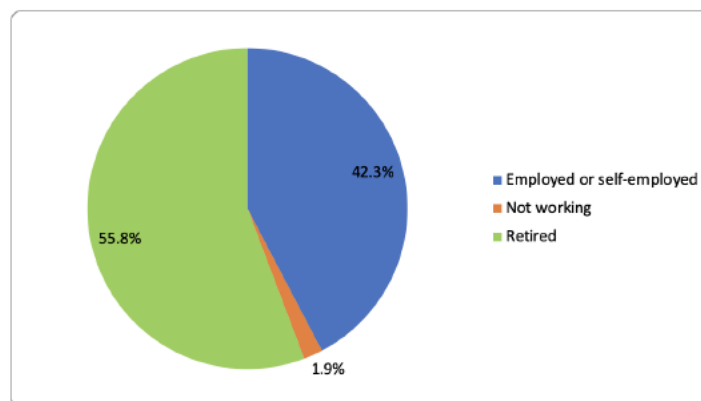
A broad range of suggestions were made by people who completed the survey, the table below shows the main categories. Almost half of respondents made suggestions relating to public footpaths, mostly about new paths being created, improved maintenance or signage. There were a few suggestions connected to this relating to having a village map. New paths were requested for accessing the Broads and from Filby to Fleggburgh and Caister. Eight people requested wider pavements along the road within the village, or for missing links to be completed.

A new pedestrian crossing outside the village shop / Post office was requested by 10% of respondents and related to this there were also requests for traffic calming measures, again by 10% of respondents.

Response	Number of responses
Improvements to public footpaths or pavement in the village	50
New pedestrian crossing	10
Traffic calming	10
Drainage / sewerage system improvements	9
New cycle paths	6
New bus service	5
Highway maintenance improvements	5
Parking improvements	3

**2.17. Question 17 & 18: Who completed the survey**

103 people who completed the survey were residents of Filby and one person a business owner or someone who works in the village. There was a split in terms of people who were of working age and retired.





### 3. Consultation Event

#### 3.1. Overview

The consultation event was held on Wednesday 14 August 10am-1pm. It was publicised on the survey, in the Mercury and on community notice boards. 24 people attended.

Members of the Parish Council/Neighbourhood Plan working group and Collective Community Planning were at the event to answer questions and there were a range of activities including:

- SWOT assessment
- Identification of potential local green spaces and important views
- Housing type

#### 3.2. SWOT Assessment





<b>Strengths</b> Community spirit Sense of belonging Lovely friendly village Living close to the Broad Playing field and play area for children Tranquil Abundant wildlife Filby in Bloom Nice rural setting Village hall Shop and pub	<b>Weaknesses</b> Inadequate water and sewerage system Lack of bus service Mobile phone signal poor Low broadband speed Recent housing development Pavements not wide enough Level of traffic through the village Dangerous junctions
<b>Opportunities</b> Community involvement in decision making and policy setting re development More facilities on the playing field Tea room Promoting small crafts/artisan business Actively acquire community open space for the management of wildlife Promote new areas of community woodland Improved bus service Additional footpaths linking with the Broad and to surrounding villages	<b>Threats</b> Over development Large housing estates Loss of agricultural land and views across the open countryside Loss of wildlife habitat Lack of police enforcement Too much traffic Litter Loss of existing village amenities Losing the village identity

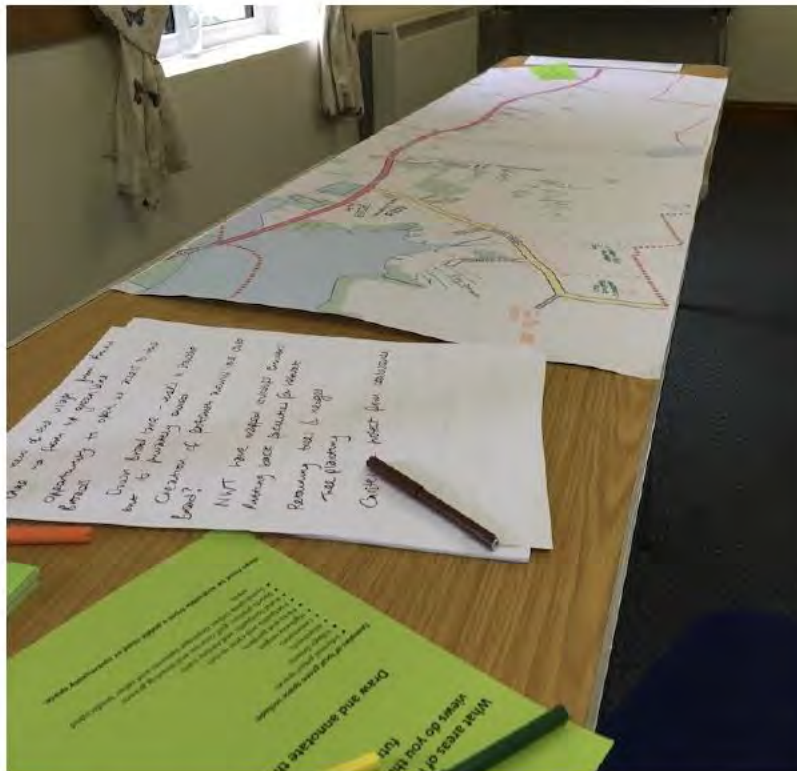
### 3.3. Local Green Space & Views

People were asked to annotate on the map green areas and important and significant views and vistas, to which a protective Neighbourhood Plan policy could apply.

All the views identified:

- a) Are those accessible from a public space;
- b) Have a specific reason for being important to the community; and
- c) A good reason for its inclusion within the NP, which may include risk the view will be blocked or reduced in the future.

During the event it was appreciated that many residents enjoy beautiful views and personal views from private residences or gardens. However its important from a planning policy perspective, for inclusion in the Neighbourhood Plan, that these are enjoyed by the majority of the wider public.



The views identified have been assessed in a separate report.

Local Green Space identified included:

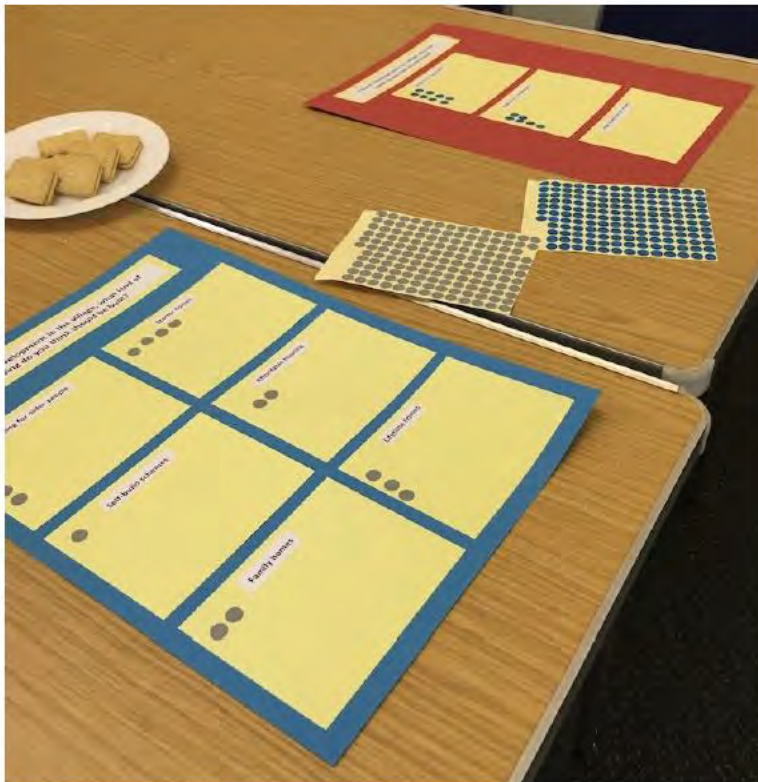
- The playing field
- Community orchard and allotments
- Community pond
- The Chapel near to the orchard and allotments
- The Church
- The Paddocks
- Filby Common

### 3.4. Housing Type

At the open day there was discussion about how the Neighbourhood Plan could be used to influence future development, including ensuring that any new homes meet the needs of current and future residents.

Similar questions were asked to those on the survey about housing type and size with residents voting with sticky dots.

- Small homes – 9 votes
- Medium homes – 6 votes
- Large homes – 0 votes
- Housing for older people – 4 votes
- Starter homes – 5 votes
- Self-build schemes – 1 vote
- Affordable housing – 3 votes
- Lifetime homes – 3 votes
- Family homes – 2 votes



## Appendix C: Reg 14 Survey



# Filby Neighbourhood Plan

## Public Consultation on the Draft Plan

**27 July to 20 September 2020**

### Introduction

Thank you for supporting development of a Neighbourhood Plan for Filby, which will help to influence future development of our parish.

This survey will seek your views on the pre-submission draft of our Neighbourhood Plan, the Regulation 14 Version. The questions below ask for your feedback on each individual policy within the plan. This is available to view on Filby Parish website [www.filbyparishcouncil.org.uk](http://www.filbyparishcouncil.org.uk), in hard copy from **Filby Post Office** or by contacting **Adrian on 01493 369250**. The plan is around 40 pages and contains all the detail and context to the policies.

### How the information from this consultation will be used:

Information given on this form will be used to help prepare the final Filby Neighbourhood Plan for examination. Please be aware that the forms will be shared with the Parish Council's Planning Consultants and your comments may be made publicly available, for example, if a challenge is made regarding the validity of responses.

Please use this form for your comments and submit your response in one of the following ways:

- Email as an attachment to: [louise@collectivecommunityplanning.co.uk](mailto:louise@collectivecommunityplanning.co.uk)
- Post/hand deliver it to: Filby Post Office, Main Road, Filby, NR29 3AA
- Complete the survey online at: <https://www.smartsurvey.co.uk/s/FilbyPlan/>

Please complete your response online if possible, the online survey includes all the policy text and related maps. Further copies of this form can be downloaded from the Filby parish council website at [www.filbyparishcouncil.org.uk](http://www.filbyparishcouncil.org.uk)

### What happens next:

After the closing date, we will consider the comments and the extent to which concerns can be addressed. The draft plan, amended as necessary will then be submitted to Great Yarmouth Borough Council who will publicise the draft plan. This provides further opportunity for people to make representations about the plan's proposals. The next stages following this will be:

- Submission of the draft plan for independent examination;
- Publication of the independent examiner's report and decisions;
- A referendum of residents on the draft plan; and
- If the referendum result supports the draft plan it will 'made' and become part of the development plan.

**The closing date for comments is 20 September 2020**

General Comments:

<b>I am generally in favour of the Plan</b>  <b>YES/NO</b>	<b>I would like to see changes to the Plan</b>  <b>YES/NO</b>
<b>Comments on the Plan overall:</b>	

Comments on each of the policies:

Policy No.	Policy Name	Do you agree? Delete as appropriate	Comments, suggestions, changes – please be as clear and concise as possible
<b>Housing &amp; Design</b>			
<b>H1</b>	<b>Housing Type and Mix</b>	<b>YES/NO</b>	
<b>H2</b>	<b>Design</b>	<b>YES/NO</b>	

<b>Environment</b>			
<b>E1</b>	<b>Habitat for Wildlife</b>	<b>YES/NO</b>	
<b>E2</b>	<b>Trees and Hedgerows</b>	<b>YES/NO</b>	
<b>E3</b>	<b>Local Green Space</b>	<b>YES/NO</b>	

<b>E4</b>	<b>Dark Skies</b>	<b>YES/NO</b>	
<b>E5</b>	<b>Landscape Character</b>	<b>YES/NO</b>	
<b>E6</b>	<b>Managing Surface Water</b>	<b>YES/NO</b>	

<b>Built Environment</b>			
<b>BE1</b>	<b>Heritage Assets</b>	<b>YES/NO</b>	
<b>BE2</b>	<b>Filby Village Gap</b>	<b>YES/NO</b>	

<b>Access and Transport</b>			
<b>AT1</b>	<b>Sustainable Transport</b>	<b>YES/NO</b>	
<b>AT2</b>	<b>Traffic and Speed</b>	<b>YES/NO</b>	

## Appendix D: Website



The screenshot shows the Filby Parish Council website. At the top left is the council's logo, a stylized bird. To its right is the text "Filby Parish Council". Below this is a navigation menu with links: Home, Filby, Members, Business, Neighbourhood Plan, GYB Plan, and Contact. On the right side of the header, there are two small images: one of a landscape and another with the text "WEBSITE UNDER CONSTRUCTION".

The main content area is titled "Filby Neighbourhood Plan" and "Public Consultation on the Draft Plan". Below this, the dates "27th July to 20th September 2020" are displayed. The text explains that a Neighbourhood Plan has been prepared for Filby to influence future development, and that public views will be sought through a local survey. It states that the plan is available for download in hard copy from the Filby Post Office or by contacting Adrian on 01493 369250. The plan is approximately 40 pages long and contains all the detail and context for the policies. The survey can be completed online at <https://www.smartsurvey.co.uk/s/FilbyPlan/>. A hard copy survey is also available for download, with details on how to return it. A deadline is set for 20th September 2020. The text also notes that information from the survey form will be used to prepare the final Neighbourhood Plan for examination, and that forms will be shared with the Parish Council's Planning Consultants. Comments may be made publicly available, for example, if a challenge is made regarding the validity of responses.

At the bottom of the page, there are several links: [Draft Plan](#), [Survey](#), [Evidence Base](#), [Consultation Report](#), [SEA Screening Opinion](#), [SEA Screening Assessment](#), and a [Back](#) link.





# Filby Neighbourhood Plan

## Regulation 14 Consultation on the Draft Plan

**Runs from 27 July to 20 September 2020**

The Neighbourhood Plan will influence future development in Filby parish. It has been developed with ongoing input from the community and is now at a draft stage.

Please let us know your views on the draft plan and the policies it contains

### How to do this:

Look at the draft plan and supporting documents on the parish council website  
[www.filbyparishcouncil.org.uk](http://www.filbyparishcouncil.org.uk)

Pick up a hard copy from the Post office or by calling Adrian on 01493 369250

Fill out a survey online: <https://www.smartsurvey.co.uk/s/FilbyPlan/>

Email your views to [louise@collectivecommunityplanning.co.uk](mailto:louise@collectivecommunityplanning.co.uk)

Post/hand deliver comments to Filby Post Office, Main Road, Filby, NR29 3AA

**Have your say NOW!**

**The closing date for comments is 20 September 2020**



## Appendix F: NR29 Magazine

### Neighbourhood Planning

**Neighbourhood planning gives communities a shared vision for their neighbourhood and shape the development and growth of their local area.**

They are able to choose where they want new homes, shops and offices to be built, have their say on what those new buildings should look like and what infrastructure should be provided, and grant planning permission for the new buildings they want to see go ahead.

Neighbourhood planning provides a powerful set of tools for local people to plan for the types of development to meet their community's needs and where the ambition of the neighbourhood is aligned with the strategic needs and priorities of the wider local area.

**What are the benefits to a community of developing a neighbourhood plan?**

Neighbourhood planning enables communities to play a much stronger role in shaping the areas in which they live and

work and in supporting new development proposals.

This is because unlike the parish, village or town plans that communities may have prepared, a neighbourhood plan forms part of the development plan and sits alongside the local plan prepared by the local planning authority. Decisions on planning applications will be made using both the local plan and the neighbourhood plan, and any other material considerations.

Neighbourhood planning provides the opportunity for communities to set out a positive vision for how they want their community to develop over the next 10, 15, 20 years in ways that meet identified local need and make sense for local people.

They can put in place planning policies that will help deliver that vision or grant planning permission for the development they want to see.

To help deliver their vision communities that take a proactive approach by drawing up a neighbourhood plan or

Order and secure the consent of local people in a referendum, will benefit from 25% of the revenues from the Community Infrastructure Levy arising from the development that takes place in their area, where their authority collects contributions using this method.

Communities without a parish or town council can still benefit from this incentive. If there is no parish or town council the charging authority will retain the Levy receipts (where it is charged) but should engage with the communities where development has taken place and agree with them how best to spend the neighbourhood funding.

Both the North Norfolk District Council and Great Yarmouth Borough Council offer support and assistance with the preparation of a neighbourhood plan and strongly recommend contact with the councils' strategic planners before proceeding.

Neighbourhood plans are currently progressing for:

- Rollesby
- Winterton-on-Sea
- Hemsby
- Flegburgh
- Filby
- Ormesby St Margaret with Scratby (early stages).



### Hemsby Neighbourhood Plan YOUR VIEWS NEEDED

If you live or work in Hemsby, now is your opportunity to voice your opinion on how the village should develop over the following years. The Hemsby Neighbourhood Plan will be a key planning document produced by residents to influence the future type and location of development in Hemsby.

You can contribute to shaping the Neighbourhood Plan by completing the survey.

42

which is available online ([www.smartsurvey.co.uk/s/HemsbyNP/](http://www.smartsurvey.co.uk/s/HemsbyNP/)), or you can pick up a hard copy from the Hemsby Post Office or request one delivered to your door.

Hemsby has changed considerably over the last decade with large housing estates built, highlighting the need for community facilities, recreational areas and transport options. With more development on the horizon, it is crucial to engage with this survey, because the Neighbourhood Plan will cover a range of topics of importance to residents and businesses.

The Neighbourhood Plan can include 'non-

[www.nr29guide.co.uk](http://www.nr29guide.co.uk)



strategic policies', such as the mix of housing needed, design principles for new development, conserving and enhancing the natural and historic environment, protecting local green spaces from development, and setting out other development management policies.

The Neighbourhood Plan will contribute to the achievement of sustainable development as described in the National Planning Policy Framework.

Once a Neighbourhood Plan has been brought into force, following consultation with residents and a local referendum, it becomes part of the statutory development plan for the parish and will be used by the Borough Council in deciding on all planning applications in the parish.

Now is the time to voice your opinion to shape the future of your village!

Complete the survey at this link: [www.smartsurvey.co.uk/s/HemsbyNP/](http://www.smartsurvey.co.uk/s/HemsbyNP/) or scan the QR code below.

Hard copies available from the Hemsby Post Office, or request one delivered to you by contacting George Waterman on 07950 884194 or [hmssteeringgroup@gmail.com](mailto:hmssteeringgroup@gmail.com).

Participation in the survey is totally voluntary but, if you decide to take part, your time is very much appreciated.

All participants who complete the survey, can opt into a prize draw to win one of 2 One4All vouchers, or a voucher for Allen's Butchers, Kiah's Homebakes, or The Co-Op.

All responses will be treated as anonymous and you are not required to provide your name or contact details, except where you choose to enter into the prize draw.



### Filby Neighbourhood Plan PUBLIC CONSULTATION ON THE DRAFT PLAN

**A Neighbourhood Plan has been prepared, for Filby, which will help to influence future development of our parish.**

Your views on the pre-submission draft of our Neighbourhood Plan, the Regulation 14 Version, are sought. This will be done via a local survey. The questions asked will seek your feedback on each individual policy within the plan.

The plan is available to view on Filby Parish Website, <http://www.filbyparishcouncil.org.uk/>, from Filby Post Office or by contacting Adrian on 01493 369250.

The plan is around 40 pages and contains all the detail and context to the policies. The survey

may be completed online at: <https://www.smartsurvey.co.uk/s/FilbyPlan/>

A hard copy survey is also available for download from the Parish Website. It outlines means by which the survey can be returned.

Information given on the survey form will be used to help prepare the final Filby Neighbourhood Plan for examination.


Please be aware that the forms will be shared with the Parish Council's Planning Consultants and your comments may be made publicly available, for example, if a challenge is made regarding the validity of responses.

Filby's survey forms must be returned before 20th September 2020

nr29guide 01493 800351

43

## Appendix G: Facebook publicity





**Filby Local Chat**  
@filbylocalchat

- Home
- Reviews
- About
- Photos
- Posts
- Community


Create a Page

Like Share Suggest Edits

**Filby Local Chat**  
Yesterday at 05:31 · 

Filby Neighbourhood Plan  
Public Consultation on the Draft Plan  
27 July to 20 September 2020

A Neighbourhood Plan has been prepared, for Filby, which will help to influence future development of our parish. Your views on the pre-submission draft of our Neighbourhood Plan, the Regulation 14 Version, are sought. This will be done via a local survey. The questions asked will seek your feedback on each individual policy within the plan. ... [See more](#)



## Appendix H: Stakeholder Letter

**From:** David Balls [mailto:david.balls@zen.co.uk]

**Sent:** 28 July 2020 11:43

**To:** Enquiries, Unit <enquiries@environment-agency.gov.uk>; SM-NE-Consultations (NE) <consultations@naturalengland.org.uk>; eastplanningpolicy@historicengland.org.uk; planningee@highways.gsi.gov.uk; philip.raiswell@sportengland.org; sPatience@anglianwater.co.uk; developerservicessouth@eswater.co.uk; johnh@norfolkwildlifetrust.org.uk; stephen.faulkner@norfolk.gov.uk; lands@bpa.co.uk; LOCAL PLANS-CEMHD-5@hse.gov.uk; authorityliaison@cadentgas.com; DemandReferrals@ukpowernetworks.co.uk; stpestates@nchc.nhs.uk; newsitereceptioneastofengland@openreach.co.uk; Fleggburgh PC <fleggburghpc@gmail.com>; rollesbypc@norfolkparishes.gov.uk; clerkstmichael@yahoo.com; clerkstokesby@gmail.com; shirleywaymouth@outlook.com; nick.fountain@great-yarmouth.gov.uk; Natalie Beal <Natalie.Beal@broad-authority.gov.uk>

**Cc:** Louise Cornell <louise@collectivecommunityplanning.co.uk>

**Subject:** FPC Letter to stakeholders

Dear Stakeholder

### **Filby Neighbourhood Plan Pre-Submission Consultation**

Filby Parish Council are now consulting on their Pre-Submission Draft of the Neighbourhood Plan. This consultation is in line with Regulation 14 of the Neighbourhood Planning Regulations (2012) and will run for a period of just over eight weeks from 27 July to 20 September.

The consultation offers a final opportunity for you to influence Filby's Neighbourhood Plan before it is submitted to Great Yarmouth Borough Council.

All comments received by 20 September will be considered by the Parish Council and may be used to amend this draft. A Consultation Statement, including a summary of all comments received and how these were considered, will be made available alongside the amended Neighbourhood Plan at a future date.

The full draft Neighbourhood Plan contains policies on the following topics:

- Housing and Design
- The Natural Environment
- The Built Environment
- Access and Transport

The Pre-Submission Plan and supporting evidence can all be found online: <http://www.filbyparishcouncil.org.uk/neighbourhood-plan/4594998144>

Should you wish to provide comments you can send these to Filby Parish Council via this email address or send them to Filby Parish Council, Manor House, Church Lane, Filby, NR29 3HW.

Yours faithfully

David Balls

Filby Parish Council.

This email and any attachments is intended for the named recipient only. If you have received it in error you have no authority to use, disclose, store or copy any of its contents and you should destroy it and inform the sender. Whilst this email and associated attachments will have been checked for known viruses whilst within the Natural England systems, we can accept no responsibility once it has left our systems. Communications on Natural England systems may be monitored and/or recorded to secure the effective operation of the system and for other lawful purposes.



