

Planning Committee

AGENDA

Friday 27 April 2018

10.00am

- | | Page |
|---|--------|
| 1. Appointment of Interim Chairman and Vice-Chairman until July 2018 | |
| 2. To receive apologies for absence and introductions | |
| 3. To receive declarations of interest | |
| 4. To receive and confirm the minutes of the previous meeting held on 23 March 2018 (herewith) | 4 – 12 |
| 5. Points of information arising from the minutes | |
| 6. To note whether any items have been proposed as matters of urgent business | |

MATTERS FOR DECISION

7. **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. Those who wish to speak are requested to come up to the public speaking desk at the beginning of the presentation of the relevant application
8. **Request to defer applications included in this agenda and/or to vary the order of the Agenda**
To consider any requests from ward members, officers or applicants to defer an application included in this agenda, or to vary the order in which applications are considered to save unnecessary waiting by members of the public attending
9. **To consider applications for planning permission including matters for consideration of enforcement of planning control:**

	Page
1) BA/2018/0053/HOUSEH Wayford Mill Wayford Bridge 13Wayford Road Smallburgh	13 – 24
2) BA/2017/0424/FUL Land at Ludham Bridge, Ludham	25 – 34
3) BA/2018/0091/ADV Whitlingham Country Park, Whitlingham Lane, Trowse	35 – 40
10. Enforcement Update Report by Head of Planning(herewith)	41 – 44
11. Former Waterside Rooms, Hoveton. Action for consideration Report by Head of Planning (herewith)	45 – 47
12. Consultation on the National Planning Policy Framework (NPPF) and Proposed Response Report by Head of Planning and Planning Policy Officer (herewith)	48 – 60
13. Consultation on Documents Accompanying National Planning Policy Framework and Proposed Responses <ul style="list-style-type: none"> • <i>Supporting Housing Delivery</i> • <i>Planning Practice Guidance</i> • <i>Housing Delivery Test</i> • <i>Draft Planning Practice Guidance</i> Report by Planning Policy Officer (herewith)	61 – 67
14. Consultation Documents Update and Proposed Responses: <ul style="list-style-type: none"> • <i>Suffolk County Council: Parking Management Strategy</i> • <i>Great Yarmouth Borough Council: Housing Strategy</i> Report by Planning Policy Officer (herewith)	68 – 71
15. Waveney District Council – a Second Statement of Common Ground Report by Planning Policy Officer (herewith)	72 – 84
MATTERS FOR INFORMATION	
16. Heritage Asset Review Group : 23 March 2018 Notes of meeting (herewith)	85 – 90
17. Appeals to the Secretary of State: Update and Annual Review 2017/18 Report by Administrative Officer (herewith)	91 – 94
18. Decisions made by Officers under Delegated Powers Report by Head of Planning (herewith)	95 – 98

19. **Circular 28/83: Publication by Local Authorities of Information about the Handling of Planning Applications**
Report by Head of Planning (herewith)

20. **To note the date of the next meeting – Friday 25 May 2018 at 10.00am at Yare House, 62-64 Thorpe Road, Norwich NR1 1RY**

Broads Authority
Planning Committee

Minutes of the meeting held on 23 March 2018

Present:

Sir Peter Dixon – in the Chair

Mr M Barnard
Ms G Harris
Mr B Keith

Mr H Thirtle
Mr V Thomson
Mrs Melanie Vigo di Gallidoro

In Attendance:

Mrs S A Beckett – Administrative Officer (Governance)
Ms A Cornish – Planning Officer (Minute 9/8)
Mr B Hogg – Historic Environment Manager
Ms C Smith – Head of Planning
Mr T Risebrow – Planning Officer (Compliance and Implementation)
(Minute 9/9 and 9/10)
Mrs M-P Tighe – Director of Strategic Services

No Members of the Public were in attendance

9/1 Apologies for Absence and Welcome

The Chairman welcomed everyone to the meeting.

Apologies had been received from Mr J Bensly, Prof J Burgess, Mr W A Dickson, Mrs L Hempsall and Mr P Rice.

9/2 Declarations of Interest

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

9/3 Minutes: 2 March 2018

The minutes of the meeting held on 2 March 2018 were agreed as a correct record and signed by the Chairman.

9/4 Points of Information Arising from the Minutes

The Chairman referred to the Authority's Planning Committee meeting on 23 June (Minute 13/9) concerning enforcement and aspects of the Thorpe Island basin issue and the officer's response to a blog by Mr James Knight dated 17.06.17 and set out as Appendix 2 to the Minutes of the June meeting. Reference was made to the involvement of Mr Bill Knight, the brother of James Knight, in his professional capacity as a surveyor. Mr Bill Knight asked

to meet him, in order to clarify some aspects of that involvement, which Sir Peter was happy to do and to place on record. The Chairman stated that a cordial meeting took place and following that a note was sent to Mr Knight for his approval and agreement in November 2017. The Chairman wished to bring closure to the matter and place this on record, especially as this would be his last meeting of the Authority. The Chairman read the note out:

"Mr. Knight states that his work with Richardsons, the previous owners of the basin, did not facilitate the sale to Mr. Roger Woods and that he gave no advice to Mr. Woods in connection with that purchase. He did give advice to Mr. Woods regarding the eastern end of Thorpe Island, which some of you will remember as the former Heart's Cruisers site, in 2005. Mr Knight had no issue with the references in the minute to his later involvement with Mr Woods and the basin."

The Chairman had received no further correspondence from Mr Bill Knight and it was therefore considered that this statement could be considered as acceptable to him in the absence of any response to the contrary and could be placed on the record for that meeting. (Paragraph 6 of 'other points to note' in Appendix 2 of those minutes)

Members concurred.

9/5 To note whether any items have been proposed as matters of urgent business

No items of urgent business had been proposed.