Consultation  
Questi...ire.pdf

FILBY PARISH COUNCIL





# **FILBY NEIGHBOURHOOD PLAN 2020-2030**

Evidence Base

December 2020

# Contents Page

	Page
Summary of key issues	1
Introduction	3
Population characteristics	3
Accommodation profile	3
Housing development	6
Affordable housing	8
Deprivation	9
Transport infrastructure and connectivity	10
Travel to work	12
Services within the community	14
The natural environment	16
Flooding	18
The built environment	20
Non-designated heritage assessment	23
Views assessment	28

# Summary of Key Issues

Theme	Key Issues
Population characteristics	<ul style="list-style-type: none"> <li>Filby has an ageing population, with a fifth of current residents aged 65+. This would indicate the need for any future development to focus on smaller housing units rather than larger executive type property.</li> </ul>
Accommodation profile	<ul style="list-style-type: none"> <li>The housing profile is dominated by detached homes, just under a third of homes have 4 or more bedrooms. These will tend to be more expensive, and may make them unaffordable for younger people and first-time buyers.</li> <li>Home ownership is high, which may make it difficult for people with lower incomes, or the younger generation, to stay in the village as there are fewer homes to rent.</li> <li>Filby has a very low proportion of one-bed homes (14 or 5%), in contrast over a fifth of households are single occupancy, suggesting there may be an unmet need for the smaller housing units.</li> <li>Consultations could aim to find out whether 1 or 2 bedroomed homes are preferred when downsizing to free up larger homes.</li> </ul>
Housing development	<ul style="list-style-type: none"> <li>Although Filby is a relatively small village, there have been 28 new homes built over the last six years and there are 26 more with permission. Feedback from residents indicates that these new homes have not met the housing need of the community and are placing additional pressure on environmentally sensitive areas within the parish.</li> <li>Although the Borough Council has indicated they do not intend to allocate further sites within Filby within their Local Plan Part 2, the Borough does not currently have a 5-year housing supply, which makes additional speculative or windfall development more likely.</li> </ul>
Affordable housing	<ul style="list-style-type: none"> <li>Demand for affordable housing outstrips its current supply within the parish. Current data indicates that demand in Filby is highest for smaller unit homes with 1 or 2 bedrooms.</li> </ul>
Transport infrastructure and connectivity	<ul style="list-style-type: none"> <li>Although the A1064 runs through the village it remains a tranquil place to live and this would want to be retained should there be additional housing growth.</li> <li>There is good access into the countryside, which is facilitated by a number of footpaths. This is not only good for wellbeing but may take some recreational pressure off the Broads SSSI and SAC.</li> <li>The parish is served by local bus services, but these are limited in their nature.</li> </ul>



Theme	Key Issues
	<ul style="list-style-type: none"> <li>Vehicles travelling in excess of the speed limit is currently a concern for local residents, although the number of road traffic collisions remains low.</li> </ul>
Travel to work and car ownership	<ul style="list-style-type: none"> <li>A relatively high proportion of people work from home, so could be more likely to make use of local services and rely on good technological infrastructure.</li> <li>A small proportion of households have no car and so rely heavily on public transport and local service provision</li> <li>The car remains the dominant mode of choice for those travelling to work, which indicates that public transport is not flexible or good enough for most commuters, and that most employment is driving distance away.</li> <li>High car ownership levels will result in a high demand for home-based car parking spaces.</li> </ul>
Services within the community	<ul style="list-style-type: none"> <li>Filby is considered a Secondary Village within the Great Yarmouth Local Plan. It has a handful of local services, but looks to nearby settlements for higher order services such as the doctors. Any development will want to support the sustainability of these services.</li> </ul>
The natural environment	<ul style="list-style-type: none"> <li>An area of the Broads National Park, Trinity Broads SSSI and Broads SAC falls within the parish. This is extremely rich in wildlife which could be sensitive to impacts from future development.</li> <li>The local community are actively involved in the conservation and management of the Trinity Broads, working with the Norfolk Wildlife Trust and are concerned about the impact that development may have on the SSSI.</li> <li>The landscape setting of the parish is open and dominated by arable farmland, which surrounds the main road and residential areas. Some of this identified as the best and most versatile agricultural land, which could be lost to future development.</li> <li>Its proximity to the Broads and a lack of street lighting means there are dark expansive skies at night. These could be eroded through new development with external lighting that is not dark sky sensitive.</li> </ul>
Flooding	<ul style="list-style-type: none"> <li>Closeness to the Trinity Broads means there is risk from flooding, particularly to the west of Thrigby Road and Pound Lane. This also contributes towards the area's environmental importance.</li> <li>Fluvial flood risk areas will be a constraint on the location of new development</li> <li>The extent of Medium and High Flood Risk, and therefore existing surface water drainage capacity, will likely constrain developable land within the Neighbourhood Plan Area.</li> </ul>
The built environment	<ul style="list-style-type: none"> <li>Filby retains some character as a historic farming community and there are nine Grade II Listed Buildings within the built-up area of the village. This character could be eroded by generic housing development.</li> </ul>

# 1.Introduction

Filby is situated on the edge of the Norfolk Broads, some 6 miles north-west of Great Yarmouth and 16 miles east of Norwich. It is a long and linear settlement, which runs tightly along the A1064. It is described as part modern, part traditional Norfolk countryside village, which retains some of its historic farming character and remains surrounded by arable farmland.

The parish encompasses an area of the Norfolk and Suffolk Broads National Park. This area of the National Park is also designated as the Broads Special Area of Conservation (SAC) and the Trinity Broads Special Site of Scientific Interest (SSSI). The Trinity Broads are a tranquil and beautiful part of the Broadland landscape, known as a hidden gem isolated from the main Broads river system, being landlocked.

## 2.Population Characteristics

According to the 2011 Census Filby has a population of 765 (*Source Nomis*). Analysis shows that this is a slight increase (3%) on the population in 2001. The population is ageing with the mean age increasing from 40 in 2001 to 44 in 2011. This is lower than comparable villages such as Rollesby, where it is 48.5, although slightly higher than the borough average of 42. Overall a fifth of the population is aged 65 and over, which is slightly lower than the Norfolk average and lower than the 29% in Rollesby, but it is higher than the average for England. It is also a significant increase since 2001, when the proportion was 15%.

**Figure 1: Population**

Age	Filby	Norfolk	England
0-24	25%	28%	31%
25-64	55%	51%	53%
65-74	12%	11%	9%
75+	8%	10%	8%
Total population	765	857,888	53m

*Source: NomisWeb*

### Issues

- **Filby has an ageing population, with a fifth of current residents aged 65+ and this is increasing. This would indicate the need for some future development to focus on smaller housing units for older people rather than larger executive type property.**

## 3.Accommodation Profile

A review of the 2011 Census indicates that the housing profile is significantly different from the Borough's. Two thirds of dwellings in Filby are detached houses or bungalows, which compares to less than a third across Great Yarmouth Borough, which has a much higher proportion of terrace properties and flats.

**Figure 2: Accommodation Profile**

Dwelling Type	Filby	Great Yarmouth Borough
Detached	202 (65.4%)	12,393 (29.5%)
Semi-Detached	77 (24.9%)	10,152 (24.1%)
Terrace	24 (7.8%)	12,937 (30.7%)
Flat or Apartment	4 (1.3%)	6,033 (14.3%)
Caravan / Temporary Structure	2 (0.6%)	467 (1.1%)
Total	309	42,079

The current average house value in Filby is £383,481 (*Zoopla, Apr 19*), with the average price paid over the last 12 months £371,385. This is based on 13 sales and is a 7% increase in value compared to the last five years.

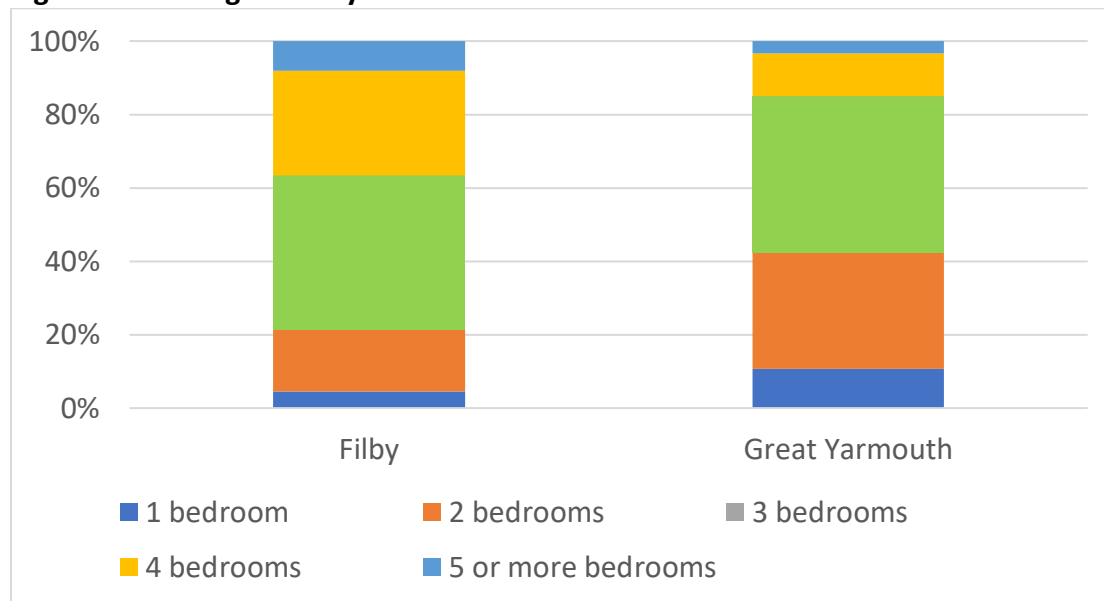
Data from the Census on dwelling size, in relation to number of bedrooms, is based on those homes with at least one usual resident. As with most other communities, homes with 3 bedrooms are most common (42%). Smaller properties, with 1 or 2 bedrooms, are under-represented when compared to borough and national rates, and compared to Rollesby, whereas there is a significantly higher proportion of larger homes with 4 or 5 bedrooms. Only 17% of Filby homes are 2 bed roomed, whereas in Rollesby it is 28%.

**Figure 3: Dwelling Size**

Number of bedrooms	Filby	Great Yarmouth	National
1 Bed	5%	11%	12%
2 Bed	17%	32%	28%
3 Bed	42%	43%	41%
4 Bed	28%	12%	14%
5+ Bed	8%	3%	5%

The lack of one bed roomed homes, and the low proportion even of two bed roomed homes, suggests that it could be more difficult than elsewhere for older people to downsize to better meet their space needs, which could free up some family homes. What isn't clear is whether older people would want to downsize to one bed roomed homes, or whether two bed roomed are preferred.

**Figure 4: Housing Stock by number of bedrooms**

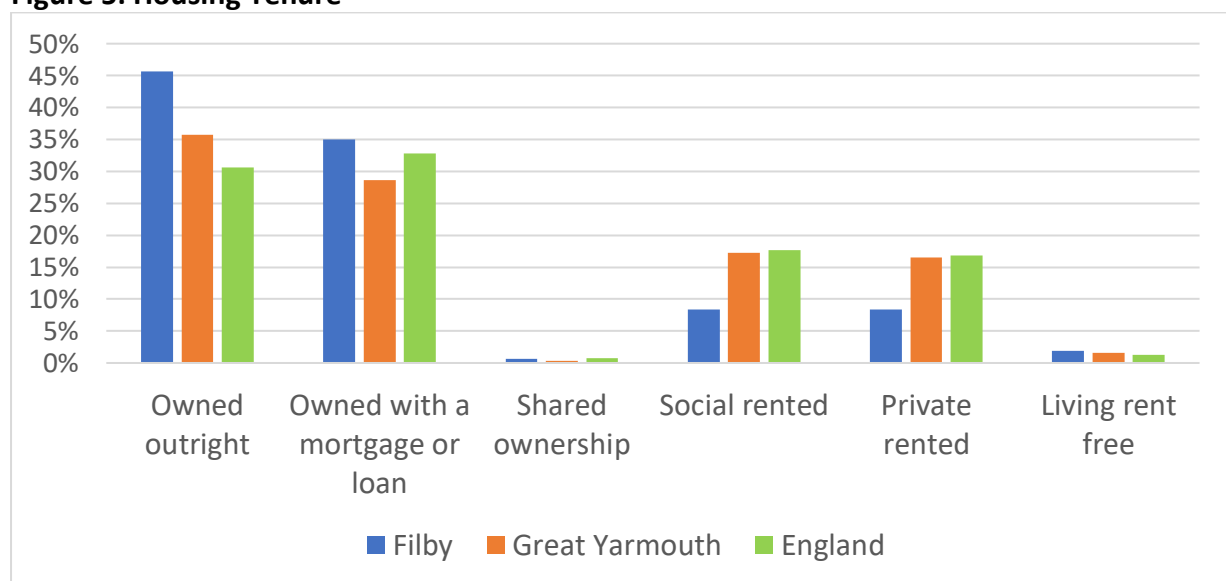


Source: Census 2011

Of the homes that are occupied by residents, 81% are owned, either with a mortgage (35%) or outright (46%). Home ownership is higher than for the borough (65%) or nationally (64%). The biggest difference is in the proportion of people who own their homes with a mortgage or loan, which is 10% greater than the borough.

Overall 16% of homes (50) are rented, significantly less than the Borough average of 34%, though you may expect that a high proportion of these rented homes are in Great Yarmouth which is a more deprived community. The proportion of socially rented accommodation is low (8%) when compared to the Borough (17%) or nationally (18%). This is unsurprising given the high proportion of people who own their home in the villages.

**Figure 5: Housing Tenure**



Source: Census 2011

In Filby 22% of households are single occupancy and of these almost two thirds are people aged 65 or over. Housing data indicates that there are only 14 one-bed homes, or 5%. Overall, 20% of homes within the village are just occupied by people aged 65 or over.

Of the 328 dwellings, 19 (5.8%) had no usual residents at the time of the Census 2011. Households with no usual residents could be those which are second homes, holiday lets, or long-term empty homes. The proportion is very similar to that across the Borough (5.3%) as a whole, though slightly above national figures (4.3%). The data indicates that holiday lets or second home ownership is not particularly an issue within Filby.

### **Issues**

- **The housing profile is dominated by detached homes, just under a third of homes have 4 or more bedrooms. These will tend to be more expensive, and may make them unaffordable for younger people and first-time buyers.**
- **Home ownership is high, which may make it difficult for people with lower incomes, or the younger generation, to stay in the village as there are fewer homes to rent.**
- **Filby has a very low proportion of one-bed homes (14 or 5%), in contrast over a fifth of households are single occupancy, suggesting there may be an unmet need for smaller unit housing. Some older people living alone will find it difficult to downsize whilst remaining in the village and so are unable to free up family sized homes for families.**
- **Consultations are need to determine whether those older residents living alone and wanting to downsize would prefer to downsize to one bedroomed dwellings or two bedroomed.**

## **4. Housing Development**

Filby is identified as a Secondary Village in the Great Yarmouth Local Plan.

Data from Great Yarmouth Borough Council indicates that there have been 28 new dwellings in Fleggburgh over the last six years, from the start of the current Local Plan. In addition, there is planning permission for a further 26 dwellings.

**Figure 6: Housing Completions & Permissions (April 2013-April 2019)**

Settlement	Completions	Extant Housing Permissions
Fleggburgh	28	26

*Source: Great Yarmouth Borough Council*

During the past decade a number of redundant farms fronting onto Main Road have been converted to residential use, reducing some of the open breaks through the village.

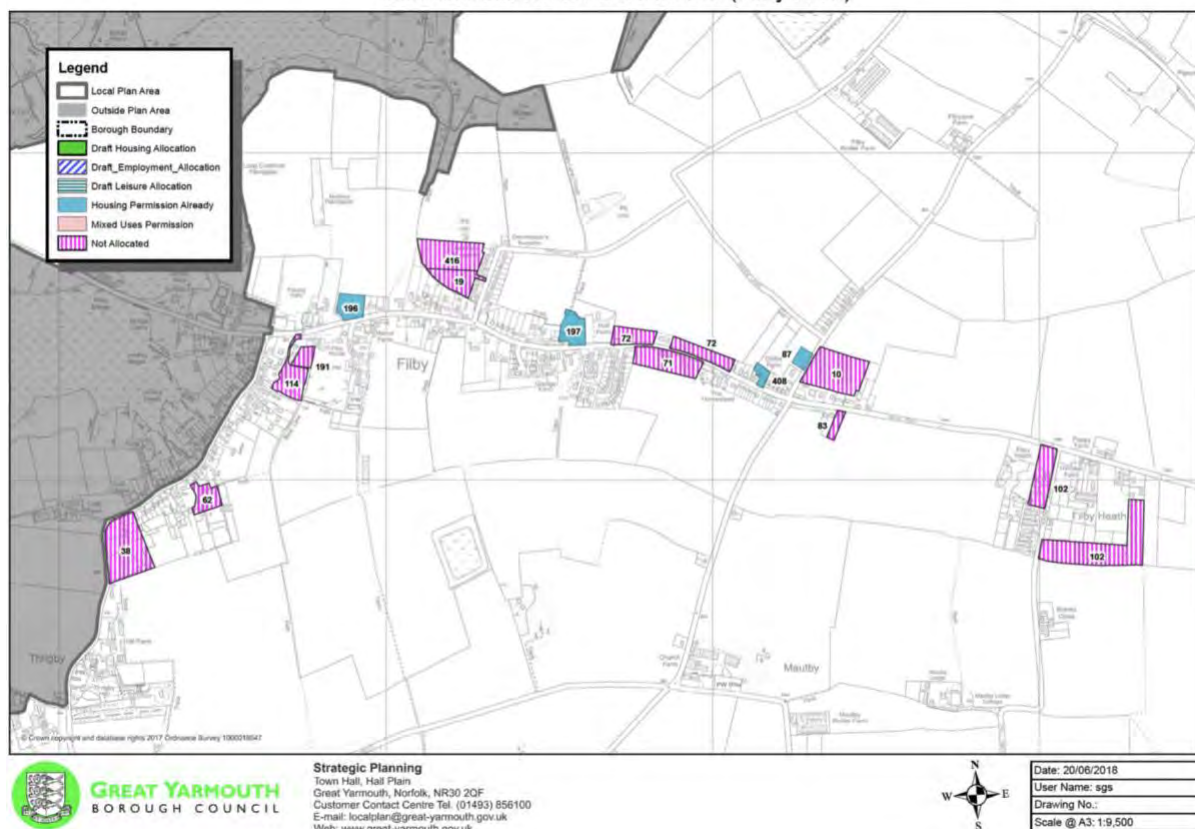
The Draft Policies Map in the Great Yarmouth Local Plan 2 (**figure 7**) highlights the sites submitted and considered for future allocation. Overall 15 sites were submitted during a recent call for sites, none of which have been selected for allocation as part of the revised Local Plan Core Strategy, currently in draft form. The map also identifies those sites that have

already received planning permission within Filby, through windfall applications. These are mainly infill.

The Draft Local Plan concludes:

*The settlement has a reasonable range of services and facilities for a Secondary Village and is suitable to accommodate a small range of housing in accordance with Core Strategy Policy CS2. However, owing to the significant number of completions, planning permissions and an allowance for windfall across the Secondary and Tertiary Villages (of which Filby already contributes significantly), there is little remaining housing need. The above sites have been assessed for potential development by judging the combination of advantages and disadvantages of the competing sites (including those from other Secondary and Tertiary Villages) in the context of meeting the local housing need with the distribution of development as set out in the Core Strategy. Consequently, no allocations are sought for residential development in Filby.*

**Figure 7: Great Yarmouth Local Plan 2 (Draft): Housing Sites**  
Sites Submitted and Considered (Filby Area)



## issues

- Although Filby is a relatively small village, there have been 28 new homes built over the last six years and there are 26 more with permission. Feedback from residents indicates that these new homes have not met the housing need of the community and are placing additional pressure on environmentally sensitive areas within the parish.

- Although the Borough Council has indicated they do not intend to allocate further sites within Filby within their Local Plan Part 2, the Borough does not currently have a 5-year housing supply, which makes additional speculative or windfall development more likely.

## 5. Affordable Housing

Affordable housing comprises:

- Affordable housing to rent from a registered provider
- Starter homes
- Discounted market sales housing
- Other affordable routes to home ownership – such as rent to buy

All of these types are available as entry-level homes, so restricted to people whose first house it will be.

There are currently 21 affordable properties to rent that are owned by the Borough Council within Filby. Around half of these are two-bedroom properties, see **Figure 8**. This does not include housing association properties, so there may be more.

**Figure 8: Current Rented Affordable Housing**

Bedrooms	Number
1 bed	8
2 bed	4
3 bed	7
4 bed	2

*Source: Great Yarmouth Borough Council*

**Figure 9** provides a snapshot of the current housing register, as June 2019. When applying to the register people are able to indicate where they would like to live and this choice is reflected as a preference for the first three months, beyond which properties are considered across the borough. Over the last three months to June 2019 seven applicants expressed a desire to live in Filby. There are currently 235 applicants on the housing register across the borough as a whole. Of those on the housing register, around a third are interested in a small 1 or 2-bedroom property, a quarter in a 3-bed and a third in a larger property Filby are looking for a small property.

**Figure 9: Filby Affordable Housing Need**

Bedrooms	Within 3 Months	Over 3 Months	Total
1	3	30	33
2	3	67	70
3	0	57	57
4	1	59	60
5	0	11	11



6	0	3	3
7	0	1	1
Room Share	0	0	0
Total	7	228	235

There are also 29 applicants on the Help to Buy register with Great Yarmouth as their preferred place to live, and 15 of them meet the Borough Council's residency criteria to be considered for a Section 106 property.

### Issues

- Demand for affordable housing outstrips its current supply within the parish. Current data indicates that demand in Filby is highest for smaller unit homes with 1 or 2 bedrooms.

## 6. Deprivation

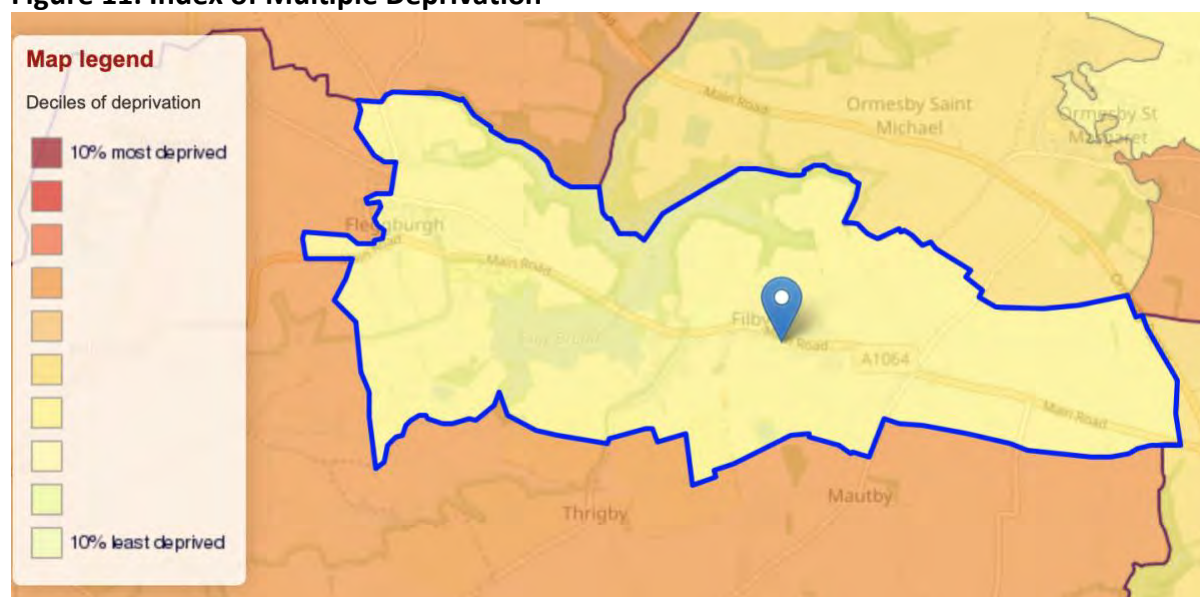
The Index of Multiple Deprivation 2015 is a measure of relative deprivation across England and an aggregate of a number of indicators, 37 in total across 7 domains. The IMD is available at Lower Super Output Area level, so it should be noted that the boundaries do not precisely match up with the Filby Parish boundary.