9/6 Chairman's Announcements and Introduction to Public Speaking

(1) The Openness of Local Government Bodies Regulations

The Chairman gave notice that the Authority would be recording the meeting in the usual manner and in accordance with the Code of conduct.

2) Public Speaking

The Chairman stated that no members of the Public had registered to speak or were in attendance.

9/7 Requests to Defer Applications and /or Vary the Order of the Agenda

The Chairman commented that he did not intend to vary the order of the agenda or defer consideration of the applications.

9/8 Applications for Planning Permission

The Committee considered the following applications submitted under the Town and Country Planning Act 1990, as well as matters of enforcement (also having regard to Human Rights), and reached the decisions as set out below.

Acting under its delegated powers the Committee authorised the immediate implementation of the decisions.

The following minutes relate to further matters of information, or detailed matters of policy not already covered in the officers' reports, and which were given additional attention.

- (1) **BA/2018/0053/HOUSEH Wayford Mill, Wayford Bridge, Wayford Road, Smallburgh** Maintenance building and workshop with storage of plant
Applicant: Mr Mark Rogers

The Chairman explained that the application was before the Committee due to the history of the site and, the previous enforcement issues involved as well as an objection from the Parish Council.

The Planning Officer provided a presentation and assessment of the proposal for the construction of an outbuilding for the storage of plant and equipment and a workshop space associated with the ongoing upkeep and maintenance of the restored windmill at Wayford Mill. It would therefore be incidental to the residential use of the site. The ground floor would be used for the storage of plant and a mezzanine floor in part of the above was intended to be used as a workshop. The building was to be sited over a culvert that was in the ownership of the applicant. At present the equipment was stored on site. The applicant rented other buildings off site for the storage of plant for his business operation.

The Planning Officer addressed the main issues for consideration relating to the principle, scale, design and materials; landscape; ecology and flood risk, the site being in flood risk zone 2 and 3. A previous application for a similar building had been refused in 2005. Since then the site had matured, the scale of the proposal reduced, the design and the materials to be used were considered to be in keeping and subservient to the main dwelling and therefore it was considered that the original concerns had been addressed and in terms of landscape impact the proposal was acceptable. The development was considered to be in accordance with the relevant Development Plan Policies including the Environment Agency guidelines and the NPPF and therefore the application was recommended for approval.

Members were mindful that they were required to consider the planning merits of the case. They considered that the principle of a storage building was acceptable subject to it not being used for commercial purposes or converted. However, they had concerns about the functionality of the building and the measurements supplied in relation to the equipment to be stored. In addition, as a matter of courtesy they considered that the IDB should be consulted on the application, given that the development was to be sited on a culvert.

The Chairman proposed, and it was

RESOLVED unanimously

that the application be deferred for further information and clarification on the functionality and measurements of the proposed building and consultations with the IDB.

- (2) **BA/2017/0415/ Morrisons, George Westwood Way, Beccles**
Development of three retail units, car wash area, tyre service area and two small retail pods (units to comprise of uses within use classes A1,A2, A3 and mixed A1/A3 and A3/A5 uses).
Applicant: W M Morrisons Supermarkets Plc

The Planning Officer provided a detailed presentation and assessment of the proposals for the construction of three retail units, one of which would be a drive-thru unit, two retail pods, a car wash pod and a tyre pod on part of the Morrisons supermarket car park situated at the junction between the A146 and A145 George Westwood Way in Beccles. All the development except for one of the retail pods would be grouped in the north-western corner of the supermarket car park, the other retail pod would be sited adjacent to the western frontage of the main store.

One of the main issues to consider was the fact that the site was in Flood Zone 3 and 2 and the Environment Agency had issued a holding objection relating to flood risk and possible contamination, stating that the objection could be overcome by the submitting of a satisfactory Flood Risk Assessment and a Preliminary Risk Assessment as advised.

The Planning Officer concluded that in principle the proposed development for a retail/service based development was acceptable due to the site already having an established retail use and evidence had been submitted that it passed the Sequential Test. However, with insufficient information being submitted to enable the Environment Agency to withdraw their objection and the fact there was insufficient evidence to assess any possible impact on the screening of the site and therefore inform the landscape impact, it was concluded that the development was not in accordance with the relevant development plan policies and there was no option but to recommend refusal.

Members concurred with the officer's assessment. One member expressed concern about the highways aspects of the proposal which would result in the loss of car parking spaces as well as the location of the site at a busy road junction and therefore queried the views of the Highways Authority. It was clarified that the Highways Authority (Suffolk County Council) did not consider that the reduction in the number of car parking spaces would be significant, based on the criteria used in their assessment.

Members also had concerns about the design of the proposed buildings on the site which was a material consideration for the special landscape qualities of the Broads and they wished to add this element to the reasons for refusal.

Although not material planning considerations, Members were of the view that as a large corporate organisation, Morrisons had a duty to ensure that the correct environmental and employment standards were applied in any operations from the site. It was suggested that in an area such as East Anglia which had the least annual rainfall for the country, the water use should be carefully considered. They were also mindful of the requirement for Morrisons (as a company of over 250 employees) to document their modern slavery policy and they would wish to be satisfied that this had been considered in the context of the car wash facility. Members recognised that such questions were not material to the planning merits of the case but suggested that these be questions posed for consideration by the applicant.