The figure below shows that Filby falls into the 40% least deprived neighbourhoods in England (Source Communities.gov.uk), and therefore in general deprivation is not likely to be an issue for the Neighbourhood Plan, although it might be the case that some households are deprived.

**Figure 10: Index of Multiple Deprivation (ranking by domain)**

Deprivation Domain	Ranking
Income	50% least deprived
Employment	40% least deprived
Education, skills and training	50% most deprived
Health and disability	50% least deprived
Crime	20% least deprived
Barriers to housing and services	50% most deprived
Living environment	40% most deprived
Income deprivation affecting children	40% least deprived
Income deprivation affecting older people	40% least deprived

**Figure 11: Index of Multiple Deprivation**



Source: <http://dclgapps.communities.gov.uk/imd/idmap.html>

The domain that Filby performs most favourably in comparison to other areas is crime – with the community falling within the 20% least deprived in England. From April 2018-March 2019 an average of 6 crimes per month were recorded in the parish (*Source Police.co.uk*). There appears to be no pattern and crime rates are considered to be fairly low in comparison to elsewhere.

### Issues

- **No issues relating to deprivation have been identified that the Neighbourhood Plan could address.**

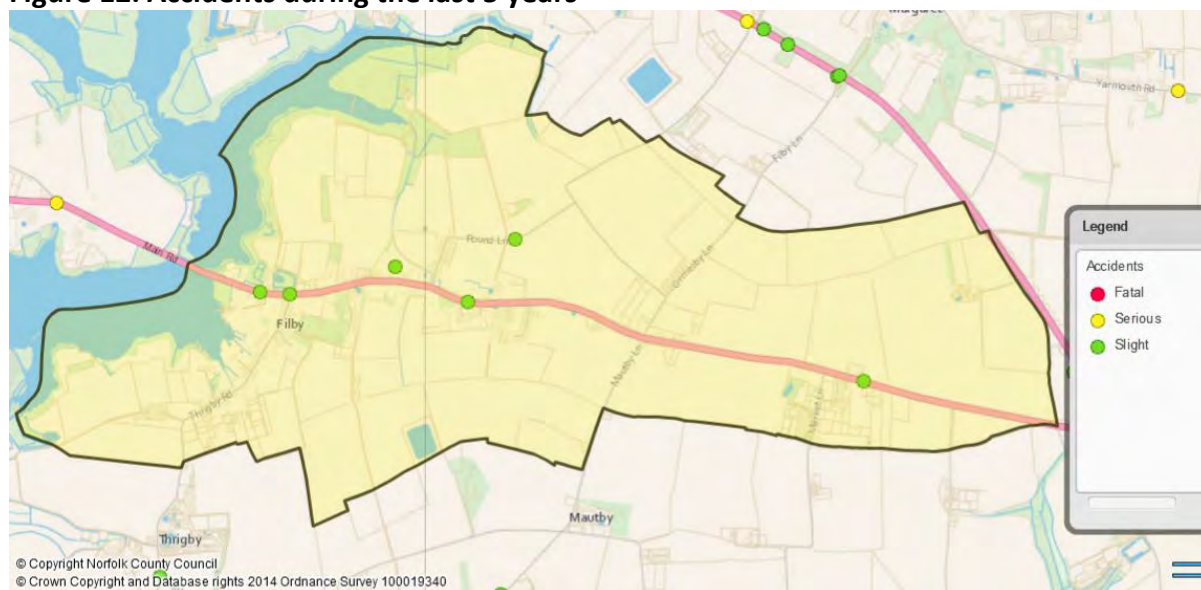
## 7. Transport Infrastructure and Connectivity

The neighbourhood plan area lies around 6 miles north-west of Great Yarmouth, with the A1064 running through it. This connects the village with neighbouring parishes including Fleggburgh and Caister-on-Sea. Traffic is often diverted along the A1064 through the village if the Acle Straight is closed, which can make it very busy. Despite the closeness of this road Filby remains a tranquil parish.

**Figure 12** shows the number and location of road traffic collisions recorded by the police over the last five years (to March 2019). There have been six recorded, most of which at points along the main road, and all slight injury accidents. The data indicates that road safety is not a *significant* issue within the village in terms of actual injury accidents.

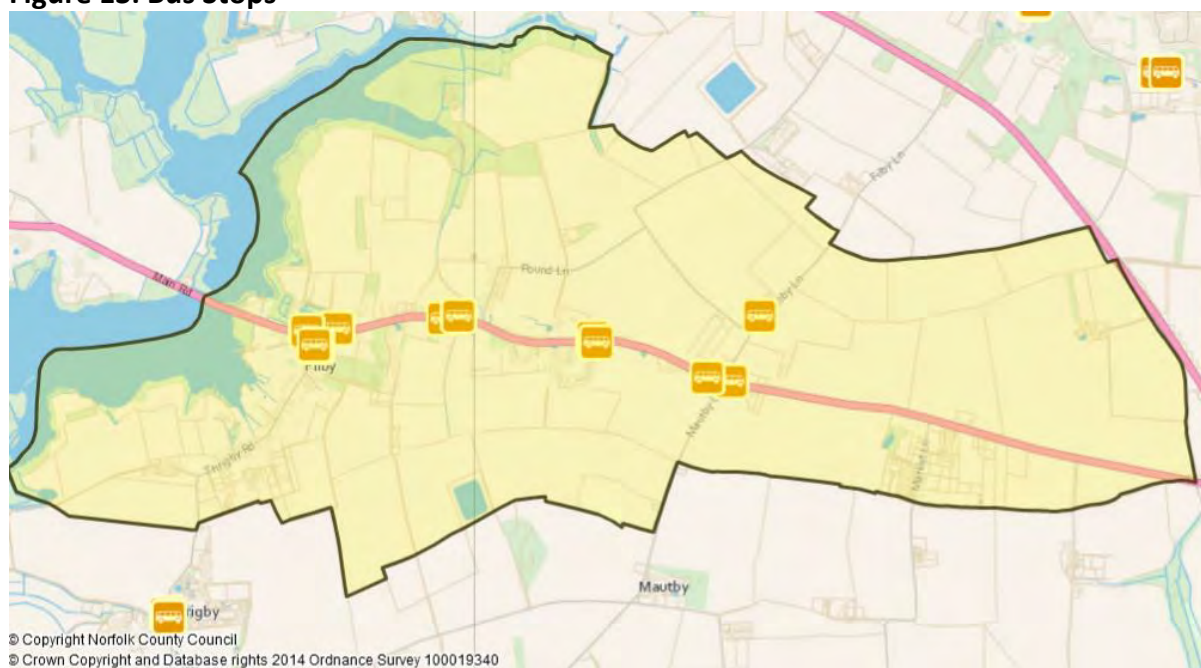
The roads through the village are subject to a 30mph limit, however local monitoring as part of Community Speedwatch indicates that average speeds are nearer 40mph and sometimes considerably higher.

**Figure 12: Accidents during the last 5 years**



**Figure 13** indicates that the Filby is served by public transport, with bus stops mainly along the main road. There are limited bus services to Acle and Great Yarmouth.

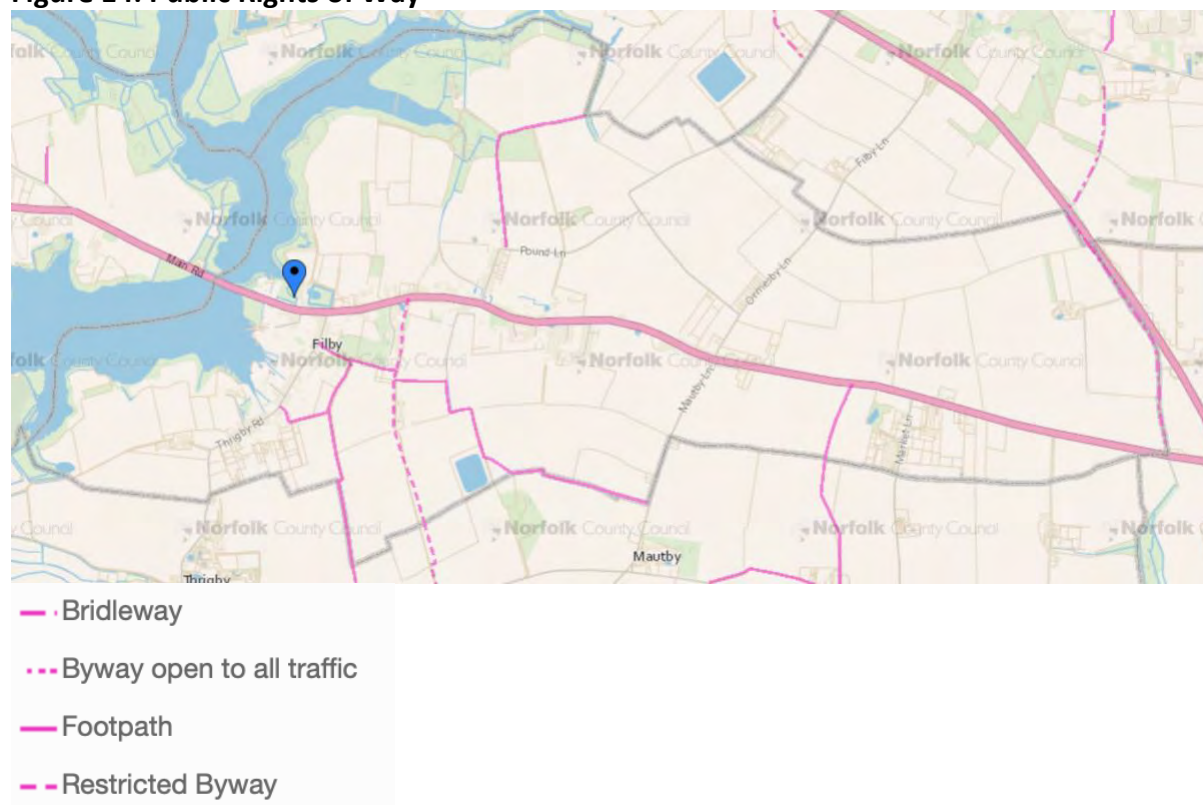
**Figure 13: Bus Stops**



There is a footway along one side of the main road through the village, though no footway along Ormesby Lane, which is narrow, for residents to gain access to the village centre.

**Figure 14** indicates that Filby has a number of Public Rights of Way that connect the village with surrounding countryside. Many of these run along field boundaries and there is a concentration to the south-east around the Broads National Park.

**Figure 14: Public Rights of Way**



**Issues:**

- Although the A1064 runs through the village it remains a tranquil place to live and this would want to be retained should there be additional housing growth.
- There is good access into the countryside, which is facilitated by a number of footpaths. This is not only good for wellbeing but may take some recreational pressure off the Broads SSSI and SAC.
- The parish is served by local bus services, but these are limited in their nature, and this might require high levels of car ownership and use.
- Although the number of road traffic collisions remains low, vehicles travelling in excess of the speed limit is currently a concern for local residents.

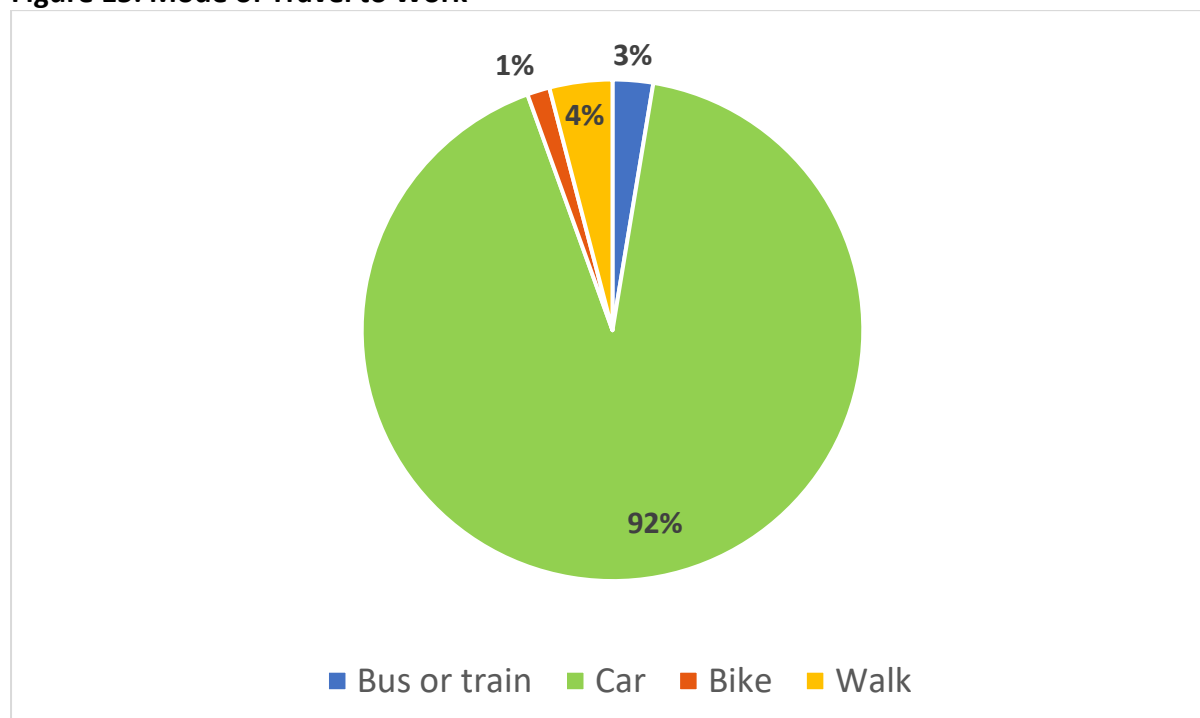
## 8.Travel to Work and Car Ownership

According to the 2011 Census, the average distance travelled to work is 20km, which is higher than the borough average of 16.8km. Norwich is around 20 miles, depending on the specific destination (Hospital/UEA 25 miles and Norwich City Centre 19 miles) from the village, and Great Yarmouth is 13 miles.

Under 10% of residents travel less than 5km to work, which is very low compared to the 43% of people who travel less than 5km across the Borough. However, fourteen percent of people indicated that they work at or mainly from home, which is high. This compares with national and borough averages of 10% and 9% of people working from home.



**Figure 15: Mode of Travel to Work**



*Source: 2011 census*

It can be seen that the car is the most popular mode for travelling to work by far with 92% of residents either driving or being a passenger. This is higher than the national figure and that for the borough, which is around 70%. Only 5% walk, and 1% cycle, and these figures are both lower than the figures for the borough (14% and 4% respectively) as a whole and for England, which likely reflects the relatively few employment opportunities locally.

**Figure 16: Car Ownership**

	Filby	Great Yarmouth Borough
No Cars or vans	8%	27%
1 Car or van	32%	45%
2 Cars or vans	36%	21%
3 Cars or vans	15%	5%
4 or more cars or vans	9%	2%

The figures for car ownership reflect the need for households to have the use of a car. At the time of the 2011 Census a relatively low proportion of households had no car – 8% or 25 households which proportionately is much lower than for the borough as a whole. It does mean however that those households / individuals will be very dependent on local services and public transport. In addition, for other households with just the one car, many of the household members will not have the use of the vehicle if it is used for commuting and so not available for much of the day.

### **Issues**

- **A relatively high proportion of people work from home, so could be more likely to make use of local services and rely on good technological infrastructure.**

- **A small proportion of households have no car and so rely heavily on public transport and local service provision**
- **The car remains the dominant mode of choice for those travelling to work, which indicates that public transport is not flexible or good enough for most commuters, and that most employment is driving distance away.**
- **High car ownership levels will result in a high demand for home-based car parking spaces.**

## 9.Services within the Community

Filby is well served by local facilities and amenities including a shopping parade along the main road, serving residents of both Filby and Fleggburgh. It is identified as a Secondary Village in the Great Yarmouth Local Plan Core Strategy 2013-2030. These are settlements containing few services and facilities, with limited access to public transport and very few employment opportunities.

Services within the village include:

- Primary school
- Pre-School
- Church
- Community Orchard
- Village Hall
- Post office
- Village shop
- Community Centre
- Playing fields
- Filby Bridge restaurant, by the Broads
- Filby Sailing Base – sailing activity confined to Filby Broad, there are restrictions on the number of boats that can use it at any one time.
- Hairdressers
- Bakery

Filby is a proactive community, with various events taking place at the village hall and community centre, a community speedwatch initiative, and annual participation in ‘Filby in Bloom’. Filby has won the village category of Britain in Bloom on a number of occasions.

Filby falls into the Fleggburgh Doctors Surgery Catchment. This is approx. 2.5miles from Filby but is likely to require a car to access as public transport is limited (see Section 7). There are known capacity issues with this doctors surgery, which is a cause of concern for some residents and could be exacerbated by growth locally.

Filby Primary School, part of the Evolution Academy Trust, is for children aged 5-11. It has 89 children on roll (January 2019), with the school rated Good by Ofsted in 2017. Norfolk County Council projects that 15 children will join Reception in September 2019, with 13 outgoing in

year 6, which suggests the school is sustainable in terms of numbers. **Figure 17** provides a breakdown of current pupil numbers by year group.

**Figure 17: Numbers on Roll at Filby Primary School, January 2019**

<b>Year</b>	<b>Number on Roll</b>
Reception	15
Year 1	10
Year 2	15
Year 3	12
Year 4	16
Year 5	8
Year 6	13
<b>Total</b>	<b>89</b>

*Source: Norfolk County Council*

### **Issues**

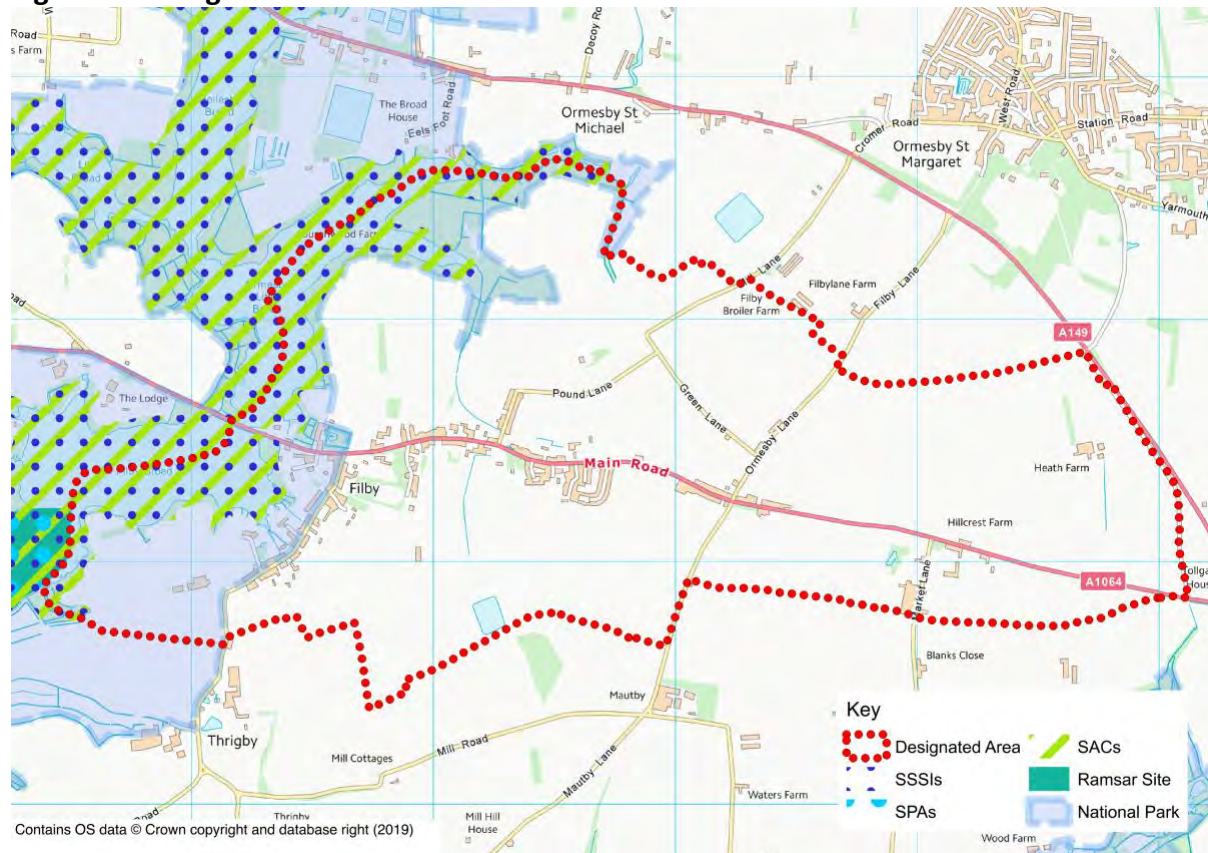
- **Filby is considered a Secondary Village within the Great Yarmouth Local Plan. It has a handful of local services, but looks to nearby settlements for higher order services such as the doctors. Any development will want to support the sustainability of these services and the vitality of the village.**



## 10. The Natural Environment

The neighbourhood plan encompasses an area of the Norfolk and Suffolk Broads National Park. This area of the National Park is also designated as the Broads Special Area of Conservation (SAC) and the Trinity Broads Special Site of Scientific Interest (SSSI). See **Figure 18**. The Trinity Broads are a tranquil and beautiful part of the Broadland landscape, known as a hidden gem isolated from the main Broads river system, being landlocked. The three broads of Ormesby Broad, Rollesby Broad and Filby Broad are much quieter than others. Filby Broad is the deepest of the three. Directly adjacent to the Neighbourhood Plan Area is the Broadland Special Protection Area and Ramsar Site.

**Figure 18: Designated Environmental Sites**



The Trinity Broads are extremely rich in wildlife with some species rarely found outside of the Broads fen habitats. Habitats include wide expanses of shallow open water, extensive tracts of broadshore reedbed and undisturbed areas of wet woodland. These habitats support a wealth of wildlife, from the tiniest rare snail, to stands of bulrushes which virtually disappeared from the rest of the Broads area, to the bittern. The ecological importance of the area is reflected in the variety of international, national and local nature conservation designations.

Trinity Broads make up 14% of the open water within the Broads National Park. They are a significant fresh water supply with approximately 5 million litres of water abstracted each day, supplying 80,000 homes in the surrounding villages and Great Yarmouth. They cover 162

hectares of open water in total, with 21km of broadshore habitat including fen meadow, tall herb fen, littoral reed bed and alluvial forest. It is important to ensure that the water quality is not impacted by future development.

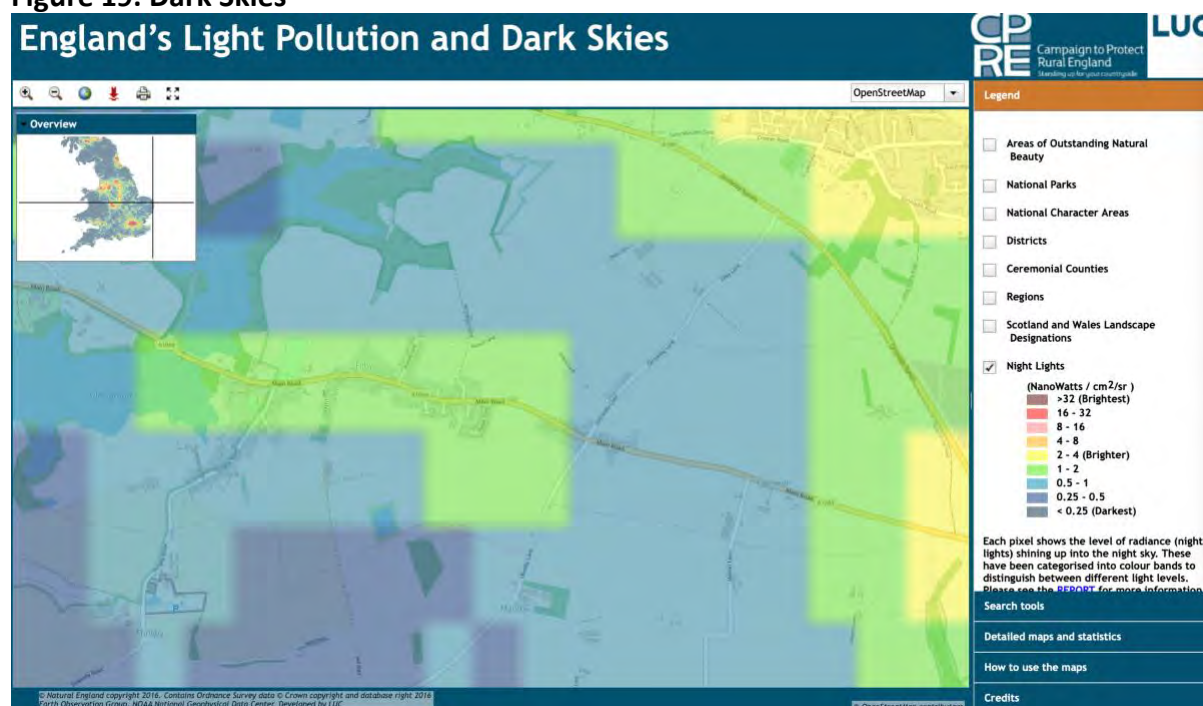
There is access for visitors from Filby Bridge, where people can park their car and walk through the woods along the broadshore. This is particularly popular during summer months. The walk leads to a bird hide overlooking Ormesby Little Broad. There is also a walkway that allows visitors to walk over the Broad and to fish from the fishing platforms. Filby Sailing Base also exists to allow non-motorised sailing on Filby Broad. Some residents of the village have private access onto the Broad.

The local community work proactively with the Norfolk Wildlife Trust to support conservation and management of the Trinity Broads. This includes delivery of specific projects as well as contribution in volunteer hours.

Filby is valued by residents for its tranquillity. Its proximity to the Broads and a lack of street lighting means there are currently dark expansive skies at night. The Campaign to Protect Rural England's Light Pollution and Dark Skies identifies that Filby parish is one of the darkest areas in the England –

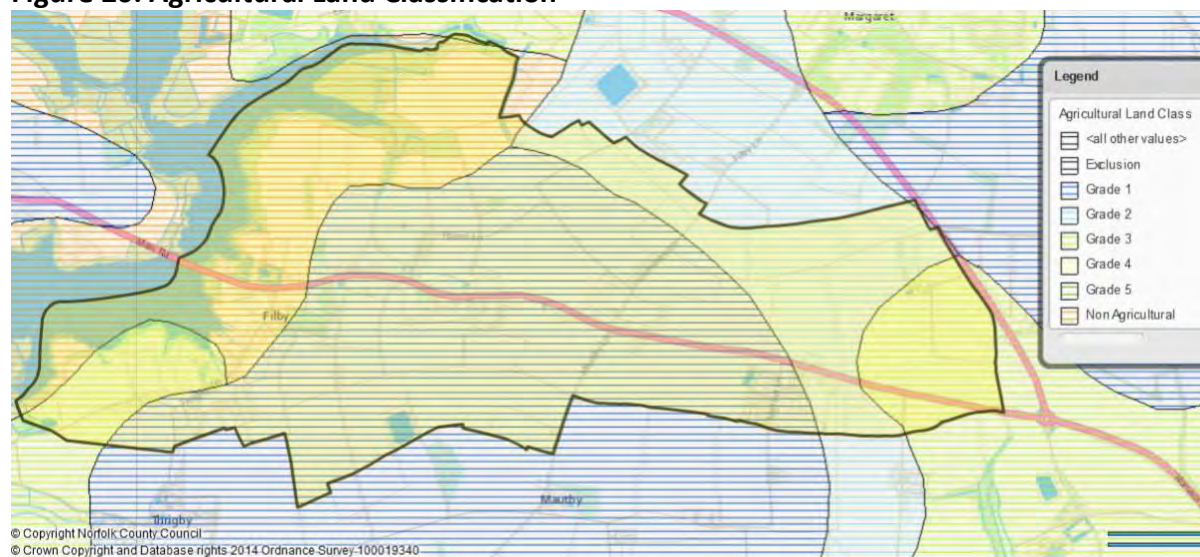
[https://www.nightblight.cpre.org.uk/maps/?\\_ga=2.217528022.1718306731.1573479253-820694389.1573479253](https://www.nightblight.cpre.org.uk/maps/?_ga=2.217528022.1718306731.1573479253-820694389.1573479253)

**Figure 19: Dark Skies**



The built-up area of Filby, which predominantly runs along the main road is surrounded by a patchwork of arable fields. A good number of these fields are classified as the best and most versatile agricultural land, or Grade 1 according to the Agricultural Land Classification Scale, see **figure 20**.

**Figure 20: Agricultural Land Classification**



*Source: Norfolk County Council*

The Great Yarmouth Character Assessment classifies the parish as ‘Ormesby and Filby Settled Farmland’, an enclosure of arable landscape. The character area is fringed by and forms the landscape setting of the Broads. The wooded backdrop of the Broads creates a sense of heightened tranquillity and wildness, in an otherwise arable landscape. Key considerations in relation to development include ensuring that settlement edges are transitional in character and integrate within their landscape setting. Existing hedgerows should be reinforced and wooded wetlands which form part of the Broadland landscape setting should be conserved.

### **Issues:**

- **An area of the Broads National Park, Trinity Broads SSSI and Broads SAC falls within the parish. This is extremely rich in wildlife which could be sensitive to impacts from future development.**
- **The local community are actively involved in the conservation and management of the Trinity Broads, working with the Norfolk Wildlife Trust and are concerned about the impact that development may have on the SSSI.**
- **The landscape setting of the parish is open and dominated by arable farmland, which surrounds the main road and residential areas. Some of this identified as the best and most versatile agricultural land, which could be lost to future development.**
- **Its proximity to the Broads and a lack of street lighting means there are dark expansive skies at night. These could be eroded through new development with external lighting that is not dark sky sensitive.**

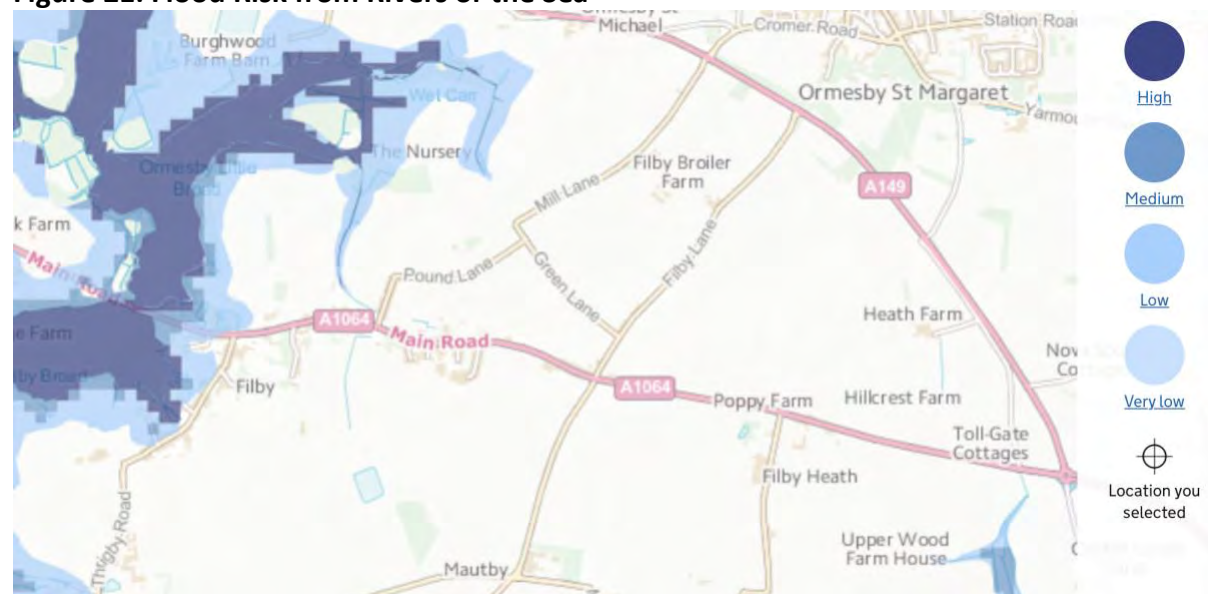
## **11. Flooding**

The Environment Agency provides an indication of the long-term risk of flooding based on rivers, sea, surface water and groundwater. **Figure 21** highlights risk of flooding from rivers or the sea. The area to the west of Thrigby Road, and a smaller area to the west of Pound Lane are identified as being within fluvial flood risk zones 2 and 3, medium and high risk. Here the risk of surface water flooding is also greater – see **Figure 22**. There is also existence of flooding



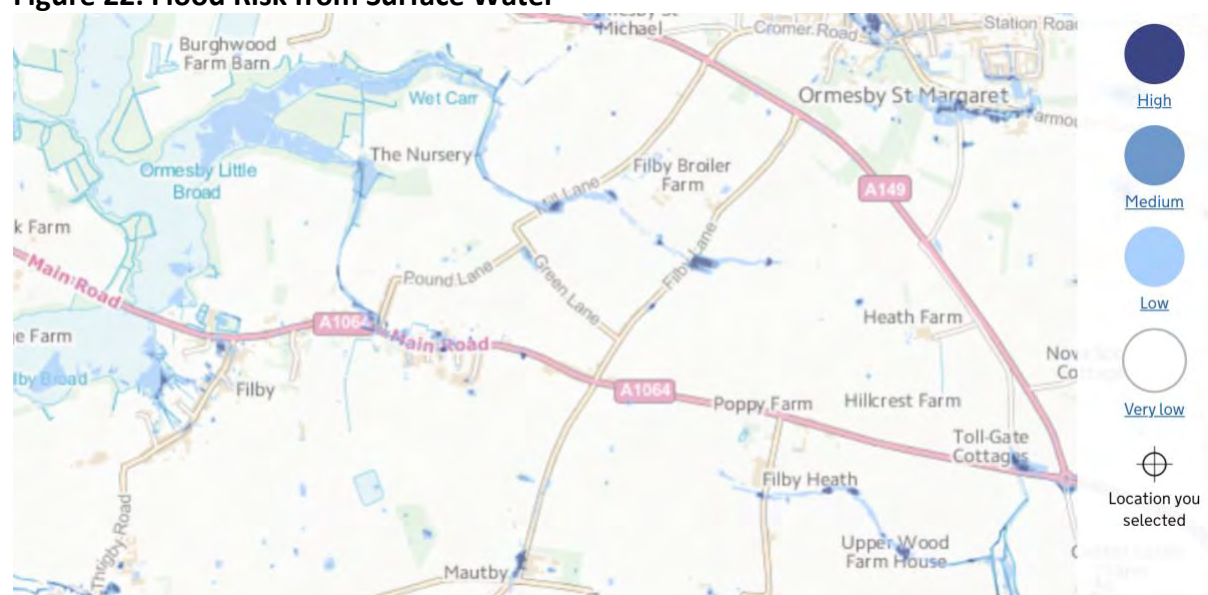
along the main A1064 and Mill Lane, Green Lane and Filby Lane. Flooding from reservoirs, **Figure 23**, is an issue around the north-west of the parish, affecting Mill Lane.

**Figure 21: Flood Risk from Rivers or the Sea**

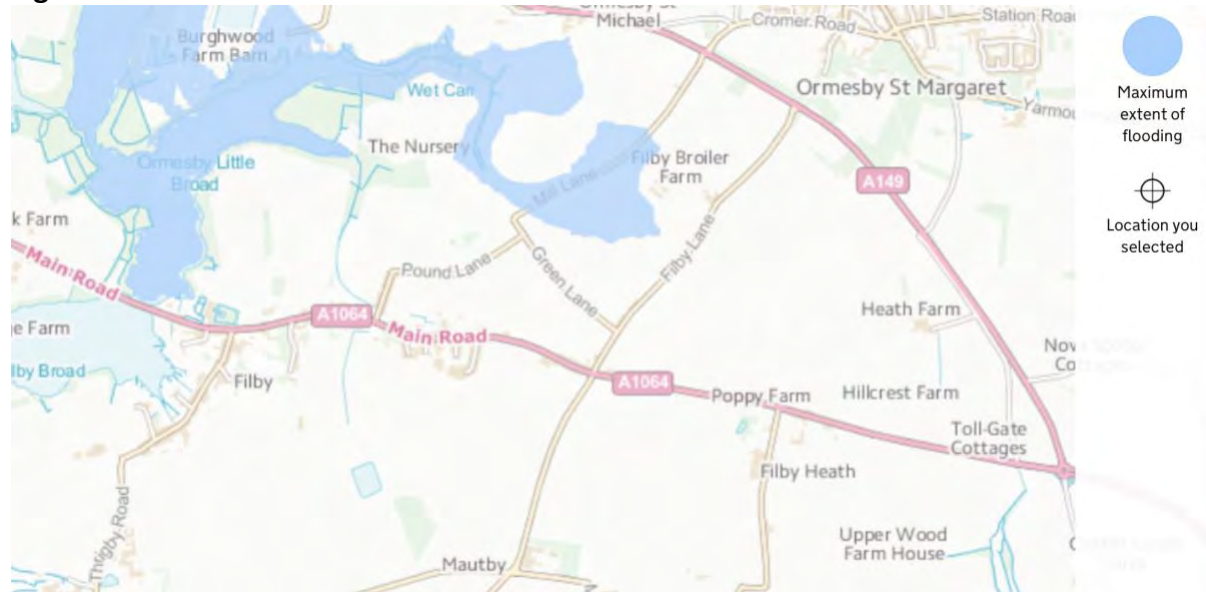


Source: [flood.warning-information.service.gov.uk](http://flood.warning-information.service.gov.uk)

**Figure 22: Flood Risk from Surface Water**



**Figure 23: Flood Risk from Reservoirs**



### **Issues**

- Closeness to the Trinity Broads means there is risk from flooding, particularly to the west of Thrigby Road and Pound Lane. This also contributes towards the area's environmental importance.
- Fluvial flood risk areas will be a constraint on the location of new development
- The extent of Medium and High Flood Risk, and therefore existing surface water drainage capacity, will likely constrain developable land within the Neighbourhood Plan Area.

## 12. The Built Environment

Filby is a long, linear settlement with the main built up area straddling the A1064. The road is somewhat dominating, though there are open breaks along the length of the settlement providing views into the open countryside, including onto arable farmland.

Historically the built environment of Filby revolved around agriculture. It was known for its market gardens, and particularly noted for growing raspberries. This declined in the 1960s as land was taken for property development. In recent years a number of redundant farms fronting the A1064 have been converted into residential use, which has reduced the number of open breaks.

East of the main village lies a smaller cluster of dwellings that are positioned around the junction of Main Road and Ormesby Lane. Whilst this area is connected to the main village by a footpath, it is both physically and visually distinct from the main village.

Filby has nine Listed Buildings all of which are Grade II, see **Figure 24**. The majority of these buildings are along the main road through the village and cluster around the Church of All Saints. Filby House, and its private grounds, is recognised in the Great Yarmouth Local Plan to contribute towards the character of the village and has been omitted from the development boundary.

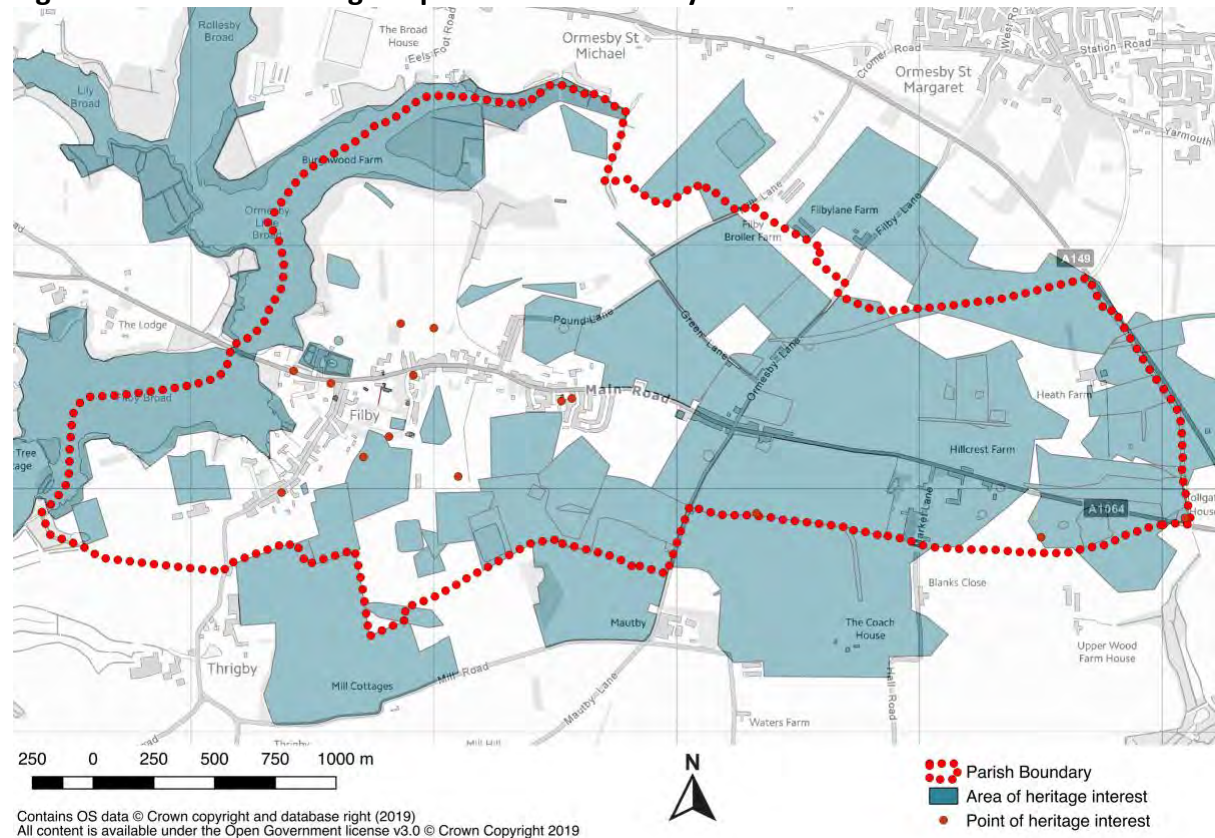
Norfolk Heritage Explorer identifies there to be 94 sites or finds of heritage importance within Filby, see **Figure 25**. There are no Ancient Monuments and no Borough Council designated Conservation Areas.

**Figure 24: Listed Buildings**





**Figure 25: Areas of heritage importance within Filby**



## **Issues**

- **Filby retains some character as a historic farming community and there nine Grade II Listed Buildings within the built-up area of the village. This character could be eroded by generic housing development.**



## Assessment of Non-Designated Heritage Assets

Non-designated heritage assets are buildings, monuments, sites, places, areas or landscapes identified as having a degree of significance meriting consideration in planning decisions but which are not formally designated. They are valued as distinctive elements of the local historic environment.

Historic England provide guidance on the listing of local heritage assets to assist community groups, for example in preparing a Neighbourhood Plan. Local lists complement national designations and intends to highlight heritage assets which are of local interest, to ensure they are given due consideration when change is being proposed.

Filby Neighbourhood Plan has adopted the following process for considering assets of historical importance which could be included on a local list:

1. Review of designated assets and data held on the Historic Environment Record;
2. Identification of assets of local importance based on local knowledge and data held on the Historic Environment Record;
3. Consultation with Norfolk Historic Environment Service on the assets identified to determine their significance and whether they should be afforded protection;
4. Assessment according to Historic England criteria, below.

Criterion	Description
Age	The age of an asset may be an important criterion, and the age range can be adjusted to take into account distinctive local characteristics or building traditions.
Rarity	Appropriate for all assets, as judged against local characteristics
Aesthetic Interest	The intrinsic design value of an asset relating to local styles, materials or any other distinctive local characteristics.
Group Value	Groupings of assets with a clear visual design or historic relationship.
Archaeological Interest	The local heritage asset may provide evidence about past human activity in the locality, which may be archaeological – that is in the form of buried remains – but may also be revealed in the structure of buildings or in a manmade landscape. Heritage assets with archaeological interest are the primary source of evidence about the substance and evolution of places, and of the people and cultures that made them.
Archival Interest	The significance of a local heritage asset of any kind may be enhanced by a significant contemporary or historic written record.
Historical Association	The significance of a local heritage asset of any kind may be enhanced by a significant historical association of local or national note, including links to important local figures. <a href="#">Blue Plaque</a> and other similar schemes may be relevant.
Designed Landscape Interest	The interest attached to locally important historic designed landscapes, parks and gardens which may relate to their design or social history. This may complement <a href="#">a local green space designation</a> , which provides special protection against development for green areas of particular importance to local communities for their current use.
Landmark Status	An asset with strong communal or historical associations, or because it has especially striking aesthetic value, may be singled out as a landmark within the local scene.
Social and Communal Value	Relating to places perceived as a source of local identity, distinctiveness, social interaction and coherence, sometimes residing in intangible aspects of heritage, contributing to the 'collective memory' of a place.