Haydn Thirtle proposed, seconded by Gail Harris and it was

RESOLVED unanimously

that the application be Refused for the following reasons:

- The site is located in an area classified as Flood Risk Zone 3 in the Broads Authority's Strategic Flood Risk Assessment. Whilst the development proposed is classified as a 'less vulnerable' development as defined in Table 2: Flood Risk Vulnerability Classification of the Planning Practice Guidance and the NPPF Sequential Test has been satisfied the application fails to demonstrate that the flood risk associated with this development has been accurately addressed and mitigated. In the opinion of the Broads Authority the proposal therefore has to be considered as being contrary to Policy CS20 of the Broads Authority Core Strategy 2007 – 2021, Policy DP20 of the Broads Authority Development Management Policies DPD 2011 – 2021 and to the NPPF.
- The site is located on a former landfill site and insufficient information has been submitted to satisfactorily demonstrate that the development of this site can be undertaken without giving rise to unacceptable risks from contamination at the site. The development therefore has to be considered as non-conforming to paragraph 120 of the NPPF.
- In the opinion of the Broads Authority insufficient information has been submitted to satisfactorily address the impact on existing established screen planting immediately adjacent to the site and the landscape impact of the overall development cannot therefore be accurately assessed. The proposal therefore has to be considered

as contrary to Policy CS1 of the Broads Authority Core Strategy 2007 – 2021, Policy DP2 of the Broads Authority Development Management Policies DPD 2011 – 2021 and to paragraph 115 of the NPPF.

- The proposed development does not reflect the character and appearance in terms of the design required in the special landscape of a National Park area and therefore the application is contrary to Policy DP4

**9/9 Enforcement of Planning Control:
Unauthorised change of use to Canoe Hire yard, standing of
structure and development of boat launching site.**

The Chairman declared an interest on the basis that he was a personal friend of the owner of the site (as set out in Appendix 1), which was being leased for the canoe hire operation. He took no part in the debate or the decision.

The Committee received a report concerning the unauthorised change of use of land at the rear of the Norfolk Broad Tourist Information and Activity Centre (TIAC) in Wroxham. The works which constituted development were the material change of use to a business use and the construction of a landing stage, slipway and erection of storage shed/workshop and canoe racks. The works were to facilitate the use of the site as a base for canoe hire in connection with the adjacent TIAC activity. There was no planning permission for any of the development. Officers were made aware of this in 2016 and had attempted to seek a planning application from the operator but to no avail.

The unauthorised development at the site was acceptable in terms of the principle of the use, but unacceptable in respect of some of the structures. In the absence of a planning application, it would not be possible to impose planning conditions covering these matters and the LPA had only formal mechanisms available to resolve the position.

It was noted that the service of an Enforcement Notice could be used in lieu of a planning permission as it could require certain steps to be taken. Officers were seeking authorisation from the Committee to serve an Enforcement Notice for the removal of the unauthorised free standing structure and the associated lean-to only. The suggested compliance period recommended was 9 months to allow the operator time to develop the business to a point where a permanent structure could be justified or to seek further premises from which to operate.

Members considered that a shorter period of compliance of six months should be imposed.

Haydn Thirtle proposed, seconded by Bruce Keith and it was

RESOLVED by 4 votes to 1 vote against and two abstentions (one being that of the Chairman).

- (i) that officers are authorised to serve an Enforcement Notice requiring the removal of the freestanding structure and associated lean-to with a period of compliance of 6 months.
- (ii) in the event of non-compliance to prosecute at the magistrate's court.

9/10 Enforcement Update

The Committee received an updated report on enforcement matters already referred to Committee. Further updates were provided for:

- (i) **Burghwood Barnes** – Following the dismissal of the appeal against the Enforcement Notice, the Notice had been varied by the Planning Inspector and the compliance period extended. Officers were regularly monitoring the site and work was underway to comply with the notice as well as a number of conditions on previous consents. The Planning Officer (Compliance and Implementation) provided the committee with a number of slides giving evidence of the work that had been carried out. Officers would continue to monitor the site.
- (ii) With reference to the non-compliance with a planning condition at **Barnes Brinkcraft**, officers had requested the submission of a planning application in accordance with the scheme which had been considered not unacceptable in principle by the Navigation Committee and this would be brought to a future Planning Committee. In the meantime, Barnes Brinkcraft had been advised to operate the site in accordance with the scheme considered by the Navigation Committee.

There were no further updates to report.

RESOLVED

that the report be noted.

9/11 Appeals to Secretary of State Update

The Committee noted that there were currently no appeals to the Secretary of State against the Authority's decisions.

9/12 Decisions Made by Officers under Delegated Powers

The Committee received a schedule of decisions made by officers under delegated powers from 14 February 2018 to 12 March 2018.

BA/2017/0492/FUL Kingsbury Cottage, Common Lane Thurne. – approval for a shepherd's hut. The Head of Planning explained that as the hut would not be moveable, it was classed as development and therefore planning permission was required.

RESOLVED

that the report be noted.

9/13 Date of Next Meeting

The next meeting of the Planning Committee would be held on Friday 27 April 2018 starting at 10.00 am at Yare House, 62- 64 Thorpe Road, Norwich. The meeting would be followed by the Member's Heritage Asset Review Group.

The meeting concluded at 11.00 am

CHAIRMAN

Code of Conduct for Members

Declaration of Interests

Committee: **Planning Committee**

Date of Meeting: 23 March 2018

Name	Agenda/ Minute No(s)	Nature of Interest (Please describe the nature of the interest)
Haydn Thirtle	9/8(1)	Board member of IDB (Broads) – application over culvert
Bruce Keith		None
Mike Barnard	9/8(2)	Councillor for Waveney District Council
Peter Dixon	9/9	Owner of Bridge Broad – a personal friend and his company maintains my river cruiser
Melanie Vigo di Gallidoro		None

Reference:

BA/2018/0053/HOUSEH

Location

Wayford Mill, Wayford Bridge, Wayford Road,
Smallburgh

BA/2018/0053/HOUSEH - Wayford Mill, Smallburgh



Application for Determination
Report by Planning Officer

Target Date	30 April 2018
Parish:	Smallburgh Parish Council
Reference:	BA/2018/0053/HOUSEH
Location:	Wayford Mill, Wayford Bridge, Wayford Road, Smallburgh
Proposal:	Maintenance Building and Workshop with Storage of Plant
Applicant:	Mr Mark Rogers
Recommendation:	Approve Subject to Conditions
Reason for referral to Committee:	Director Discretion

1. Introduction

- 1.1 Members will recall that this application was brought before them at the last Planning Committee on 23 March 2017 for consideration and determination. The full Committee Report for this application can therefore be read at Appendix 1 to this report.
- 1.2 At the last Committee meeting it was resolved to defer the determination of this application to enable further clarification/information to be received from the applicant regarding the details of the development proposed. The information requested can be summarised as follows:
- Amended elevations to show a clearance height of 2.6m through the door to enable the cherry picker to be stored in the shed.

- Confirmation of the height of the mezzanine floor to demonstrate that sufficient headroom would be provided above the mezzanine floor, with the ridge height set at 5m, for someone to use the proposed workshop.
 - A written statement from the applicant confirming that the building as proposed would be large enough to meet their current and future needs to ensure that there would be no future application for an extension to the building proposed or for another building in the future.
 - A drawing showing the building proposed in situ in relation to the house, the mill and the surrounding landscape.
 - Consultation with the IDB.
- 1.3 In response to the request for the above information an email has been received from the applicant confirming that the original height of 2.6m given for the JCB telehandler and cherry picker included the cage in the roof which carries the glass protection screens in case of vandalism. This cage would be removed for storage in the new building which would bring the maximum height of the JCB telehandler and the cherry picker down to less than 2.1m. Therefore the elevations do not need to be amended and the application should be determined on the basis of the drawings as originally submitted.
- 1.4 On the basis that the drawings as submitted are correct, the height of the mezzanine floor would be 2.1m above the sole plate, which, adding in 0.3m for the thickness of the mezzanine floor itself, would give approximately 2.5m clearance below the 5m ridge height. This should be sufficient to enable full use of the workshop.
- 1.5 The applicant has provided an email stating that the building as proposed will be large enough to meet his current and future needs and that he will not be applying for an extension to the building or for another building in the future.
- 1.6 At the time of writing, the drawing showing the building in relation to the house and mill is still awaited but should be available at the Committee meeting.
- 1.7 The IDB was formally consulted on this application on 26 March 2018 and their response was requested by 5 April 2018. No response to this consultation has been received.
- 1.8 On the basis of the above it is considered that all matters raised by the Committee have been satisfactorily addressed. In conclusion it is considered that the development proposed has satisfactorily addressed the concerns raised over the previous application in terms of scale and design and landscape impact and is now acceptable. The building is required for storage and workshop space associated with the ongoing upkeep and maintenance of the windmill and will therefore be incidental to the residential use of the site. The development is considered to be in accordance with the relevant Development Plan Policies and the NPPF particularly in terms of scale and design and landscape impact.

2 Recommendation

It is recommended that the application be approved subject to the following conditions;

1. Standard time limit
2. In accordance with approved plans
3. Submission of material details and door detailing
4. Submission of details of landscape planting and completion in next planting season following completion of development
5. Replacement planting of any new plant that dies within 5 yrs
6. Erection of bird box
7. Details of any external lighting to be submitted for approval

3 Reason for Recommendation

In the opinion of the Local Planning Authority this proposal is in accordance with Policies CS1 Landscape Protection and Enhancement, CS4 Creation of New Resources and CS20 Rural Sustainability of the Core Strategy and Policies DP1 Natural Environment, DP2 Landscape and Trees, DP4 Design, DP28 Amenity and DP29 Development on Sites with a High Probability of Flooding together with the NPPF.

Background papers: BA/2018/0053/HOUSEH
Author: Alison Cornish
Date of report: 12 April 2018
Appendix: Appendix 1 – Committee Report 23 March 2018

Application for Determination
Report by Planning Officer

Target Date	11 April 2018
Parish:	Smallburgh Parish Council
Reference:	BA/2018/0053/HOUSEH
Location:	Wayford Mill, Wayford Bridge, Wayford Road, Smallburgh
Proposal:	Maintenance building and workshop with storage of plant
Applicant:	Mr Mark Rogers
Recommendation:	Approve subject to conditions
Reason for referral to Committee:	Director discretion

1 Description of Site and Proposals

- 1.1 The application site is located on land at Wayford Bridge on the western side of the A149. The River Ant fronts the land to the north. The site is accessed off a long access track leading off the A149. The property comprises Wayford Mill and the associated single storey dwelling and an area of reedbed and mown grass, with the entire site covering an area of approximately 0.9 hectares. An IDB drain runs northwest to southeast across the property close to the southwestern property boundary. A concrete culvert, close to the northern end of the dwelling, bridges this drain providing access over the drain from the main site access to the land to the southwest. The southwestern boundary of the site is defined by a fragmented boundary hedge line.
- 1.2 The site is situated in Flood Risk Zones 2 and 3.

- 1.3 The application is for the construction of an outbuilding to house plant and equipment associated with the residential use of the site. The plant would be stored on the ground floor of the building with a mezzanine floor above, accessed via an internal staircase, used as a workshop area. The building would be constructed on the concrete culvert bridging the IDB drain. It would be a timber boarded building with a pitched roof clad in corrugated metal profile sheet roofing. Windows would be added to all elevations and the building would be accessed via a pedestrian door in the western elevation and a double garage style roller shutter timber door on the northern elevation. The building would measure 6.3m by 10m and have a ridge height of 5m.

2 Site History

BA/1988/3389/HISTAP - Extension and restoration of cap and sails – Refused 14 April 1989.

BA/1996/2241/HISTAP - Extension of living accommodation adjoining the mill and restoration of cap and sails – Withdrawn

20000304FF (NNDC Reference) – Erection of dwelling linked to mill: Reinstatement of cap and sails, water wheel and linking mechanism; provision of new sluice gates, culvert and bridge – Approved subject to conditions and a S106 Agreement – Approved 9 October 2003.