Local Heritage Listing: Historic England Advice Note 7<https://historicengland.org.uk/images-books/publications/local-heritage-listing-advice-note-7/heag018-local-heritage-listing/>

**Assessment:**

Heritage Asset	Age	Rarity	Aesthetic Interest	Group Value	Archaeological Interest	Archival Interest	Historical Association	Designed Landscape Interest	Landmark Status	Social and Community Value
<b>The Homestead:</b> This property is not listed, although the barn behind it is a Grade II Listed building that dates to the late 17 <sup>th</sup> Century. The Homestead may be of the same date as the barn, but it has been heavily modified.	♦			♦						
<b>Filby Club Rooms:</b> This is one of the last remaining buildings made from local clay lump from the Filby Claypit. It used to be the reading room and is an interesting building worthy of protection.	♦	♦	♦						♦	♦
<b>The King's Head Pub:</b> This is also one of the last remaining buildings built of locally sourced clay lump. It was previously a significant smugglers location. The building dates from before 1840, though has been heavily modified.	♦	♦								♦
<b>The Dissenters Chapel:</b> It was built in 1705, though badly damaged during World War 2. The chapel is also listed on the Norfolk Historic Environment Record NHER 31187.	♦				♦	♦				♦
<b>The Primary School:</b> The original school room was built in Tudor style and dates to 1838, enlarged in 1877 and a further room added in 1882. The school is listed on the Norfolk Historic Environment Record NHER 55147.	♦					♦				♦
<b>The Raspberry (Jam) Shed:</b> Filby used to be an important community growing raspberries and this is where they were weighed prior to shipping to London. The building is not listed, but of local interest and worthy of preservation.							♦			♦

<b>Vine Cottage:</b> This is a 19 <sup>th</sup> Century house of some status, being the old Curates House. The cottage is not listed, but of local importance.						◆			◆
<b>The Toll House:</b> This is the last house in the village, not listed, but of community value. It is identified on Norfolk Historic Environment Record NHER 18357.	◆				◆				◆
<b>White Thatch Cottage:</b> This building dates back to 1600 and is very pretty cottage of local importance. Visitors to the village sometimes stop to take photos.	◆		◆						
<b>The White House:</b> This was originally built as a Methodist chapel, now a private dwelling. It is of significant local importance and its history has recently been recorded by residents.	◆	◆							◆
<b>Earthworks of a medieval moated site:</b> This monument is on Norfolk Historic Environment Record NHER 31191. It is the earths of a possible moat or decoy pond, ditches and possible water meadow of probable medieval date which are visible on aerial photographs.	◆				◆	◆			
<b>Filby Broad &amp; Ormesby Little Broad:</b> The entire Rollesby Broad complex is listed on the Norfolk Historic Environment Record NHER 13509 as a series of medieval peat cuttings which flooded in the late medieval and post medieval periods to form the Broad. The complex is shown on Saxton's Map of 1574. The Broad has a special designation by Historic England as 'an area of exceptional waterlogged archaeology'.	◆			◆		◆		◆	◆

**Notes in relation to the assessment criteria** (where a judgement has been made that the criteria has been met)

### **The Homestead**

Age – The Homestead has the date 1686 on its gable

Group value – taken together with the barn it is adjacent to

### **Filby Club Rooms**

Age – built of clay lump from the local claypit in Filby. Thatched. Gifted to the village in 1898.

Rarity – one of the last remaining buildings constructed from clay lump from the local pit

Aesthetic interest – built from local materials, thatched

Landmark status – considered a landmark within the local scene, damaged by fire in 2002, restored with Lottery support.

Social and communal value – gifted to the community in 1898 for parish gatherings and meetings, still used for such today.

### **The King's Head Pub**

Age – pre-1840, from local clay lump, but heavily modified.

Rarity – one of the last remaining buildings constructed from clay lump from the local pit

Social and communal value - Been a pub since 1835 according to licensee history.

### **Dissenters Chapel**

Age – remains of a Unitarian chapel 1705-1940

Archaeological interest – some limited excavation in early 1990s revealed walls and floor

Archival interest – listed on the Norfolk Historic Environment Record

Social and communal value – cemetery

### **Primary School**

Age – original part of the building dates to 1838, built in Tudor style

Archival interest – listed on the Norfolk Historic Environment Record

Social and communal value – historic and existing school within the village, adding to collective memory of the village

### **The Raspberry (Jam) Shed**

Rarity – building with a unique purpose and past, important to the local community

Historical association – until the late 1950s the Jam Shed was used to store the village's annual crop of raspberries, from where it was collected by lorry and taken to the depot of William Bracey & Sons, Fruit Merchants, who would sell the on to canners and jam factories in London.

Social and communal value – part of Filby's identity as a raspberry growing community, supplying London. The building is of significant local interest and value. The building is now utilised for community purposes.

### **Vine Cottage**

Historical association – a 19<sup>th</sup> Century house of some status, formerly the Curates house in the village

Social and communal value – contributes to the collective memory of Filby with this being the old Curates house

### **The Toll House**

Age – a single storey post-Medieval toll house, though unsympathetically restored

Archival interest – listed on the Norfolk Historic Environment Record

Social and communal value – contributes to the collective memory of Filby with this being the former toll house

### **White Thatch Cottage**

Age – original house thought to date to 1600

Aesthetic interest – very pretty house within the village ‘chocolate box’ photos often taken of it by visitors to the village

### **The White House**

Age – thought to be the former Wesleyan Methodist Chapel in Filby from 1811, with the Deeds stating that it was formerly used as a Chapel or Meeting House.

Rarity – former Methodist chapel, the first/only in Filby

Social and communal value – history of Methodism in Filby recently research and written by local residents of the village

### **Earthworks of medieval moated site**

Age – post medieval and visible on aerial photographs

Archaeological – various surveys have taken place

Archival – listed on the Norfolk Historic Environment Record

### **Filby Broad and Ormesby Little Broad**

Age – Medieval peat cuttings shown on Saxton’s map 1574

Group value – part of the Norfolk and Suffolk Broads

Archaeological Interest – Medieval peat digging

Archival interest – listed on the Norfolk Historic Environment Record

Designated Landscape Interest – the Broads have equivalent status of a National Park

Landmark status – Filby broad is a key landmark within the parish and has significant aesthetic value

Social and communal value – Filby broad is a key source of local identity and distinctness for those residing within the parish

# Views Assessment

## 1. Introduction

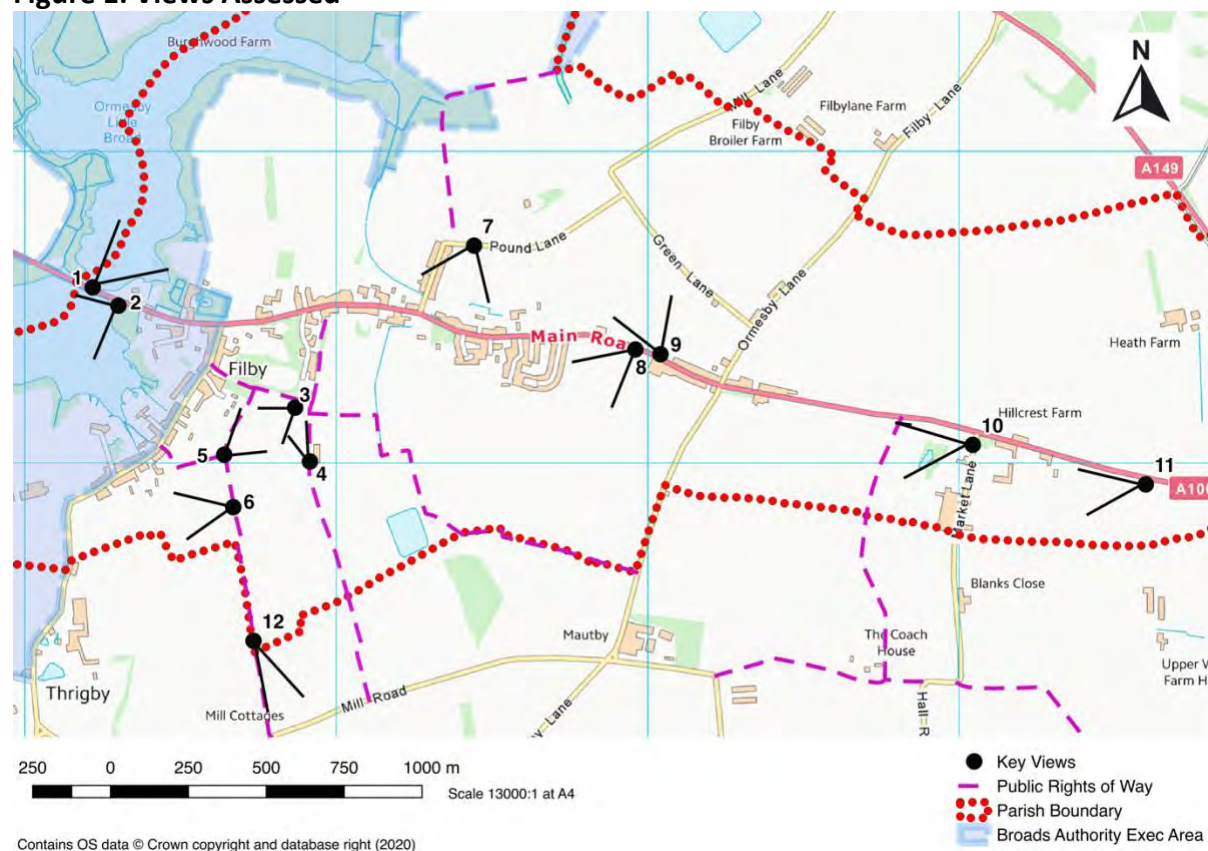
Filby sits within a remarkably beautiful landscape, surrounded by arable fields and the Broads National Park. Whilst the majority of the parish enjoys beautiful views over fields, including long views into surrounding countryside, it is proposed that a few of these special views are afforded protection within the Neighbourhood Plan. A number of views that are important to the community were identified during consultation with residents in August 2019. This report considers whether they are views that merit protecting in the Neighbourhood Plan.

A set of criteria was used to identify such views:

- Are they accessible from a public space;
- Have a specific reason for being important to the community; and
- A good reason for its inclusion within the Neighbourhood Plan, which may include risk the view will be blocked or reduced in the future.

**Figure 1** considers the views assessed for inclusion in the Filby Neighbourhood Plan.

**Figure 1: Views Assessed**





## 2. Assessment of Views

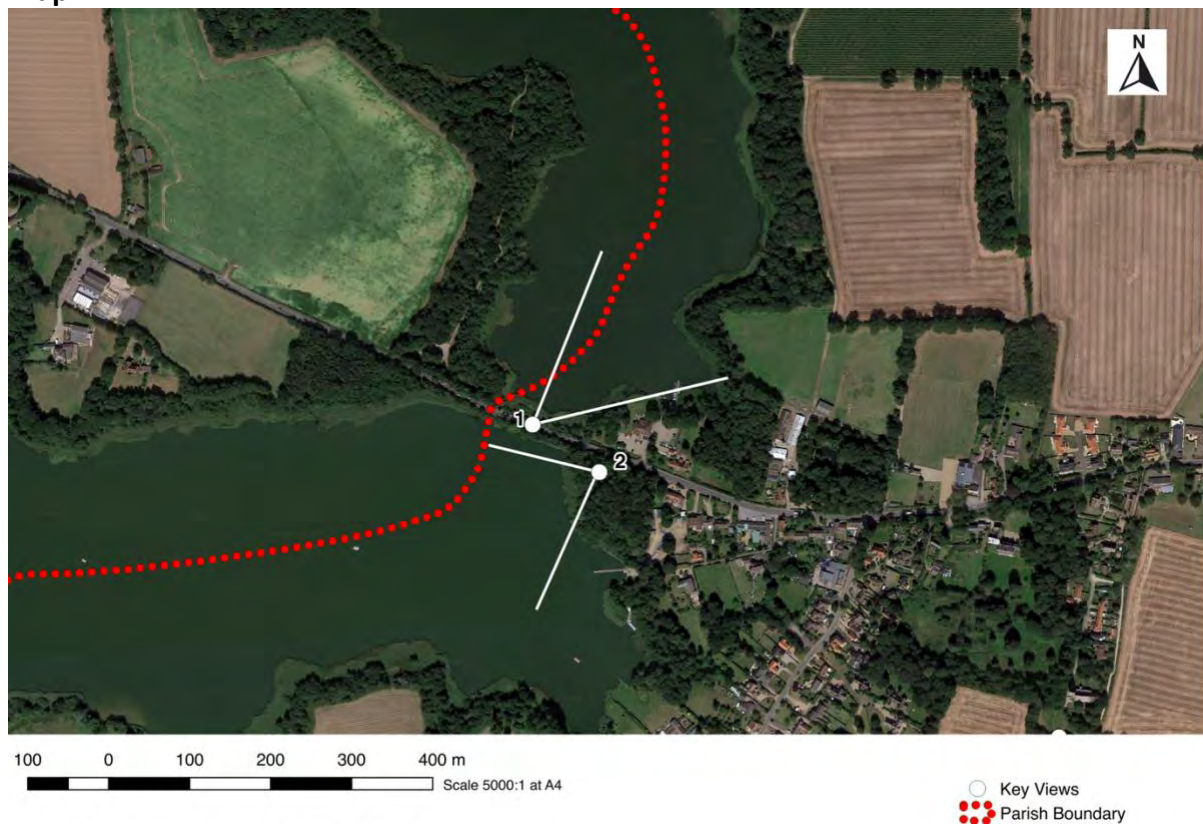
### View 1: Views of Ormesby Little Broad

**Description:** Stunning glimpses of Ormesby Little Broad are possible between the vegetation as you cross over the bridge at the entrance to Filby.

**Photo:** Taken from the footway over the bridge



**Map:**



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**Assessment Criteria:**

Accessible from a public space	Yes
Reason for being important	Fantastic views over the unspoilt Ormesby Little Broad
Reason for inclusion in the Neighbourhood Plan	Important for the landscape character of the village and very picturesque.

**View 2: View of Filby Broad**

**Description:** Panoramic views of Filby Broad are possible from the short board walk at Filby Bridge. This is a great place for bird-watching, fishing or just taking in the sunset.

**Photos:****Map:**

See View 1 above

**Assessment Criteria:**

Accessible from a public space	Yes
Reason for being important	Fantastic panoramic views over the unspoilt Filby Broad

Reason for inclusion in the Neighbourhood Plan	Important for the landscape character of the village and very picturesque.
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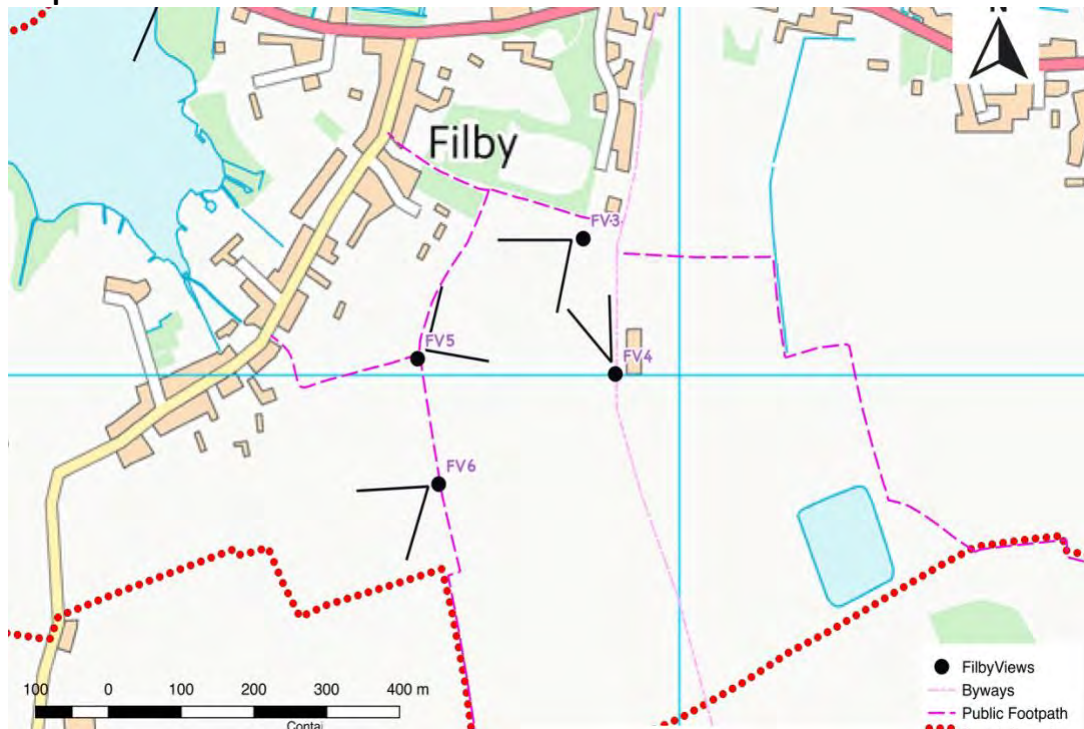
### View 3: Views over fields from behind the Church

**Description:** This significant view is from behind the Church of All Saints and overlooks arable fields. The landscape changes with the seasons depending on crops planted in the fields. It is viewed by many people who visit the Church and walkers along the public right of way.

**Photo:** taken from the Church carpark



**Map:**



#### Assessment Criteria:

Accessible from a public space	Yes
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Reason for being important	Important to the setting of the church, enjoyed by many who visit it
Reason for inclusion in the Neighbourhood Plan	Important for the character of the village and setting of the church, some concern by residents about the view being affected by recent development of the nearby chicken shed

#### **View 4: View of the Church of All Saints from the Public Right of Way**

**Description:** This is an important view of the Church of All Saints, a Medieval Church building, from the Public Right of Way leading from the back of the church alongside the chicken shed. The Church is known for its size and is also a designated heritage asset – a Grade II Listed Building.

**Photo:**



**Map:** See map above for View 3.

#### **Assessment Criteria:**

Accessible from a public space	Yes
Reason for being important	Important view of the Church of All Saints, enjoyed by many who walk along the PROW
Reason for inclusion in the Neighbourhood Plan	Important for the character of the village and setting of the church, some concern by residents about the view being affected by recent development of the nearby chicken shed

#### **View 5: View of the Church of All Saints from the Public Right of Way**

**Description:** This is an important view of the Church of All Saints, a Medieval Church building, from the Public Right of Way across the fields. The Church is known for its size and is also a designated heritage asset – a Grade II Listed Building.

**Photo:**



**Map:** See map above for view 3.

**Assessment Criteria:**

Accessible from a public space	Yes
Reason for being important	Important view of the Church of All Saints, enjoyed by many who walk along the PROW
Reason for inclusion in the Neighbourhood Plan	Important for the character of the village and setting of the church, some concern by residents about future development given recent permission for the nearby chicken shed

**View 6: View of Thrigby Hall & Wildlife Gardens**

**Description:** This view across the fields takes in the splendid Thrigby Hall which was built in 1736. The Hall and its expansive gardens opened to the public in 1979 as Thrigby Wildlife Gardens and is popular with visitors to Norfolk as well as residents of Filby. This view is enjoyed by many from the Public Right of Way.

**Photo:**



**Map:** See map above for view 3.

**Assessment Criteria**

Accessible from a public space	Yes
Reason for being important	View of a locally important building from across the fields.



Reason for inclusion in the Neighbourhood Plan	Part of the field land is leased to the Parish Council by Norfolk County Council and is used by residents as paddock plots. There is some concern locally that the Council are considering the planning potential of this land.
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## View 7: The village from Pound Lane

**Description:** A view down to the heart of the village from Pound Lane which gradually rises up as you drive out of the parish towards Ormesby St Margaret. It's possible to glimpse the church in the background which sits at a level above the houses.

**Photo:** Taken as Pound Lane bends and runs parallel with Main Road



## Map:



**Assessment Criteria:**

Accessible from a public space	Yes
Reason for being important	A view down the rise into the heart of Filby village, with the Church visible in the background
Reason for inclusion in the Neighbourhood Plan	An elevated view of the centre of the village which residents are keen to preserve, amid concerns that it could be eroded by windfall development.

**View 8: Looking south-west on the gap between the main village and small cluster of dwellings around the junction of Main Road and Ormesby Lane**

**Description:** To the east of the village lies a smaller cluster of dwellings that are physically and visually distinct from the main village. This view looks across the fields towards the main village and is integral to maintaining the village's current character. It can be viewed from the Main Road or footway that runs alongside the Main Road.

**Photo:** Taken from the footway that runs on the right-hand side of the main road at the edge of the cluster of dwellings





## Map:



## Assessment Criteria:

Accessible from a public space	Yes
Reason for being important	A lovely view across the fields, part of the character of the village that creates a distinct divide between two parts of Filby settlement.
Reason for inclusion in the Neighbourhood Plan	Concern by residents that the gap will be eroded through windfall development. There is recent history of applications being submitted and approved for additional dwellings, increasing the size of the small cluster.

## View 9: Looking north-east on the gap between the main village and small cluster of dwellings around the junction of Main Road and Ormesby Lane

**Description:** To the east of the village lies a smaller cluster of dwellings that are physically and visually distinct from the main village. This view looks across the fields towards the main village and is integral to maintaining the village's current character. It can be viewed from the Main Road or footway that runs alongside the Main Road. This view takes in an expanse of farmland which extends to Ormesby. On a clear day it is possible to glimpse Ormesby Church and the wind turbines on the horizon.

**Photo:** This is taken from the footway at the edge of the cluster of dwellings



**Map:** See Map for View 8

**Assessment Criteria:**

Accessible from a public space	Yes
Reason for being important	A lovely view across the fields towards Ormesby and a key part of the character of the village that creates a distinct divide between two parts of Filby settlement.
Reason for inclusion in the Neighbourhood Plan	Concern by residents that the gap will be eroded through windfall development. There is recent history of applications being submitted and approved for additional dwellings, increasing the size of the small cluster.

**View 10: View of the Heath from Market Lane**

**Description:** Views across Filby Heath towards the main village, with glimpses of the Church in the far distance

**Photo:**





## Map:



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## Assessment Criteria

Accessible from a public space	Yes
Reason for being important	Records suggest (Norfolk Historic Environment Record) that this area known as Filby Heath dates back to the Bronze Age, with fragments of field systems visible as cropmarks, stretching over a fairly large area. This heritage is important to the residents of the parish. The area has some protected status, being on the Selected Heritage Inventory for Natural England. It is also possible to glimpse the Church in the distance.
Reason for inclusion in the Neighbourhood Plan	To ensure that this heritage and the views across it is safeguarded for future enjoyment.

## View 11: View of Filby Heath From Wood Farm Loke

**Description:** Expansive views across the Heath and over the southern half of the parish

**Photo:****Map:**

As for view 10

**Assessment Criteria**

Accessible from a public space	Yes
Reason for being important	Records suggest (Norfolk Historic Environment Record) that this area known locally as Filby Heath dates back to the Bronze Age, with fragments of field systems visible as cropmarks, stretching over a fairly large area. This heritage is important to the residents of the parish. The area has some protected status, being on the Selected Heritage Inventory for Natural England. It is also possible to glimpse the Church in the distance.
Reason for inclusion in the Neighbourhood Plan	To ensure that this heritage and the views across it is safeguarded for future enjoyment.