BA/2005/1313/HISTAP - Erection of garage, excavation of mooring basin and piping of ditch –Refused 29 April 2005.

In 2006 direct action was undertaken in respect of unauthorised land raising works at the site, the costs of which were pursued through the County Court 2009. In 2016 a Settlement Agreement was reached and the financial requirements of this have been fully discharged.

The Settlement Agreement also covered works to the mill and since 2016 there has been significant progress with the restoration of the mill.

3 Consultations

3.1 Smallburgh Parish Council

The Parish Council object to the application as it will detract from the historic mill, due to the proposed height and scale. The Council suggests that if the application is approved the height should be reduced to 4 metres and be single storey, The Council also understood that development had to be above the existing level in this flood plain area and that possibly a satellite survey should be carried out. Lastly- no details of the floor construction are included and members were unsure what the document labelled "existing plan" relates to.

3.2 No representations have been received

4 Policies

- 4.1 The following Policies have been assessed for consistency with the National Planning Policy Framework (NPPF) and have been found to be consistent and can therefore be afforded full weight in the consideration and determination of this application.

[NPPF](#)

Core Strategy [Core Strategy Adopted September 2007 pdf](#)

CS1 Landscape Protection and Enhancement
CS4 Creation of New Resources

Development Management Policies DPD
[Development-Management-DPD2011](#)

DP1 Natural Environment
DP2 Landscape and Trees
DP4 Design
DP29 Development on Sites with a High Probability of Flooding

- 4.2. The following Policies have been assessed for consistency with the NPPF and have found to lack full consistency with the NPPF and therefore those aspects of the NPPF may need to be given some weight in the consideration and determination of this application.

Core Strategy
CS20 Rural Sustainability

Development Management Policies DPD
DP28 Amenity

- 4.3 Neighbourhood Plan

Not applicable

- 4.4 Material consideration

National Planning Policy Framework [NPPF](#)

5 Assessment

- 5.1 In assessing and determining this application the main issues to be taken into consideration include: the principle of the development; scale, design and materials; landscape; ecology and floodrisk.

- 5.2 The applicant currently has plant, including a cherry picker, a JCB telehandler, a mini digger and a 1 tonne dumper stored outside in the curtilage of his property, exposed to the elements. This equipment is required for the ongoing maintenance of the windmill. The equipment required by the applicant for his

building business is stored in rented barns elsewhere, offsite. This building is required in which to store the plant in a secure and protected environment and also provide a small covered workshop area to carry out maintenance tasks for the ongoing upkeep and maintenance of the windmill. The use of the building would therefore be incidental to the residential use of the site. The principle of the development is accepted.

- 5.3 In terms of scale, design and materials the building is to be constructed on the concrete culvert over the IDB drain. The size of the building footprint is therefore restricted by the size of the culvert. The maximum height of the building has been restricted to 5m to ensure that it does not exceed the height of the single storey dwelling on the property or detract from the setting of the mill. At 6.3m by 10m in size the building is considered to be an appropriate scale for its intended use and to be subservient and ancillary to the main residential use of this property.
- 5.4 It is considered that the building is simply detailed with materials appropriate to its location and to give a recessive and subservient appearance to the dwelling and the mill. The proposed timber boarded walls and corrugated metal profiled sheet roof would achieve this. Openings are kept to a minimum and simply fenestrated with fixed lights or simple casements and boarded or simple glazed doors. Given the maturing of the site and landscaping the proposal would not lead to the over domestication of the plot. The development proposed would simply create a visually recessive and subservient storage/workshop structure, which, whilst being clearly ancillary to the domestic use of the site would complement the overall composition on the site in terms of its past use. The development is therefore considered to be in accordance with Policy DP4 of the Development Management Policies DPD.
- 5.5 In terms of any landscape impact the proposed building has been designed to be subservient to the adjacent building with a lower ridge height and no roof glazing. The proposed building would be of timber and with corrugated roofing to provide a visually recessive and 'agricultural' appearance. The building would not be particularly visible as it is set within an existing hedgerow with trees and benefits from wooded backdrops to the north, south and west. The existing reed-filled pond area on the site would provide screening of the site from the river, although there would be some intermittent views of the building from the river bank to the north, the Wayford Bridge area and the A149.
- 5.6 Members will note from the history here that a previous application (BA/2005/1313/HISTAP) was refused, and this was for reasons including concern about the visual intrusion of an additional domestic building, views from the river, and impact on the character of the marshland landscape. It is considered that the current application overcomes these concerns. The building is more modest in nature and constructed with appropriate materials. The site has matured over the intervening years and the reed fringed pond now provides valuable screening. Use of the building would enable storage of

vehicles and equipment which are currently standing around the site creating some visual impact.

- 5.7 It is recommended that a condition be imposed on any planning permission that may be granted requiring additional planting of native plants to enhance the screening of the proposed building from the riverbank to the north, the Wayford Bridge area and the A149. On this basis this application is considered to be in accordance with Policy DP2 of the Development Management Policies DPD and paragraph 115 of the NPPF.
- 5.8 As the proposed building is to be erected on the existing concrete culvert it is considered that there would be no adverse impact on biodiversity arising from this development. It is recommended that a condition be imposed requiring details of any external lighting to be added to be submitted for approval to ensure there is no adverse effect arising from light spill. In accordance with Policy DP1 of the Development Management Policies it is recommended that biodiversity enhancement proportionate to the scale of development proposed is achieved with the erection of a bird box on a mature tree within the curtilage of the property.
- 5.9 The site is located within Flood Risk Zones 2 and 3. A Flood Risk Tick Sheet has been completed in accordance with the Environment Agency's Standing Advice for householder developments of less than 250m² in area. The proposal is therefore considered to be in accordance with Policy CS20 of the Core Strategy, Policy DP29 of the Development Management Policies DPD and the NPPF.
- 5.10 The site is in a relatively isolated position. There is no other development, and in particular, no other dwellings in the vicinity of the proposed building which would be adversely affected by its construction and future use. It is also considered that given the size of the proposed building and its location in relation to the existing dwelling on the site that there would be no adverse impact on the amenity of the dwelling on the property. It is therefore considered that the proposal is in accordance with Policy DP28 of the Development Management Policies DPD.