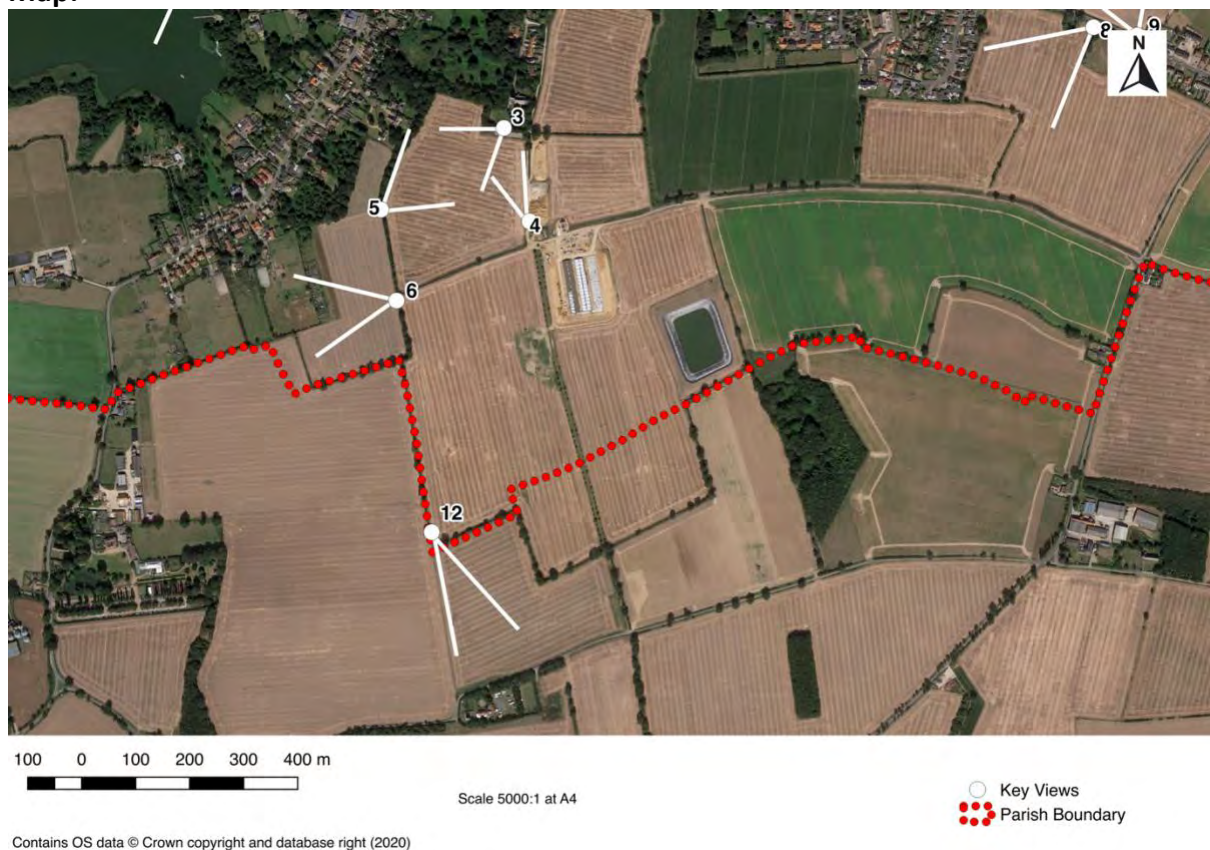
**View 12: View of Thrigby Mill**

**Description:** This view takes in Thrigby Mill which was originally built for Robert Woolmer to grind wheat for his Thrigby Hall Estate in the 1790s. The Mill was re-built in the 1980s and remains one of only two postmills in the county. The Mill is on private land although can be enjoyed by many from the Public Right of Way. It should be noted that this view extends into the neighbouring parish of Mautby.

**Photo:** View of Thrigby Mill from the Public Right of Way in Filby



**Map:**



### Assessment Criteria

Accessible from a public space	Yes
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Reason for being important	View of a historic Mill, one of just 2 postmills still in existence in Norfolk.
Reason for inclusion in the Neighbourhood Plan	Whilst this is a lovely view, the majority of it falls outside of the Filby Parish boundary.

### 3. Recommendations

The table below summarises the assessment of each view considered in this document. It is recommended that all views except number 12 are included within a protective policy within the Neighbourhood Plan.

View	Accessible from public space	Reason for being important	Reason for inclusion in NP
1: Ormesby Little Broad			
2: Filby Broad			
3: From All Saints Church			
4: All Saints Church			
5: All Saints Church and down to the village			
6: Thrigby Hall and Wildlife Gardens			
7: The village from Pound Lane			
8: Across arable fields in the gap between the two distinct parts of the settlement			
9: Across arable fields in the gap between the two distinct parts of the settlement			
10: Filby Heath from Market Lane			
11: Filby Heath from Wood Farm Loke			
12: Thrigby Mill			





# **FILBY NEIGHBOURHOOD PLAN 2020-2030**

Statement of Basic Conditions

October 2020

## Section 1: Introduction

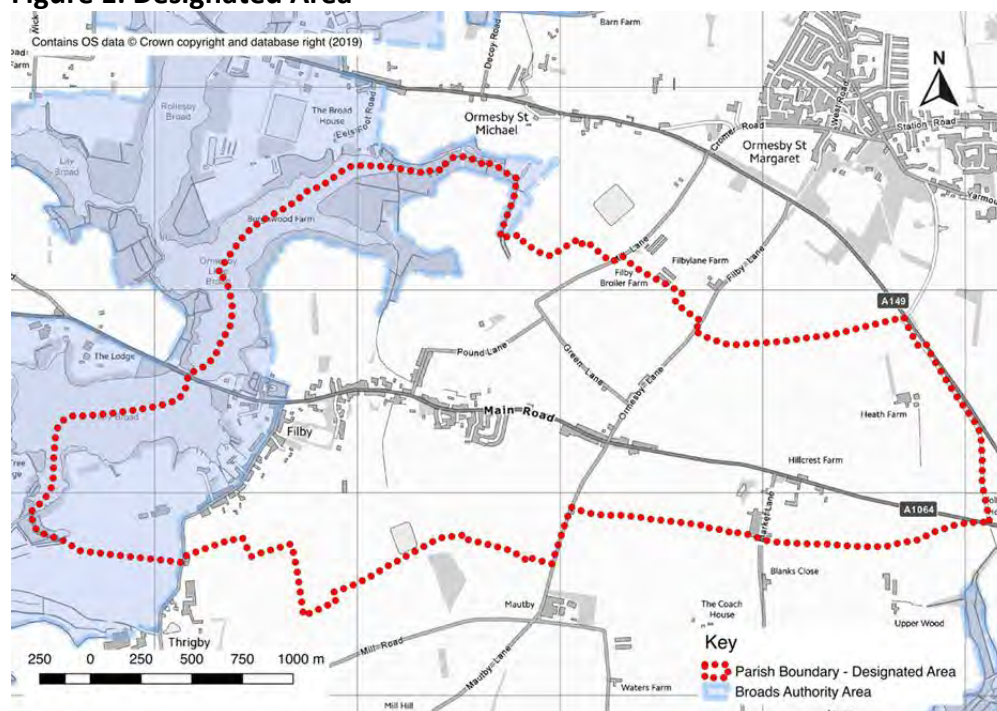
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1. This Basic Conditions Statement has been prepared by [Collective Community Planning](#) on behalf of Filby Parish Council to accompany the Filby Neighbourhood Plan 2020-30 (FNP).
2. The purpose of the statement is to demonstrate that the FNP meets the legal requirements for a Neighbourhood Plan and the five basic conditions as set out in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990, as applied to Neighbourhood Development Plans by Section 38A of the Planning and Compulsory Purchase Act 2004.
3. The five basic conditions that a neighbourhood plan is expected to meet are:
  - a) Having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the neighbourhood development plan;
  - b) The making of the neighbourhood development plan contributes to the achievement of sustainable development;
  - c) The making of the neighbourhood development plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area);
  - d) The making of the neighbourhood development plan does not breach, and is otherwise compatible with EU obligations; and
  - e) Prescribed conditions are met in relation to the plan and prescribed matters have been complied with in connection with the proposal for the plan.
4. There is one prescribed basic condition for Neighbourhood Development Plans, in relation to e) above, that *“the making of the neighbourhood development plan is not likely to have a significant effect on a European site (as defined in the Conservation of Habitats and Species Regulations 2010) or a European offshore marine site (as defined in the Offshore Marine Conservation (Natural Habitats, &c.) Regulations 2007), either alone or in combination with other plans or projects”*.
5. This statement confirms that:
  - The legal compliance requirements have been met (section 2);
  - FNP has had due regard to national policies and advice contained in guidance issued by the Secretary of State (Section 3);
  - FNP contributes towards sustainable development (Section 4);
  - FNP is in general conformity with the strategic policies contained in the Great Yarmouth Borough Council (GYBC) and Broads Authority (BA) Local Plans (Section 5);
  - FNP does not breach and is otherwise compatible with EU obligations, and that its making is not likely to have a significant effect on the environment, either alone or in combination with other plans or projects (Section 6); and
  - FNP meets the prescribed conditions for Neighbourhood Development Plans (Section 7).

## Section 2: Legal and Regulatory Compliance

6. The FNP has been prepared in accordance with The Neighbourhood Planning (General) Regulations 2012 (as amended). The plan also has regard to policies within the National Planning Policy Framework (NPPF) and guidance from the National Planning Practice Guidance (NPPG). The NPPG largely reflects the Regulations, providing further guidance as to how such requirements can be met.
7. FNP relates to the whole parish area that was designated by GYBC and the BA as a Neighbourhood Area. The Neighbourhood Plan relates only to this area, which is contiguous with the parish boundary. No other Neighbourhood Development Plan has or is being made for this area. FNP has been prepared by Filby Parish Council which is the qualifying body. FNP includes a map of the designated area, see **Figure 1** of this report.
8. FNP sets out policies in relation to development and the use of land in the designated neighbourhood area and which has been prepared in accordance with the statutory provisions. Initial consultations had due regard to guidance whilst Regulation 14 (Pre-Submission) consultation was consistent with the specific regulatory requirements, as detailed in the Consultation Statement.
9. FNP covers the period 2020-30 which is in general conformity with the differing timeframes for the strategic policies in the current Local Plans for GYBC (2013-30) and the BA (2015-36).
10. FNP does not include provision of development types that are excluded development, such as minerals and waste matters, nationally significant infrastructure projects or other prescribed development under Section 61K of the Town and Country Planning Act 1990.

**Figure 1: Designated Area**



## Section 3: Due Regard to the NPPF

11. National planning policy is set out in the National Planning Policy Framework (NPPF). The most recent version was published in February 2019. FNP has been prepared with the policies and guidance contained within the NPPF at its core. The NPPF sets out more specific guidance on Neighbourhood Plans at Paragraphs 28 to 30, but there is relevant policy throughout other parts of the NPPF.
12. **Figure 2** demonstrates how FNP has had regard to national policy by cross referencing its policies against national policy and guidance. It should be noted that the table is not exhaustive and there may be other cross-references that are not included.

**Figure 2: National Planning Policy Framework**

FNP Policy	NPPF Cross References	Comments
General	Para 8, para 13, para 15, para 16, para 28 and 29, para 31, para 34, Section 12.	<p>FNP will help to deliver sustainable growth that meets the economic, social and environmental objectives. It provides a suite of policies that will shape and direct development outside of the current strategic policies set out in the prevailing Local Plans. It supports these strategic policies as shown in <b>Figure 3</b>.</p> <p>FNP provides a framework for addressing housing needs and other economic, social and environmental priorities, and has been a platform for local people to shape their surroundings. It has been prepared positively and has engaged the community and other consultees, as set out in the Consultation Statement.</p> <p>FNP includes non-strategic policies for housing, design principles, conserving and enhancing the natural environment and other development management matters.</p> <p>It is supported by a robust but proportionate evidence base. This is available in a separate document. Key aspects of this are presented in the supporting text of the policies.</p> <p>Some of the policies encompass design considerations, with the emphasis on achieving a rural feel. Policy H2 is the main policy, but others include E5 and BE1.</p>

FNP Policy	NPPF Cross References	Comments
H1: Housing mix	Para 8, 11 and 61	This policy will help ensure future development meets the needs of the community including the provision of smaller homes to meet younger people looking to get on the housing ladder, and older people looking to downsize.
H2: Design	Para 102, Para 122, Section 12, para 148  Government Report – “Electric Vehicle Charging in Residential and Non-Residential Buildings” (July 2019)	This policy requires high quality design, with new development in keeping with that of the village, in particular blending with its historic nature. However, contemporary and innovative design is encouraged, as is energy efficiency. The policy requires an appropriate density with sufficient outdoor space. There is a requirement for electric vehicle charging points which might be superseded if this is incorporated into building regulations.
E1: Habitat for Wildlife and E2: Trees and Hedgerows	Para 8, Section 15	This policy protects and enhances the natural environment and requires biodiversity improvement as part of all development, including to deliver the identified ecological network. Trees and hedgerows receive particular protection. Consistent subject to the health-check recommended amendments in relation to irreplaceable habitats and use of ‘wholly exceptional reasons’.
E3: Local Green Space	Section 8, Para 8 and Paras 99-101	The policy supports protection of local green open spaces and designates local green spaces in accordance with the NPPF requirements such as being demonstrably special, consistent with national green belt policy.
E4: Dark Skies	Para 180	Aims to retain dark skies to support wildlife and enjoyment of the night sky
E5: Landscape Character	Section 15, Para 170	This policy aims to direct development away from the best and most versatile land in agricultural use, and retain people’s enjoyment of the rural landscape
E6: Managing Surface Water	Section 14	This policy will help to adapt to climate change and ensure that surface water is managed appropriately and sustainably.
BE1: Heritage Assets	Section 16	This policy intends to set out a positive strategy for conserving Filby’s heritage, especially identified non-designated heritage assets.
BE2: Filby Village Gap	Section 15, para 170	The policy seeks to protect the intrinsic character and beauty of the countryside by preserving the gap between the two built up areas of settlement.

FNP Policy	NPPF Cross References	Comments
AT1: Sustainable Transport	Section 9, and para 91	The policy promotes improvements to encourage safe and convenient walking within the parish, as well as public transport
AT2: Traffic and Speed	Section 9, such as para 102	Aims to improve highway safety

## Section 4: Sustainable Development

13. A widely accepted definition of sustainable development is ‘development that meets the needs of the present without compromising the ability of future generations to meet their own need’<sup>1</sup>. It is about ensuring better quality of life for everyone, now and for generations to come. In doing so, social, environmental and economic issues and challenges should be considered in an integrated and balanced way.
14. This is captured by Paragraph 8 of the NPPF in particular, which summarises the three interdependent objectives. **Figure 2** includes a number of references to NPPF para 8, demonstrating the policies in FNP that have due regard to these overarching objectives.
15. The NPPF as a whole represents sustainable development, and **Figure 2** sets out that FNP is very consistent with the NPPF. It should therefore be the case that FNP will help to deliver sustainable development in Filby through delivering the economic, social and environmental objectives.
16. FNP is positively prepared, reflecting the presumption in the NPPF in favour of sustainable development, but it seeks to manage development pressures to ensure that, in addition to economic and growth considerations, reasonable environmental and social considerations are taken into account.

## Section 5: General Conformity with Local Strategic Policies

17. It is a requirement that FNP is in general conformity with the relevant local strategic policies. The Guidance on Neighbourhood Planning sets out what is meant by general conformity. When considering whether a policy is in general conformity, a qualifying body, independent examiner, or local planning authority, should consider the following:
  - Whether the neighbourhood plan policy of development proposal supports and upholds the general principle that the strategic policy is concerned with;
  - The degree, if any, of conflict between the draft neighbourhood plan policy or development proposal and the strategic policy;

<sup>1</sup> United Nations: Report of the World Commission on Environment and Development: Our Common Future, March 1987



- Whether the draft neighbourhood plan policy of development proposal provides an additional level of detail and/or a distinct local approach to that set out in the strategic policy without undermining that policy;
  - The rationale for the approach taken in the draft neighbourhood plan or Order and the evidence to justify that approach.
18. The FNP area falls within two local authority boundaries, Great Yarmouth Borough Council (GYBC) and the Broads Authority (BA). The map at **Figure 1** demonstrates the area which falls within the Broads Authority Executive Area.
19. Both GYBC and BA have current Local Plans of which FNP is in general conformity. Great Yarmouth Local Plan Core Strategy 2013-30 and Local Plan for the Broads 2015-36 contain the strategic policies of relevance for this neighbourhood plan. **Figure 3** reviews each policy with respect to the Core Strategy Policies and also relevant Development Management Policies from the BA Local Plan.
20. At the time of writing this statement GYBC are at Regulation 22 for their Local Plan Part 2 (LPP2), and so some weight will be given to LPP2 at this time ahead of its Examination unless there are any outstanding objections. It does contain some important strategic policies including UCS3 (Revised housing target), GSP1 (Development Limits), GSP2 (Neighbourhood Plan Target), GSP5 (Habitat Protection), GSP6 (Green Infrastructure), GSP7 (Cycling & pedestrian routes), and GSP8 (Planning obligations). In response to feedback from GYBC, FNP has been developed to reflect the emerging policies and in **Figure 3** below reference has also been made to how FNP is in conformity with the policies referenced above.

**Figure 3: General Conformity with Local Strategic Policies**

FNP Policy	GYBC Local Plan Cross-references	BA Local Plan Cross-references	Comments
H1: Housing mix	CS3	SP15, DM41	Policy provides additional local detail that will help ensure housing development meets the needs of the community based on the proportionate evidence base produced for the neighbourhood plan.
H2: Design	CS3, CS4, CS9, CS10, CS12  Policy A2 and I1 in emerging part 2	DM8, DM23, DM43, SP3	Development expected to be of a high-quality design and enhance the character of the immediate area, with particular reference to the historic and eclectic architectural character of the village. Pointers given to ensure residential development blends well with existing. Innovative design and high environmental standards supported, including electric charging points for vehicles.
E1: Habitat for Wildlife and E2: Trees and Hedgerows	CS9, CS11 Emerging LPP2: GSP5	SP6, DM8, DM13	This policy ensures that all new development contributes towards biodiversity improvement, incorporating natural features. including to deliver the identified ecological network. Trees and hedgerows receive particular protection. In conformity with the emerging LPP2 policy GSP5, this policy seeks to protect and enhance the conservation of key European wildlife sites.
E3: Local Green Space	CS11	DM7, DM8	This policy supports retention of green open spaces, designating local green spaces important to the character, wildlife and enjoyment of local people. These support healthy lifestyles and add to the network of green infrastructure locally.
E4: Dark Skies	A2 and E4 in the emerging part 2	DM22, DM23, DM24, and others. Also map at Appendix I. Trinity Broads generally has very good dark skies.	Aims to retain dark skies to support wildlife, enjoyment of the night sky and protect the rural character

FNP Policy	GYBC Local Plan Cross-references	BA Local Plan Cross-references	Comments
E5: Landscape Character	CS6, CS11, A2 and E4 in the emerging Part 2	SP4	The policy seeks to protect viable arable land where soils are identified as Grade 1 or 2, thus protecting geodiversity and the local economy. Retain key views for people's enjoyment of the rural landscape. The policy aims to ensure general conformity with the BA policy SP4 Soils, which also protects grade 3a.
E6: Managing Surface Water	CS11, CS12, CS13	SP2, DM2, DM5, DM6, DM43	The policy ensures development is designed to reduce flood risk and manage surface water in a sustainable way.
BE1: Heritage Assets	CS9, CS10. E5 of emerging part 2	SP5	This policy ensures that new development relates well to the built and historic characteristics of Filby, thus providing additional local detail to the local plans, especially identified non-designated heritage assets.
BE2: Filby Village Gap	CS6, CS11	N/A	The policy seeks to respect the local landscape character by preserving the gap between the two built up areas of the parish.
AT1: Sustainable Transport	CS9, CS16	SP8	This policy supports the provision of safe and convenient routes for pedestrians, with infrastructure to be delivered alongside development.
AT2: Traffic and Speed	Policy GSP8: Planning obligations	DM23	Aims to improve highway safety in accordance with Policy GSP8, but adds a local dimension by referring to the key area of safety concern in the parish

## Section 6: EU Obligations

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21. A Screening Opinion request was made to GYBC as to whether Strategic Environmental Assessment and Appropriate Assessment (see **section 7**) were required. This was supported by a short report and assessment. In this the FNP was assessed for likely significant effects upon the environment in light of the plan characteristics, the effects and area characteristics, including the environmental areas listed under Schedule 2 Part 6 of the EA Regulations (2004). The assessment recommended that SEA would not be required. This was supported by GYBC who undertook a screening and scoping exercise in consultation with the Statutory Environmental Bodies.

22. The GYBC Screening Opinion Conclusion was:

*In accordance with the 'Strategic Environmental Assessment Directive' and the Environmental Assessment of Plans and Programmes Regulations (2004), the Borough Council is satisfied to conclude that through the information submitted by the SEA Screening Assessment (subject to the above suggested amendments) and the statutory body responses along with this Screening Opinion, the draft Filby Neighbourhood Plan is **not likely to have significant environmental effects**. The main reasons for this conclusion are that the draft neighbourhood plan:*

- *generally conforms to the adopted Core Strategy*
- *is to operate at relatively small scales of development or land use*
- *does not contain allocations*
- *generally offers limited opportunity for new development*
- *recognises its sensitive landscape and largely seeks to conserve and enhance its environmental assets.*

*The draft Filby Neighbourhood Plan is therefore 'screened out'.*

23. **Section 7** of this report considers the requirement for Appropriate Assessment.

24. FNP has regard to and is compatible with the fundamental rights and freedoms guaranteed under the European Convention on Human Rights, transposed into UK law by the Human Rights Act 1998. FNP is highly likely to be compatible because it has been prepared within the existing framework of statute, and national planning policy and guidance. In accordance with established processes, its preparation has included consultation with the local community.

25. In conclusion, the FNP does not breach and is compatible with EU Regulations including:

- Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment (often referred to as the Strategic Environmental Assessment (SEA) Directive);
- Directive 2011/92/EU on the assessment of the effects of certain public and private projects on the environment (often referred to as the Environmental Impact Assessment (EIA) Directive);
- Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora and Directive 2009/147/EC on the conservation of wild birds (often referred to as the Habitats and Wild Birds Directives respectively). These aim to protect and

improve Europe's most important habitats and species. They may be of relevance to both neighbourhood plans or Orders; and

- Other European directives, such as the Waste Framework Directive (2008/98/EC), Air Quality Directive (2008/50/EC) or the Water Framework Directive (2000/60/EC) may apply to the particular circumstances of a draft neighbourhood plan or Order.

## Section 7: Prescribed Conditions

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26. There is one prescribed condition for Neighbourhood Development Plans identified in Schedule 2 of the Neighbourhood Planning (General) Regulations 2012:

*"The making of the neighbourhood development plan is not likely to have a significant effect on a European site (as defined in the Conservation of Habitats and Species Regulations 2010) or a European offshore marine site (as defined in the Offshore Marine Conservation (Natural Habitats, &c.) Regulations 2007), either alone or in combination with other plans or projects)".*

27. A Habitats Regulations Assessment (HRA) considers the implications of a plan or project for European wildlife sites, in terms of any possible harm to the habitats and species that form an interest feature of the European sites in close proximity to the proposed plan or project, which occur as a result of the plan or project being put in place, approved or authorised. Where likely significant effects are identified, alternative options should be examined to avoid any potential damaging effects.
28. HRA is a step by step decision making process. It can be broken down into four stages. Screening; Appropriate Assessment; Alternative solutions; imperative reasons of overriding public interest and compensatory measures.
29. A screening assessment was undertaken on FNP (draft April 2019) to determine whether it will have 'likely significant effects' upon internationally designated habitat sites. While the designated plan area does include The Broads Special Area of Conservation (SAC), the draft Neighbourhood Plan does not allocate sites for development. Many of the policies seek to conserve and enhance the natural environment.
30. HRA Screening Opinion Conclusion was:

*As Competent Authority and in accordance with the Conservation of Habitats and Species Regulations 2017, the Borough Council identifies **no 'likely significant effects'** on nearby internationally protected wildlife sites (particularly The Broads SAC) resulting from the draft Filby Neighbourhood Plan either alone or in combination with other projects and programmes. No 'appropriate assessment' or full 'Habitat Regulations Assessment' is therefore required.*



# **FILBY NEIGHBOURHOOD PLAN 2020-2030**

## **Strategic Environmental Assessment & Habitats Regulations Assessment Screening Report**

December 2019





# **C O N T E N T S**

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SEA/HRA Screening Report of  
Filby Neighbourhood Plan Pre-Submission Draft November 2019

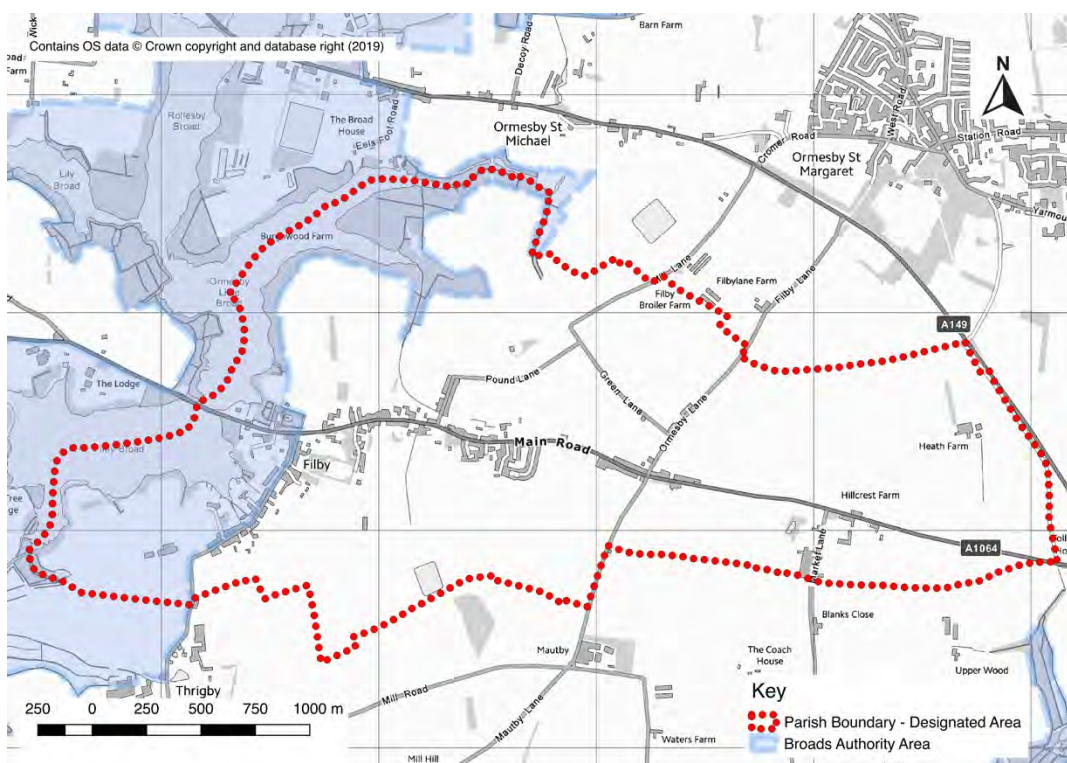
1	Introduction
4	Legislative background
5	Screening process
5	Assessment
12	Conclusion
12	Next stages

# 1. Introduction

## 1.1. Neighbourhood Plan Area

1.1.1. The Filby Neighbourhood Plan area was designated in June 2019 and covers the area identified in **Figure 1**.

### 1.1.2. Figure 1: Designated Area



## 1.2. Vision

The rural character and special identity of Filby, nestled as it is alongside the Norfolk Broads, will be protected and enhanced. The rural character is defined by many features, but especially habitats and green infrastructure for wildlife, the openness of the landscape, historic buildings, and the tranquillity of the parish and village.

In protecting and enhancing this rural character, the plan will result in a more coherent, connected and expansive ecological network of key habitats that delivers a significant net ecological gain for wildlife over the plan period. The plan will ensure that the openness of the landscape is retained for the enjoyment of residents and visitors alike, adding as it does to the tranquillity of Filby, and that the parish's historic and heritage assets continue to provide a sense of place. Where possible, the plan will help ensure that the impact on tranquillity of the heavy traffic flows through the parish are minimised. Underpinning life in Filby is the wonderful

community spirit, and the plan will build on this, helping people to stay in the parish, and creating opportunities for people to meet, interact, and get to know each other.

Finally, the plan will make a key contribution towards addressing climate change, both through reducing CO<sub>2</sub> emissions and overseeing a radical change in the development of a network of trees and hedgerows to absorb CO<sub>2</sub>.

### 1.3. Objectives

The objectives for Filby are:

- A. Ensure the natural environment is a key consideration in all decisions about how Filby changes;
- B. Conserve and enhance Filby's ecological network;
- C. Ensure any future housing development meets the needs of current and future residents of the parish;
- D. Promote sensitive development that protects and enriches the landscape of the parish, safeguarding key views and protecting valuable agricultural land;
- E. Respond to climate change, promoting sustainable development and energy efficiency;
- F. Conserve the appearance and setting of heritage assets;
- G. Protect important green spaces;
- H. Promote access to the countryside for recreation and enjoyment; and
- I. Reduce the impact of traffic through the village, investigating ways to emphasise entrances to the village, signifying the change from rural roads to speed restricted areas.

### 1.4. Draft Planning Policies

1.4.1. Filby neighbourhood plan contains policies that seek to deliver the vision and objectives. A summary is given below.

1.4.2.	H1: Housing Type and Mix	Requirements that ensure future housing development meets the needs of local people.
	H2: Design	Requiring high quality design that complements the character of the immediate area. Energy efficiency encouraged. Emphasis on boundaries having soft edges.
	E1: Habitat for Wildlife	Requirement to deliver at least a 10% net gain in ecological value, conservation of existing biodiversity features and enhancement of connectivity to existing wildlife corridors.
	E2: Trees and Hedgerow	Requirement for trees and hedgerows to be retained.

E3: Local Green Space	Protection of 11 Local Green Spaces
E4: Dark Skies	Presumption against proposals that would detrimentally affect dark night skies. Requirement for lighting schemes.
E5: Landscape Character	Protection of key views and Grade 1 agricultural land currently in farming use. Proposals within 400m of the Trinity Broads SSSI required to demonstrate how they meet the transitional nature of this part of the parish.
E6: Managing Surface Water	All proposals to incorporate Sustainable Drainage Systems
BE1: Heritage Assets	Development to conserve the historic character, appearance and setting of designated and non-designated heritage assets. 12 non-designated assets identified.
BE2: Strategic Gap	Preservation of the gap between the two distinct parts of the village, proposals that would affect the character or visual separation not permitted.
AT1: Sustainable Transport	To encourage and enhance sustainable travel choices through development, demonstrating safe walking links in particularly those which may take recreational pressure off the Broads SSSI.
AT2: Traffic and Speed	Development should take reasonable opportunities to reinforce the 30mph speed limit.

## **2. Legislative Background**

- 2.1. To be 'made' a Neighbourhood Plan must meet certain Basic Conditions. These include that making of the plan 'does not breach, and is otherwise compatible with EU obligations'. One of these obligations is Directive 2001/42/EC 'on the assessment of the effects of certain plans and programmes on the environment'. This is often referred to as the Strategic Environmental Assessment (SEA) Directive. This seeks to provide a high level of protection of the environment by integrating environmental considerations into the process of preparing plans and programmes. The SEA Directive is transposed into UK law through the Environmental Assessment of Plans and Programmes Regulations (the SEA Regulations) and it is these regulations that the plan will need to be compatible with. A key stage in the Neighbourhood Planning process is determining whether or not SEA is required.
- 2.2. As a general rule of thumb, SEA is more likely to be necessary if:
- A Neighbourhood Plan allocates sites for development;
  - The Neighbourhood Plan area contains sensitive environmental assets that may be affected by the policies or proposals; or
  - The Neighbourhood Plan is likely to have significant environmental effects not already addressed through the Sustainability Appraisal of the relevant Local Plan.
- 2.3. Another key obligation is Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora, often referred to as the Habitats Directive. Under the Habitats Directive an assessment referred to as an Appropriate Assessment must be undertaken if the plan in question is likely to have a significant effect on a European protected wildlife site. The SEA Directive requires that if a plan or programme requires an Appropriate Assessment under the Habitats Directive, then that plan or programme will also require an SEA.

### 3. Screening Process

- 3.1. Three steps will be followed for this screening process:
1. Preparation of a screening report – this report
  2. Request a screening opinion from the consultation bodies in light of the report – Great Yarmouth Borough Council responsibility
  3. In light of their responses, determine whether the plan is likely to have significant effects on the environment (and therefore require SEA) – Great Yarmouth Borough Council in discussion with Filby Parish Council.

### 4. Assessment

#### 4.1. SEA Screening Assessment

- 4.1.1. Policies set out in the draft neighbourhood plan (November 2019) have been used to undertake this screening assessment. If the conclusion of the screening exercise is that SEA is not required, any major changes to existing policies or introduction of new ones will be subject to further screening to ensure significant effects are not likely.
- 4.1.2. **Figure 2** identifies the environmental characteristics of the Filby neighbourhood plan (FNP) area, including key environmental designations, whilst **Figure 3** assesses for likely significant impacts on the environment. Note that this assessment has been made based on criteria from Article 3.5 of the SEA Directive.
- 4.1.3. **Figure 2: Environmental Characteristics**

Characteristic	Identification within the neighbourhood plan area
National Nature Reserve	None
Natura 2000 sites – SPAs & SACs	The Broads SAC
Sites of Special Scientific Interest SSSI	Trinity Broads SSSI
National Parks	Norfolk and Suffolk Broads National Park
Areas of Outstanding Natural Beauty	None
World Heritage Sites	None
Scheduled Monuments	None
Locally designated nature conservation sites	None, although the parish have identified a number of important wildlife sites locally, including the community orchard and pond, which they are designating as Local Green Spaces within the neighbourhood plan
Biodiversity Action Plan Priority Habitat	The Trinity Broads
Nationally listed buildings	Nine Grade II Listed Buildings
Buildings at risk	None



Conservation area	None
Flood Zone 3	Yes – predominantly Broads Authority Executive area and beyond in places. Notably to the west of Thrigby Road and to the west of Pound Lane.
Areas with surface water flooding issues	The area to the west of Thrigby Road, a smaller area to the west of Pound Lane and to a lesser extent along the main A1064, Mill Lane, Green Lane and Filby Lane.
Air Quality Management Area	None
The best and most versatile agricultural land	Much of the parish is Grade 1. Some Grade 2 and 3. As identified by the Agricultural Land Classification.
Source Protection Zones	None, although there is a drinking water protection zone that covers the entire FNP area.

#### 4.1.4. Figure 3: Assessment of likely significant effects on the environment

Criteria for determining likely significance of effects	Is the Filby Neighbourhood Plan likely to have a significant effect	Justification for decision
The degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources.	No	The FNP does not include any site-specific development proposals. It focuses on managing development that may come forward within the parish – for example by requiring high environmental standards and seeking the protection of important local heritage.
The degree to which the plan or programme influences other plans and programmes including those in the hierarchy.	No	Once ‘made’ the FNP will form part of the adopted Local Development Plan, setting a number of non-strategic policies that are in general conformity.
The relevance of the plan or programme for the integration of environmental considerations.	No	Whilst impacts are identified, many of these are positive, and unlikely to be of a significant nature due to the low quantum of development anticipated over the plan period.
Environmental problems relevant to the plan or programme.	No	None identified.
The relevance of the plan or programme for the implementation of	No	FNP generally conforms with the Great Yarmouth Local Plan and Local Plan for the Broads.

Criteria for determining likely significance of effects		Is the Filby Neighbourhood Plan likely to have a significant effect	Justification for decision
community legislation on the environment.			
The probability, duration, frequency and reversibility of the effects		No	FNP does not contain any site-specific development proposals. It will however influence development should it come forward, expecting it to have positive impacts on the natural environment and heritage assets. <b>See assessment below.</b> Positive impacts are anticipated against a number of criteria, however none of these are identified as significant given no future growth has been allocated to Filby.
Biodiversity	<b>No LSE:</b> Figure 2 identifies wildlife designations within the FNP area. This includes the Trinity Broads SSSI and the Broads SAC. FNP does not promote development, but looks to foster conservation and enhancement of biodiversity networks through <b>Policy E1 &amp; E2.</b>		
Population	<b>No LSE:</b> FNP aims to retain and enhance quality of life for Filby residents through environmental policies, for example <b>Policy E4</b> around retaining Dark Skies. It also seeks to ensure that future housing meets the needs of Filby residents through <b>Policy H1.</b>		
Human Health	<b>No LSE:</b> FNP aims to respond to climate change, it has a number of policies that encourage sustainable growth and energy efficiency, eg. <b>Policy H2</b> which requires 100% of homes to meet the highest energy efficiency standards. This will in turn have positive impacts on human health should development come forward.		
Fauna	<b>No LSE:</b> FNP requires that any new development deliver a net ecological gain – <b>Policy E1.</b>		
Flora	<b>No LSE:</b> The protection of priority habitats is required in <b>Policy E1, E2 &amp; E3</b> of the FNP.		
Soil	<b>No LSE:</b> FNP seeks to preserve land of high agricultural value through <b>Policy E5</b> which restricts development on Grade 1 land currently in farming use.		
Water	<b>No LSE:</b> <b>Policy E6</b> requires the use of Sustainable Drainage Systems (SuDS) for all new development, unless not technically feasible, and encourages the use of green roofs/walls.		
Air	<b>No LSE:</b> No impacts identified		
Climatic factors	<b>No LSE:</b> The plan has a key focus on responding to climate change through the protection of existing natural resources, expansion of natural features that result in sequestration ( <b>Policy E1&amp;E2</b> ), strong		

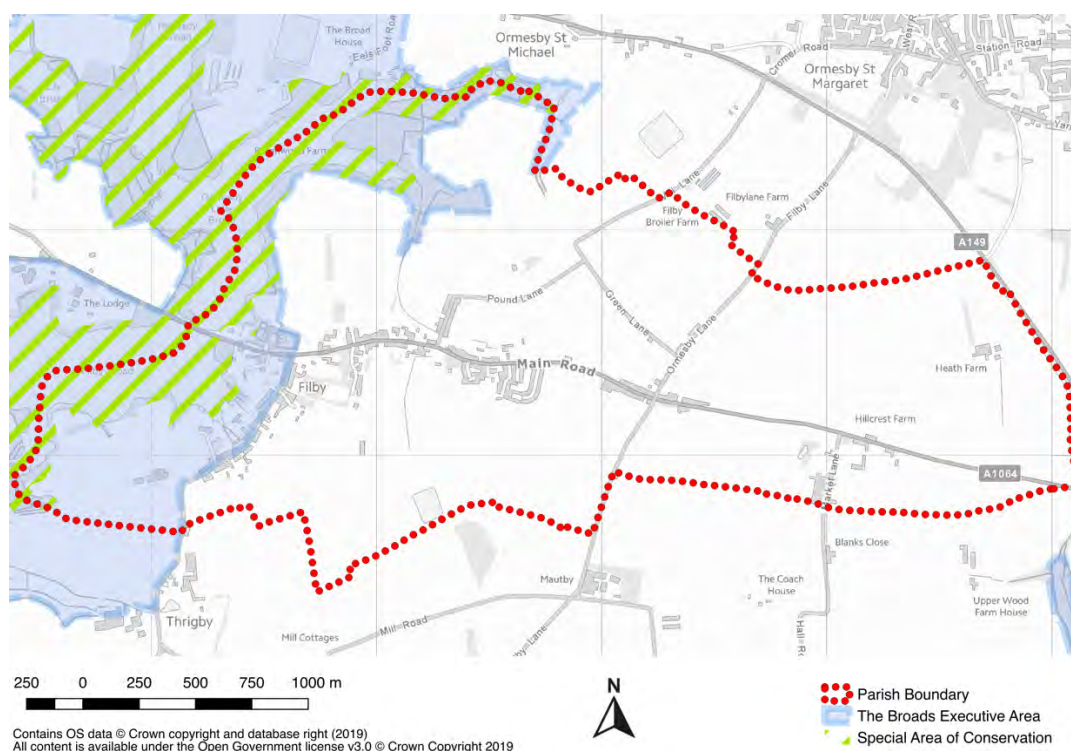
	requirements for energy efficiency in design ( <b>Policy H2</b> ) and a requirement for SuDS ( <b>Policy E6</b> ).	
Material assets	<b>No LSE:</b> None identified	
Cultural heritage	<b>No LSE:</b> FNP seeks to protect both designated and non-designated heritage assets within Filby through <b>Policy BE1</b>	
Landscape	<b>No LSE:</b> FNP aims to retain key landscape features within the parish, including open views across arable fields and the broadland landscape through <b>Policy E5</b> .	
The cumulative nature of effects.	No	FNP will not lead to any cumulative effects in combination with any existing or emerging plans. It does not allocate land for development. The emerging Local Plan for Great Yarmouth will be subject to a full Sustainability Appraisal, which will look at these matters in more detail.
The transboundary nature of the effects.	No	The nearby communities of Rollesby and Fleggburgh are developing Neighbourhood Plans and links with this have been considered when drafting the FNP.
The risks to human health or the environment.	No	No risks to human health have been identified. An objective of FNP is to ensure development is sustainable and supports mitigation and adaptation to climate change.
The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected).	No	Impacts of FNP will be confined to Filby Parish and are unlikely to extend beyond this. The current population (2011 Census) is 765 so the plan will impact upon a relatively small population of people.
The value and vulnerability of the area likely to be affected due to: <ul style="list-style-type: none"> <li>• Special natural characteristics or cultural heritage</li> <li>• Exceeded environmental quality standards or limit values of intensive land-use</li> <li>• The effects on areas or landscapes which have a recognised national, community or international protection status.</li> </ul>	No	See the <b>assessment above</b> . Some positive beneficial impacts are anticipated, but due to the low quantum of development anticipated in Filby (no allocations in the emerging Local Plan or in FNP), it is not considered that impacts will be significant.

## 4.2. Habitats Regulations Assessment

4.2.1. The Habitats Regulations Assessment (HRA) refers to the assessment required for any plan or project to assess the potential implications for designated European wildlife sites. This includes Special Protection Areas (SPA), Special Areas of Conservation (SAC) and Ramsar Sites, collectively known as internationally designated wildlife sites.

4.2.2. There is one designated European site in the Filby Neighbourhood Plan area, the Broads SAC.

4.2.3. **Figure 4: Designated sites within the Filby Neighbourhood Plan area**



4.2.4. This screening assessment has also considered the impact on European Sites within 20km of the neighbourhood plan area, as an in-combination assessment area. These include:

4.2.5. **Figure 5: European Sites within 20km of the Filby Neighbourhood Plan area**

Special Areas of Conservation	Special Protection Areas	Ramsar Sites
Winterton-Horsey Dunes	Broadland	Broadland
The Broads	Outer Thames Estuary	Breydon Water
Haisborough, Hammond & Winterton	Breydon Water	
	Great Yarmouth & North Denes	

- 4.2.6. Each European site has a set of interest features which are the ecological features for which the site is designated or classified, and the features for which Member States should ensure the site is maintained or where necessary restored. Each site also has a set of conservation objectives.
- 4.2.7. European sites are at risk if there are possible means by which any aspect of a plan can, when being taken forward for implementation, pose a potential threat to the wildlife interest of the sites. This is often referred to as the 'impact pathway'.
- 4.2.8. Potential impact pathways considered for this assessment include:
- Increased recreational pressure
  - Air quality impacts
  - Water issues
  - Urban effects
- 4.2.9. **Figure 6** records the conclusions drawn and recommendations made on a policy by policy basis of the draft FNP (November 2019).

**Figure 6: Policy Screening**

Policy	Description	Likely Significant Effects	Potential Risks	Recommendation at Screening Stage
H1: Housing Type and Mix	Requirements to ensure future housing development meets the needs of local people.	No LSE – does not promote development but relates to qualitative criteria for development	N/A	None
H2: Design	Requiring high quality design that complements the character of the immediate area. Energy efficiency encouraged. Emphasis on boundaries having soft edges.	No LSE – policy is qualitative and does not promote development	N/A	None
E1: Habitat for Wildlife	Requirement to deliver at least a 10% net gain in ecological value, conservation of existing biodiversity features and enhancement of connectivity to existing wildlife corridors.	No LSE – mitigation policy for growth that would protect European sites	N/A	None
E2: Trees and Hedgerow	Requirement for trees and hedgerows to be retained.	No LSE – mitigation policy for growth that	N/A	None

Policy	Description	Likely Significant Effects	Potential Risks	Recommendation at Screening Stage
		would protect European sites		
E3: Local Green Space	Protection of 11 Local Green Spaces	No LSE – supports retention of green open spaces, conserving the natural environment	N/A	None
E4: Dark Skies	Presumption against proposals that would detrimentally affect dark night skies. Requirement for lighting schemes.	No LSE – mitigation policy for growth that would protect European sites	N/A	None
E5: Landscape Character	Protection of key views and Grade 1 agricultural land currently in farming use. Proposals within 400m of the Trinity Broads SSSI required to demonstrate how they meet the transitional nature of this part of the parish.	No LSE – mitigation policy for growth. Explicit reference to the Broads SAC and requirement for development to reflect the transitional nature of the landscape within 400m of the Broads.	N/A	None
E6: Managing Surface Water	All proposals to incorporate Sustainable Drainage Systems	No LSE – protective policy that promotes use of SuDS	N/A	None
BE1: Heritage Assets	Development to conserve the historic character, appearance and setting of designated and non-designated heritage assets. 12 non-designated assets identified.	No LSE – mitigation policy for growth that seeks to protect heritage assets, including historical peat digging in the Broads	N/A	None
BE2: Strategic Gap	Preservation of the gap between the two distinct parts of the village, proposals that would affect the character or visual separation not permitted.	No LSE – protective policy that seeks to retain the current open landscape of the parish	N/A	None
AT1: Sustainable Transport	To encourage and enhance sustainable travel choices through development,	No LSE – does not promote development, encourages walking	N/A	None



Policy	Description	Likely Significant Effects	Potential Risks	Recommendation at Screening Stage
	demonstrating safe walking links in particularly those which may take recreational pressure off the Broads SSSI.	and cycling in local environment. Specific reference to securing footpaths that could take recreational pressure off the Broads SAC.		
AT2: Traffic and Speed	Development should take reasonable opportunities to reinforce the 30mph speed limit.	No LSE – does not promote development.	N/A	None

## 5. Conclusions

### 5.1. SEA Screening

5.1.1. Filby Neighbourhood Plan has been prepared for planning purposes and sets a framework for future development in the parish. Planning Practice Guidance on SEA of Neighbourhood Plans indicates that SEA may be required, for example, where neighbourhood plans allocate sites for development; the area contains sensitive natural or heritage assets that may be affected by proposals in the plan, or the neighbourhood plan is likely to have significant environmental effects that have not already been considered and dealt with through a Sustainability Appraisal on the Local Plan.

5.1.2. On the basis of the SEA Screening Assessment set out in this document, the conclusion is that FNP will not have significant environmental effects in relation to any of the criteria set out in Schedule 1 of the SEA Regulations, and therefore does not need to be subject to a full SEA and is **screened out**.

### 5.2. Habitats Regulations Assessment

5.2.1. The HRA Screening Assessment concludes that no significant effects are likely to occur with regards to the integrity of European Wildlife Sites, either those within the FNP area or within 20km. As such a full HRA and Appropriate Assessment is not required at this point and is **screened out**.

## 6. Next Stages

6.1. This document will now be subject to a consultation period with relevant stakeholders, and should they agree with the findings of the assessments in this report then no further work will be required within regard to SEA and HRA on the Filby Neighbourhood Plan.