6 Conclusion

- 6.1 In conclusion it is considered that the development proposed has satisfactorily addressed the concerns raised over the previous application in terms of scale and design and landscape impact and is now acceptable. The building is required for storage and workshop space associated with the ongoing upkeep and maintenance of the windmill and will therefore be incidental to the residential use of the site. The development is considered to be in accordance with the relevant Development Plan Policies and the NPPF particularly in terms of scale and design and landscape impact.

7 Recommendation

It is recommended that the application be approved subject to the following conditions;

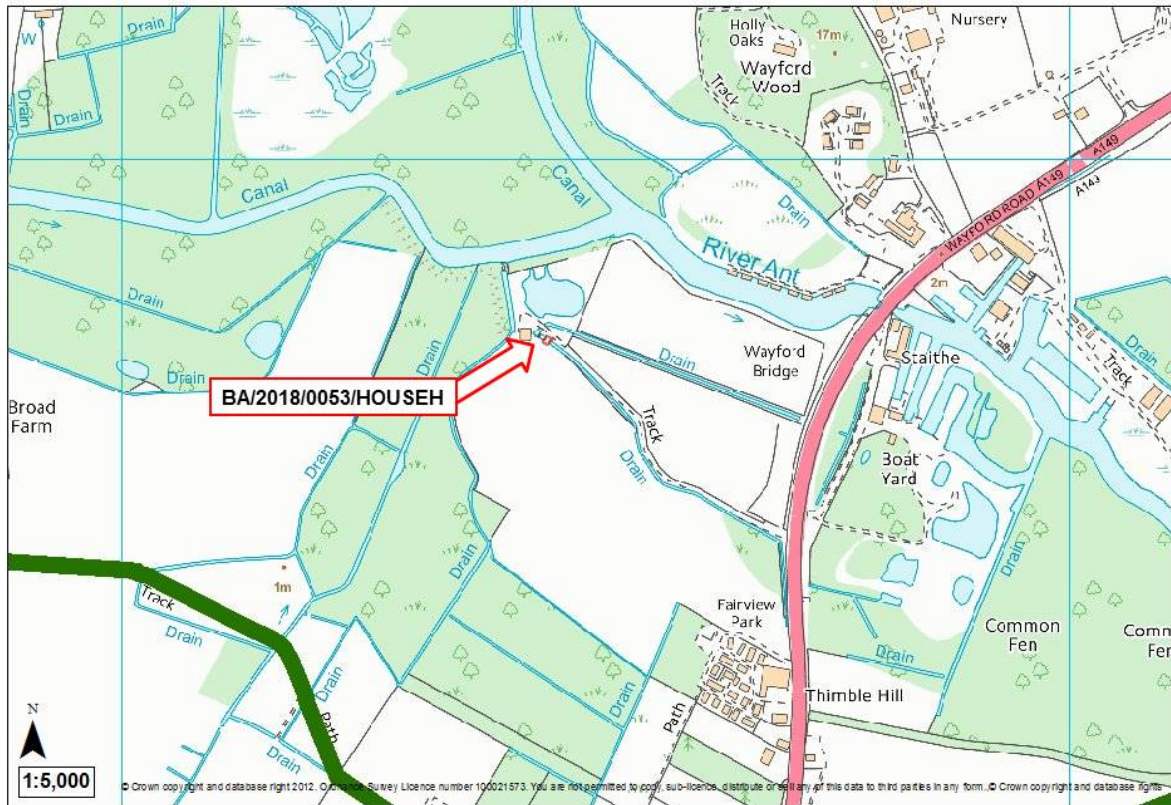
1. Standard time limit
2. In accordance with approved plans
3. Ancillary to domestic use only and no commercial use
4. Submission of material details and door detailing
5. Submission of details of landscape planting and completion in next planting season following completion of development
6. Replacement planting of any new plant that dies within 5 yrs
7. Erection of bird box
8. Details of any external lighting to be submitted for approval

8 Reason for Recommendation

In the opinion of the Local Planning Authority this proposal is in accordance with Policies CS1 Landscape Protection and Enhancement, CS4 Creation of New Resources and CS20 Rural Sustainability of the Core Strategy and Policies DP1 Natural Environment, DP2 Landscape and Trees, DP4 Design, DP28 Amenity and DP29 Development on Sites with a High Probability of Flooding together with the NPPF.

Background papers: BA/2018/0053/HOUSEH
Author: Alison Cornish
Date of report: 8 March 2018
Appendices: Appendix 1 – Map

BA/2018/0053/HOUSEH - Wayford Mill, Smallburgh



Reference:

BA/2017/0424/FUL

Location

Land at Ludham Bridge, Ludham

BA/2017/0424/FUL Ludham Bridge Ludham NR29 5NX



Application for Determination

Target Date	18 May 2018
Parish:	Ludham Parish Council
Reference:	BA/2017/0424/FUL
Location:	Land north of Bridge Cottage Ludham Bridge Ludham NR29 5NX
Proposal:	Retrospective application for retention of hardstanding, shed, office and shipping container for two years.
Applicant:	Mr Anthony Lumbard
Recommendation:	(i) Refusal of planning permission. (ii) Subject to (i) the Committee's approval for and the service of an Enforcement Notice
Reason for referral to Committee:	Authority sought for service of Enforcement Notice to remedy breach of planning control

1 Background

- 1.1 In 2009 planning permission was granted for flood defence works on land adjacent to the River Bure at Ludham including the provision of a temporary site compound on land adjacent to the A1062 (BA/2009/0202/FUL). The works were to be undertaken by BESL on behalf of the Environment Agency.
- 1.2 Condition 7 of planning permission stated:

'The use of the land for a temporary compound linked to the flood defence works in this compartment shall cease within one month of the completion of

work in this compartment and the land shall be restored to the previous/agreed condition, unless otherwise agreed in writing with the Local Planning Authority'.