# SEA Screening Opinion for Draft Filby Neighbourhood Plan (dated December 2019)

**February 2020**



**Adam Nicholls**

Head of Planning and Growth

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## Contents

<b>SEA Screening Opinion</b>	<b>1</b>
Introduction [to SEA Screening]	
Background	
Strategic Plan	
Filby Draft Neighbourhood Plan proposals	
Suggested amendments to submitted SEA Screening Report	2
Responses from statutory consultees	
SEA Screening Opinion Checklist	
SEA Screening Opinion Conclusion	4
 <b>HRA Screening Opinion</b>	 <b>5</b>
Introduction [to HRA Screening]	
Submitted HRA Screening Assessment	
HRA Screening Opinion Conclusion	
 <b>Appendices</b>	
i. Environment Agency consultation response	7
ii. Natural England consultation response	8
iii. Historic England consultation response	10

## SEA Screening Opinion

### *Introduction*

This screening opinion determines whether or not the draft Filby Neighbourhood Plan (December, 2019) is likely to have significant environmental effects and therefore require a Strategic Environmental Assessment (SEA) in accordance with the [European Directive 2001/42/EC](#) (the 'Strategic Environmental Assessment Directive') and implemented through the [Environmental Assessment of Plans and Programmes Regulations \(2004\)](#).

### *Background*

In order to meet one of the 'Basic Conditions' (tests that the neighbourhood plan is examined with), a neighbourhood plan must not breach or be otherwise compatible with the Strategic Environmental Assessment (SEA) Directive. In some limited circumstances, where a neighbourhood plan is likely to have significant environmental effects, it may require a SEA. Draft neighbourhood plan proposals should be assessed to determine whether the plan is likely to have significant environmental effects. This process is commonly referred to as a "screening" assessment and the requirements are set out in regulation 9 of the Environmental Assessment of Plans and Programmes Regulations 2004.

As part of the screening exercise, the neighbourhood plan will be assessed for likely significant effects upon the environment in light of across the 'plan characteristics', the 'effects and area characteristics' including the environmental areas listed under Schedule 2 Part 6 of the Environmental Assessment Regulations (2004) such as biodiversity and human health. In most cases, neighbourhood plans will not require a SEA, but are more likely to be required where the neighbourhood plan allocates sites for development, contains policies that may affect sensitive environmental assets, or where significant environmental effects have not been addressed through a sustainability appraisal of the local plan.

### *Strategic Plan*

The draft Filby Neighbourhood Plan, subject to the suggested changes, is largely in conformity with the Borough Council's adopted Local Plan Part 1: Core Strategy and the emerging strategic policies of Local Plan Part 2. The Core Strategy was subject to a full Sustainability Appraisal (incorporating SEA) and ensured that generally there were no adverse environmental effects, and where there were effects these were adequately mitigated through the plan.

### *Filby Draft Neighbourhood Plan proposals*

The draft policies of this plan generally detail a restrictive stance on development, with particular focus to preserving both the historic character and sensitive environment of the settlement and parish. Within the designated neighbourhood area, the draft policies will seek to:

- support affordable housing, elderly housing, and lower occupancy housing
- conserve and enhance habitats and higher graded agricultural land
- encourage locally distinctive and more energy efficient homes
- protect and maintain dark skies, key views, and gaps between development
- manage flooding and drainage

- designate Local Green Spaces
- protect local heritage assets
- support sustainable transport measures

Most of the policies focus new development away from sensitive environments and seek higher standards of energy efficiency or the reduction of carbon emissions. This approach combined with existing local and national planning policies to protect environmental assets, will ensure that likely significant effects on the environment are negligible, and will generally seek improvements.

A 'Habitat Regulations Assessment' (HRA) Screening Assessment has also been reviewed (this is detailed below), and this has also fed in as part of the overall assessment of environmental effects.

### *Suggested amendments to submitted SEA Screening Report*

Figure 2 –

- 8 Grade II listed buildings & 1 Grade II\* listed building
- Recommend checking the [Borough Council's Strategic Flood Risk Assessment](#) for flood risk and surface water issues

### *Responses from statutory consultees*

The relevant statutory 'consultation bodies' (Environment Agency, Natural England and Historic England) were consulted on the SEA Screening Assessment and the responses have been summarised as follows:

Consultation Body	Response
Environment Agency	Confirmed that they do not disagree with the conclusion reached, that the neighbourhood plan will not have a significant impact. Should any sites be allocated then further consideration will need to be given to potential flood risk and impacts on water habitats.
Natural England	No allocations and general conformity with strategic plan. On this basis we agree with the conclusions of the HRA and SEA.
Historic England	On the basis of the information supplied, concur with the Parish Council that the preparation of a Strategic Environmental Assessment is not required.

The full consultation body responses are appended to this opinion.

### *SEA Screening Opinion Checklist*

The neighbourhood plan has been assessed using the 'Practical Guide to SEA Directive's' application chart.



SEA guide criteria	Yes/No	Reason
Is the PP subject to preparation and/or adoption by a national, regional or local authority OR prepared by an authority for adoption through a legislative procedure by Parliament or Government? (Art. 2(a))	Yes	If passed through a referendum, the neighbourhood plan becomes part of the Borough Council's adopted Development Plan.
Is the PP required by legislative, regulatory or administrative provisions? (Art. 2(a))	No	Communities have the choice to prepare a neighbourhood plan. However, because the plan (if adopted) will form part of the Development Plan, it must be screened for SEA
Is the PP prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning or land use, AND does it set a framework for future development consent of projects in Annexes I and II to the EIA Directive? (Art. 3.2(a))	Yes	The neighbourhood plan is prepared for town and country planning and land use. The plan sets out a framework (within the neighbourhood plan area) for the design of housing and the protection of the environment, which may fall under part 10 of Annex II of the EIA Directive.
Will the PP, in view of its likely effect on sites, require an assessment under Article 6 or 7 of the Habitats Directive? (Art. 3.2(b))	No	For full details, see this HRA screening opinion. (No likely significant effects)
Does the PP determine the use of small areas at local level, OR is it a minor modification of a PP subject to Art. 3.2? (Art. 3.3)	Yes	The neighbourhood plan does not specifically allocate any sites for development. The policies relating to residential use have the potential to lead to small areas of development, and the plan designates 'Local Green Spaces' as well as other environmental protections.
Does the PP set the framework for future development consent of projects (not just projects in Annexes to the EIA Directive)? (Art. 3.4)	Yes	The Neighbourhood Plan sets a framework for future development within the neighbourhood plan area up to 2030.
Is the PP's sole purpose to serve national defence or civil emergency, OR is it a financial or budget PP, OR is it co-financed by structural funds or	No	This is not applicable to neighbourhood plans

SEA guide criteria	Yes/No	Reason
EAGGF programmes 2000 to 2006/7? (Art. 3.8, 3.9)		
Is it likely to have a significant effect on the environment? (Art. 3.5)	No	The plan has been assessed for having “likely significant effects” across the ‘plan characteristics’, the ‘effects and area characteristics’ including the environmental areas listed under Schedule 2 Part 6 of the EA Regulations (2004). Overall, the plan is considered to have a negligible effect on the environment. While there are several sensitive environmental assets (The Broads SAC, in particular) within the neighbourhood area, impacts upon the environment are considered to be minimal owing to the limited potential of future development, the environmental protection based policies, and absence of any site allocations, and the level of conformity with the strategic plan which is supported by its own SEA.
Requires / Does not require SEA	No	For the reasons set out above (and discussed in further detail within this report).

### *SEA Screening Opinion Conclusion*

In accordance with the ‘Strategic Environmental Assessment Directive’ and the Environmental Assessment of Plans and Programmes Regulations (2004), the Borough Council is satisfied to conclude that through the information submitted by the SEA Screening Assessment (subject to the above suggested amendments) and the statutory body responses along with this Screening Opinion, the draft Filby Neighbourhood Plan is **not likely to have significant environmental effects**. The main reasons for this conclusion are that the draft neighbourhood plan:

- generally conforms to the adopted Core Strategy
- is to operate at relatively small scales of development or land use
- does not contain site allocations
- generally offers limited opportunity for new development
- recognises its sensitive landscape and largely seeks to conserve and enhance its environmental assets.

The draft Filby Neighbourhood Plan is therefore ‘screened out’.

## HRA Screening Opinion

### *Introduction*

This screening opinion determines whether or not the draft Filby Neighbourhood Plan (December 2019) will have 'likely significant effects' upon internationally designated habitat sites (or Natura 2000 Sites). If 'likely significant effects' are established, an 'Appropriate Assessment' will need to be undertaken, this is usually incorporated into a 'Habitat Regulations Assessment' (HRA), in accordance with the [Conservation of Habitats and Species Regulations 2017](#).

### *Submitted HRA Screening Assessment*

The Borough Council has assessed the submitted HRA screening report (dated December 2019) in consultation with Natural England. While the designated plan area does include The Broads Special Area of Conservation (SAC), the draft neighbourhood plan does not allocate any sites for development, and sets out a generally restrictive approach to development. Many of the policies seek to conserve and enhance the natural environment. In this context the plan is highly unlikely to present additional residential or recreational disturbance (likely significant effects) beyond that identified in the Borough Council's Local Plan Core Strategy. The policies and proposals of the neighbourhood plan also do not pose likely significant effects in relation to air quality, water quality or urban impacts.

While the HRAs supporting the Borough Council's Core Strategy and emerging Local Plan Part 2 do conclude in-combination likely significant effects from increased visitor pressures (resulting from new residential and tourist growth), the neighbourhood plan does not have site allocations and the policies generally do not seek to promote further residential or tourist development. No in-combination effects are identified from the neighbourhood plan.

Any residential or tourist developments coming forward would still be subject to a project level screening or habitat regulations assessment in accordance with the Borough Council's Habitats Monitoring and Mitigation Strategy and habitats guidance.

Natural England has been consulted and responded as follows:

*'No allocations and general conformity with strategic plan. On this basis we agree with the conclusions of the HRA and SEA.'*

### *HRA Screening Opinion Conclusion*

As Competent Authority and in accordance with the Conservation of Habitats and Species Regulations 2017, the Borough Council identifies **no 'likely significant effects'** on nearby internationally protected wildlife sites (particularly The Broads SAC) resulting from the draft Filby Neighbourhood Plan either alone or in combination with other projects and programmes. No 'appropriate assessment' or full 'Habitat Regulations Assessment' is therefore required.

Note – Should the plan content change significantly from that of the December 2019 submitted draft, there may be potential for likely significant effects on the environment which have not been considered in this 'Screening Opinion', in such cases the neighbourhood plan may need to be re-screened for both SEA and HRA by the Borough Council.

Mr Andrew Parnell  
Great Yarmouth Borough Council  
Town Hall  
Great Yarmouth  
Norfolk  
NR30 2QF

**Our ref:** AE/2020/124802/02-L01  
**Your ref:** NHP  
**Date:** 28 January 2020

Dear Mr Parnell

**FILBY NHP SEA GREAT YARMOUTH**

Thank you for consulting us on under regulation 9 of the Environmental Assessment of Plans and Programs. We have reviewed the SEA report in relation to the Filby Neighbourhood Draft Plan.

We can confirm that under our statutory remit, we do not disagree with the conclusion reached within the SEA screening report. While there are environmental constraints within the designated area of Filby Neighbourhood, we do not consider the Neighbourhood plan to have significant impact on the environment.

If sites are allocated or the draft plan changes, then we believe Flood Risk and the impact on water habitats should be considered.

We trust the above is useful.

Yours sincerely



**Miss Natalie Kermath**  
**Planning Advisor**

Direct dial 02077141064  
Direct e-mail [natalie.kermath@environment-agency.gov.uk](mailto:natalie.kermath@environment-agency.gov.uk)

## Nick Fountain

---

**Subject:** FW: 2020-01-28 303855 Draft neighbourhood plan and SEA Screening report for Filby

**From:** Wight, Victoria <[Victoria.Wight@naturalengland.org.uk](mailto:Victoria.Wight@naturalengland.org.uk)>

**Sent:** 28 January 2020 11:54

**To:** Local Plan <[localplan@great-yarmouth.gov.uk](mailto:localplan@great-yarmouth.gov.uk)>

**Subject:** RE: 2020-01-28 303855 Draft neighbourhood plan and SEA Screening report for Filby

Dear Andrew

Thank you for consulting Natural England.

Based on the documents provided, it is Natural England's understanding that that there are no housing allocations included within Filby Neighbourhood Plan and that it is in general conformity with Great Yarmouth Borough Council's Local Plan. On this basis we agree with the conclusions of the HRA and SEA.

If you have any question please do get in touch.

Many thanks  
Victoria

Sustainable Development Lead Adviser  
Natural England  
2 Gilders Way, Norwich  
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---

**From:** Local Plan [<mailto:localplan@great-yarmouth.gov.uk>]

**Sent:** 17 December 2019 15:12

**Cc:** Nick Fountain <[nicholas.fountain@great-yarmouth.gov.uk](mailto:nicholas.fountain@great-yarmouth.gov.uk)>

**Subject:** Daft Filby Neighbourhood Plan Screening

Good Afternoon,

Under Regulation 9 of the Environmental Assessment of Plans and Programmes (2004), I am writing to consult you as a statutory body on the Screening for Strategic Environmental Assessment (SEA) of the **draft Filby Neighbourhood Plan**. Please see the attached draft neighbourhood plan and SEA Screening Report.

A period of at least five weeks is required, but taking account of a Christmas break, comments should be received by **Tuesday 28<sup>th</sup> January 2020**.

Please do contact myself or Nick Fountain if you have any queries in relation to this and please send comments back to [localplan@great-yarmouth.gov.uk](mailto:localplan@great-yarmouth.gov.uk) prior to the above date.

Kind Regards

Andrew Parnell

---

**Andrew Parnell**



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Mr Andrew Parnell  
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Direct Dial: 01223 582746

Our ref: PL00660804

27 January 2020

Dear Mr Parnell

### **RE: Filby Neighbourhood Plan SEA Screening**

Thank you for inviting Historic England to comment on the above consultation. As the Government's adviser on the historic environment Historic England is keen to ensure that the protection of the historic environment is fully taken into account at all stages and levels of the local planning process. Therefore we welcome this opportunity to review the Screening Report for this plan. For the purposes of this consultation, Historic England will confine its advice to the question, "Is it (the Filby Neighbourhood Plan) likely to have a significant effect on the historic environment?". Our comments are based on the information supplied with the Screening Opinion.

The Screening Report indicates that the Council considers that the plan will not have any significant effects on the historic environment. We note that the plan does not propose to allocate any sites for development.

On the basis of the information supplied, and in the context of the criteria set out in Schedule 1 of the Environmental Assessment Regulations [Annex II of 'SEA' Directive], Historic England concurs with the Council that the preparation of a Strategic Environmental Assessment is not required.

The views of the other two statutory consultation bodies should be taken into account before the overall decision on the need for an SEA is made.

I should be pleased if you can send a copy of the determination as required by REG 11 of the Environmental Assessment of Plans and Programmes Regulations 2004.

We should like to stress that this opinion is based on the information provided by you with your correspondence dated 17/12/2019. To avoid any doubt, this does not reflect our obligation to provide further advice on later stages of the SEA process and, potentially, object to specific proposals which may subsequently arise (either as a result of this consultation or in later versions of the plan) where we consider that,



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*Historic England is subject to both the Freedom of Information Act (2000) and Environmental Information Regulations (2004). Any Information held by the organisation can be requested for release under this legislation.*

despite the SEA, these would have an adverse effect upon the environment.

Historic England strongly advises that the conservation and archaeological staff of the relevant local authorities are closely involved throughout the preparation of the plan and its assessment. They are best placed to advise on; local historic environment issues and priorities, including access to data held in the Historic Environment Record (HER), how the allocation, policy or proposal can be tailored to minimise potential adverse impacts on the historic environment; the nature and design of any required mitigation measures; and opportunities for securing wider benefits for the future conservation and management of heritage assets.

Please do contact me, either via email or the number above, if you have any queries.

Yours sincerely,



Edward James  
Historic Places Advisor, East of England  
Edward.James@HistoricEngland.org.uk

cc:

# Planning Committee

08 January 2021

Agenda item number 12

## Rollesby Neighbourhood Plan- agreeing to consult

Report by Planning Policy Officer

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### Summary

The Rollesby Neighbourhood Plan is ready for public consultation.

### Recommendation

To agree that the Rollesby Neighbourhood Plan proceeds to consultation.

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## 1. Introduction

- 1.1. The Rollesby Neighbourhood Plan is ready for pre-submission (Regulation 16) consultation. The Plan says: 'Working on behalf of the community and Parish Council, the Rollesby Neighbourhood Plan Group has prepared this plan that will shape and influence future growth across the parish. A broad range of evidence has been reviewed to determine issues and develop policies for the plan that will ensure the village grows in a way that enhances cohesion and meets the needs of current and future residents. The policies contained within it will influence the design, location and type of new homes being delivered in the village, as well as ensuring infrastructure improvements are delivered alongside growth so as to maximise community benefit'.
- 1.2. This report seeks agreement for public consultation to go ahead. It should be noted that the Broads Authority is a key stakeholder and is able to comment on the Plan. It is likely that a report with these comments will come to the next Planning Committee for endorsement.

## 2. Consultation process

- 2.1. Great Yarmouth Borough Council will write to or email those on their contact database about the consultation. The Broads Authority will also notify other stakeholders who may not be on the Borough Council's consultee list. The consultation details are yet to be finalised, but will run for at least 6 weeks.

## 3. Next steps

- 3.1. Once the consultation ends, comments will be collated and the Parish Council may wish to submit the Plan for assessment. The Parish Council, with the assistance of Great Yarmouth Borough Council and the Broads Authority, will choose an Examiner.

Examination tends to be by written representations. The Examiner may require changes to the Plan.

- 3.2. As and when the assessment stage is finished, a referendum is required to give local approval to the Plan. However, given that referenda are not able to go ahead until May 2021 at the earliest, the Government has made provisions that plans that have been examined and are ready for referendum have significant weight. Therefore, when we get to that stage the Authority will use the Plan to help determine relevant applications, thereby affording the Plan significant weight.

Author: Natalie Beal

Date of report: 10 December 2020

Appendix 1 – [Rollesby Neighbourhood Plan](#)

Appendix 2 – [Habitats Regulation Assessment](#)

Appendix 3 – [Consultation Statement](#)

Appendix 4 – [Basic Conditions Statement](#)

Appendix 5 – [Housing Needs Assessment](#)

Appendix 6 – [Site Assessments](#)

Appendix 7 – [Evidence Base](#)

Appendix 8 – [Environmental report](#)

# Planning Committee

08 January 2021

Agenda item number 14

## Appeals to the Secretary of State update

Report by Senior Planning Officer

### Summary

This report sets out the position regarding appeals against the Authority.

### Recommendation

To note the report.

Application reference number	Applicant	Start date of appeal	Location	Nature of appeal/ description of development	Decision and dates
<b>APP/E9505/C/20/3245609</b>	Larry Rooney	Appeal submitted 26 January 2020 Request for Hearing  Start date 17 August 2020	Black Gate Farm, Cobholm, Great Yarmouth NR31 0DL	Appeal against Enforcement Notice: Change of use and standing of seven caravans for residential use	Committee decision 8 November 2019  Statement submitted 12 October 2020  Hearing date 9 February 2021



Application reference number	Applicant	Start date of appeal	Location	Nature of appeal/ description of development	Decision and dates
<b>APP/E9505/W/19/3240574 BA/2018/0012/CU</b>	Mr Gordon Hall	Appeal submitted 14 February 2020 Request for Hearing  Start date 26 May 2020	Barn Adjacent Barn Mead Cottages Church Loke Coltishall.	Appeal against refusal of planning permission: Change of Use from B8 to residential dwelling and self contained annexe.	Delegated decision 15 April 2019  Statement submitted 30 June 2020.
<b>APP/E9505/D/20/3258679 BA/2020/0105/HOUSEH</b>	Mr N Hannant	Appeal submitted 2 September 2020  Awaiting start date	Gunton Lodge Broadview Road Lowestoft	Appeal against refusal of planning permission: Second floor balcony.	Delegated decision 25 August 2020.  Questionnaire submitted 16 November 2020

Author: Cheryl Peel

Date of report: 10 December 2020

Background papers: BA appeal and application files

# Planning Committee

08 January 2021

Agenda item number 14

## Decisions made by officers under delegated powers

Report by Senior Planning Officer

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### Summary

This report sets out the delegated decisions made by officers on planning applications from 21 November 2020 to 11 December 2020.

### Recommendation

To note the report.

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## Decisions made by officers under delegated powers

Parish	Application	Site	Applicant	Proposal	Decision
Beccles Town Council	BA/2020/0067/FUL	The Quay Deli Fen Lane Beccles Suffolk NR34 9BD	Mr Andrew Flowers	Increase window size on west elevation	Approve Subject to Conditions

Parish	Application	Site	Applicant	Proposal	Decision
Brundall Parish Council	BA/2020/0336/HOUSEH	Two Trees 58 Riverside Estate Brundall Norwich NR13 5PU	Mr & Mrs Wright	Replace timber quayheading with steel piling and timber capping and whaling. Reduce width of jetty from 1.2m to 0.8m. Widen existing wet dock from 1.75m to 2.8m wide	Approve Subject to Conditions
Fleggburgh Parish Council	BA/2020/0388/HOUSEH	Rose Farmhouse Broad Road Fleggburgh Norfolk NR29 3DD	Mr Peter Best	Construction of garden summerhouse	Approve Subject to Conditions
Haddiscoe And Toft Monks PC	BA/2020/0324/FUL	Hunters Lodge Church Road Thorpe Next Haddiscoe NR14 6SJ	Mr Necker	Erection of an office building in association with existing business use involving demolition of existing building	Approve Subject to Conditions
Hoveton Parish Council	BA/2020/0258/FUL	Hoveton Great Broad Nature Trail Lower Street Hoveton Norfolk NR13 6HG	Mrs Deanna Auker	Canoe mooring pontoon for Hoveton Great Broad Nature Trail	Approve Subject to Conditions
Langley With Hardley Parish Council	BA/2020/0350/COND	22 Langley Street Langley NR14 6AD	Mr Andrew Larkin	Change of approved plans, variation of condition 2 of permission BA/2019/0291/HOUSEH	Approve Subject to Conditions

Parish	Application	Site	Applicant	Proposal	Decision
Ludham Parish Council	BA/2020/0321/HOUSEH	The Pines Horsefen Road Ludham NR29 5QG	Mrs Jane Wallis	Creation of a domestic slipway	Approve Subject to Conditions
Ormesby St Michael Parish Council	BA/2020/0407/NONMAT	Gwen Tone Eels Foot Road Ormesby St Michael Norfolk NR29 3LP	Mr & Mrs Joshua & Rachael Nichols	Reduction in size of window to front and additional window to side, non-material amendment to permission BA/2020/0310/HOUSEH	Approve
Oulton Broad Parish Council	BA/2020/0346/HOUSEH	Dabchick Broadview Road Lowestoft NR32 3PL	Mr Kerr Sinclair	Replace timber quay heading with steel piles, timber capping and whaling	Approve Subject to Conditions
Oulton Broad Parish Council	BA/2020/0337/FUL	Site 5/6 Boathouse Lane Lowestoft NR32 3PP	Mr Kerr Sinclair	Replace derelict quay with galvanised steel piles, timber capping and whaling	Approve Subject to Conditions
Wroxham Parish Council	BA/2020/0358/HOUSEH	The Sheriff House Beech Road Wroxham Norwich Norfolk NR12 8TP	Mr & Mrs Horton	Garden gazebo	Approve Subject to Conditions

Author: Cheryl Peel

Date of report: 14 December 2020