- 1.3 The BESL works were undertaken between 2010 and 2015.
- 1.4 In July 2016 a complaint was received that the BESL works had been completed but that the temporary compound site had not been restored in accordance with the above condition. A site visit confirmed this; in addition a workshop for use by a carpenter had been constructed.
- 1.5 In July 2016 BESL confirmed via email that their lease on the land had expired in 2015 and that the land had been returned to the responsibility of the owner. An old office had been retained for the owner's own use.
- 1.6 The LPA contacted the landowner in respect of the planning breach and there has been extensive correspondence between the parties. The LPA have requested that the land be restored to its previous condition, in accordance with condition 7 of planning permission BA/2009/0202/FUL, or for a planning application to be submitted should the owner wish to retain the land in its current unauthorised use.
- 1.7 Since July 2016 the owner has variously stated that either the BESL works have not completed so the requirements of Condition 7 are not triggered and/or that they will clear the site and/or submit a planning application to regularise the development.
- 1.8 In relation to the assertion that BESL works were not complete, replies to PCN notices served in November 2016 produced the following information:
 - From BESL that the land had been handed back to the landowner with hard standing still in place. That they were not currently using the site, but had an informal arrangement that subject to the landowner's further permission that they may utilise the site for maintenance works at Ludham Bridge and might use the site for occasional short-term storage of plant for grass-cutting operations when in the area.
 - From the landowner that supporting documentation showed that he had been asked for the use of his compound for planned works near the bridge.

2 The Current Situation

- 2.1 There are two parts to the breach. Firstly, because the previous temporary buildings have not been removed and the site has not returned to a non-commercial use the compound site has not been returned to its previous condition, as required by condition 7 of planning permission BA/2009/0202/FUL, and therefore there has been a breach of that condition. Secondly, there is the erection of the carpenter's workshop, which has taken

place since BESL vacated the site. This is unauthorised development as planning permission has not been granted.

- 2.2 On November 2017 a planning application was submitted seeking permission to retain the use of the compound and the buildings/structures thereon, including the workshop. The application was incomplete and further information was requested, including a Planning Statement and a Flood Risk Assessment. Initially the Agent argued that he did not need to submit the additional information requested, but eventually the information was submitted and the application was validated on 23rd April 2018.
- 2.3 It is appropriate to consider the application, and the assessment is as follows.

3 The Planning Application

Description of Site and Proposals

- 3.1 The application site is a field which sits to the south east of Norwich Road, at Ludham Bridge, which crosses the River Ant at Ludham. Ludham village centre sits approximately 2.3km to the north east of Ludham Bridge. The site is situated between a residential property, Bridge Cottage and a marina and associated Boatyard, which sit approximately 100m to the south west. A camping and caravan park sits approximately 50m to the north east. Another residential property sits on the road opposite approximately 60m away, as well as a convenience store (approximately 100m away), a gallery (approximately 90m away) and a public toilets block operated by North Norfolk District Council (approximately 30m away). Although there is a small section of linear development along the road, the surrounding land is predominantly undeveloped, rural in character and in agricultural use. Marshland lines the bank of the River Ant.
- 3.2 The application is for the retention of the hardstanding, shed, office and shipping container for a temporary period of two years. These are the structures which have not been removed from the site and have been the subject of the enforcement negotiations outlined above. The hardstanding is approximately 20m long by 11m wide and consists of loose gravel and concrete paths and ramps providing access to the buildings. The hardstanding is used as a carpark. There are three buildings on the site as follows:
- The shed is constructed in timber with a metal profile sheet roof, is approximately 6.2m x 3.7m and 2.8m to the ridge. The shed is used as a workshop.
 - The portacabin is constructed in timber, is approximately 6.6m x 2.7m and 2.7m to the ridge. The portacabin is used as an office.
 - The shipping container is metal in construction, is approximately 5.6m x 2.1m and 2.6m to the ridge. The shipping container is used for storage.

4 **Consultations**

4.1 Consultations received

Ludham Parish Council- supports the application

District Member- to be reported orally

Environment Agency- to be reported orally

Highways Authority- to be reported orally

4.2 Representations received

None

5 **Planning Policies**

- 5.1 The following Policies have been assessed for consistency with the National Planning Policy Framework (NPPF) and have been found to be consistent and can therefore be afforded full weight in the consideration and determination of this application.

[NPPF](#)

Core Strategy

[Core Strategy Adopted September 2007 pdf](#)

CS1- Landscape Protection and Enhancement

Development Management Policies DPD

[Development-Management-DPD2011](#)

DP1- Natural Environment

DP2- Landscape and Trees

DP4- Design

DP11- Access on Land

DP29- Development on Sites with a High Probability of Flooding

- 5.2. The following Policies have been assessed for consistency with the NPPF and have found to lack full consistency with the NPPF and therefore those aspects of the NPPF may need to be given some weight in the consideration and determination of this application.

Development Management Policies DPD

DP28- Amenity

6 Assessment

- 6.1 The main issues to consider in the determination of this application are the principle of the development, impact on landscape, flood risk, ecology, and highways.

Principle of the Development

- 6.2 The site is situated within open countryside as described by the Development Management Policies DPD as it sits away from any defined development boundary. In addition, the site does not relate to the curtilage of any other building. The use which is being undertaken is a mixed commercial and domestic-type use, in that the workshop is let to a carpenter and the other buildings are being used by the landowner as supplementary to the storage at his domestic property located approximately 100m to the south west.
- 6.3 It is noted that the original temporary permission for the carpark, site office and shipping container was granted due to the need for a works compound and support facilities in connection with the flood defence works being undertaken locally by BESL. The development was considered acceptable in connection with these works, which they facilitated; it should also be noted that the flood defence works themselves represented a considerable visual disturbance to the local landscape for their duration and the temporary compound was seen in this context. As noted above these works were completed in 2016, the lease of the land to the Environment Agency has expired and compliance with the condition is overdue.
- 6.4 The landowner has advised that he would like to continue to use the site for another 2 years. No explanation or details of the need or justification for the continuing use of the site has been submitted.
- 6.5 In previous enforcement discussions the landowner advised that the Environment Agency, BESL and the IDB still use the land for both parking and storage of materials and equipment. He advises that they use the site on an ad-hoc basis when working locally. This is confirmed by BESL who state that whilst not strictly necessary, it is convenient for them so they do use it when they are working in the area. The owner has also advised that he has let the workshop to a carpenter, who uses it when working on his property, although the carpenter does also use it for his general business. The current use of the site office and storage container is not clear.
- 6.6 No clear information or justified evidence has been provided in support of the proposed continued use of the hardstanding, as a carpark, or the buildings, nor is there any explanation of why these uses cannot be undertaken elsewhere, for example, at the landowner's residential property where there is ample curtilage. On this basis, it is not considered that the use has been justified, nor have any other material planning considerations been submitted. The development is therefore considered unacceptable in principle.

Impact on Landscape

- 6.7 The site was previously an open field/marsh which offered a visual break in development. As the site was within open countryside there are strong concerns regarding the impact on landscape especially where there is no longer a justification for the use, in accordance with Policy CS1 of the Core Strategy and DP2 of the Development Management Policies DPD. It is considered that use of the site and the nature of the buildings have a significant adverse impact on the landscape by virtue of the scale and design. It is considered that the site should be restored, including the removal of the buildings, to drained marsh as there is no longer a justification for its use as a compound. The application for its retention is therefore considered detrimental to the landscape and against policies CS1 of the Core Strategy and DP2 of the Development Management Policies DPD.

Flood Risk

- 6.8 The site sits entirely within Flood Risk Zone 3, an area of high risk of flooding, and where new development is generally resisted. The Flood Risk Assessment submitted with the application only makes reference to the carpark and does not include the workshop, office or storage container and, in doing so, seeks to present the development as one which is 'less vulnerable' to flooding and therefore an appropriate form of development in Flood Risk Zone 3. However, the site is not just a carpark and the existence of the other uses such as the workshop and office have not been addressed.
- 6.9 Additionally, the Flood Risk Assessment does not indicate whether the site is within Flood Risk Zone 3a or 3b, which is important. If the site is within 3a a 'less vulnerable' use maybe considered appropriate in flood risk terms, however, this would not be the case if the site is within 3b as a 'less vulnerable' use would only be considered acceptable if the LPA considers the Exceptions Test could be passed. For the Exceptions Test to be passed the applicant would need to demonstrate that the development offered wider sustainability benefits to the community that outweigh the impact on flood risk. No such benefits have been presented and given the absence of justification for the continued use of the site it is considered unlikely that the Exceptions Test could be met. In conclusion, it is considered that there is not enough information submitted in order to satisfy the LPA that the proposed development is acceptable in flood risk terms. The development as it stands is therefore considered contrary to the National Planning Policy Framework and policy DP29 of the Development Management Policies DPD. The Environment Agency's comments are awaited and members will be updated verbally.

Ecology

- 6.10 Whilst the site is small in ecological terms, its retention in its current use delays its restoration to marshland and the consequent ecological improvement, as this latter use would have a higher biodiversity value. There would therefore be an adverse impact on ecology should the works compound

remain, contrary to Policy DP1 of the Development Management Policies DPD.

Highways

- 6.11 If the site were to be retained in its current use there remains an increase in use of the access. It is unclear if the use is detrimental to the highway network. The Highways Authority's comments are awaited and members will be updated verbally on Highway impacts.

Amenity

- 6.12 Whilst it is not considered that there is a detrimental impact on neighbouring amenity whilst the commercial site exists, due to the quiet nature of the use, it is considered that there would be a significant visual and a less significant audio improvement if the land is returned to its authorised use of a drained marshland, in accordance with Policy DP28 of the Development Management Policies DPD.

7 Conclusion to planning assessment

- 7.1 The site is situated within open countryside, away from any development boundary and in an area where a commercial use would not normally be permitted. There are no additional benefits, or other material planning considerations, which would justify a departure from policy and an approval of planning permission. The development is therefore considered unacceptable in principle, even on a temporary basis. The retention of the works compound and buildings is considered to have a detrimental impact on the landscape and be contrary to policies CS1 of the Core Strategy and DP2 of the Development Management Policies DPD.
- 7.2 Furthermore, it is considered that there is not enough information submitted in order to determine whether the proposal is acceptable in flood risk terms. The proposal is therefore considered contrary to the National Planning Policy Framework and policy DP29 of the Development Management Policies DPD.

8 The Planning Breach

- 8.1 Should Members agree with the recommendation in respect of the planning application and resolve to refuse planning permission, it will consequently be necessary to address the planning breach.
- 8.2 The adopted Enforcement Plan advises that where unauthorised development is not acceptable and cannot be made acceptable by modification or planning conditions, enforcement action should be taken where expedient. In this case, enforcement action is considered expedient due to the impact the development is having on the character and appearance of the local landscape and the biodiversity value of the area. Authority is therefore sought for the serving of an Enforcement Notice relating to the removal of the

unauthorised structures and restoration of the land in accordance with condition 7 of planning permission BA/2009/0202/FUL.

9 Financial Implications

9.1 There are no financial implications resulting from the actions in this report.

10 Recommendation

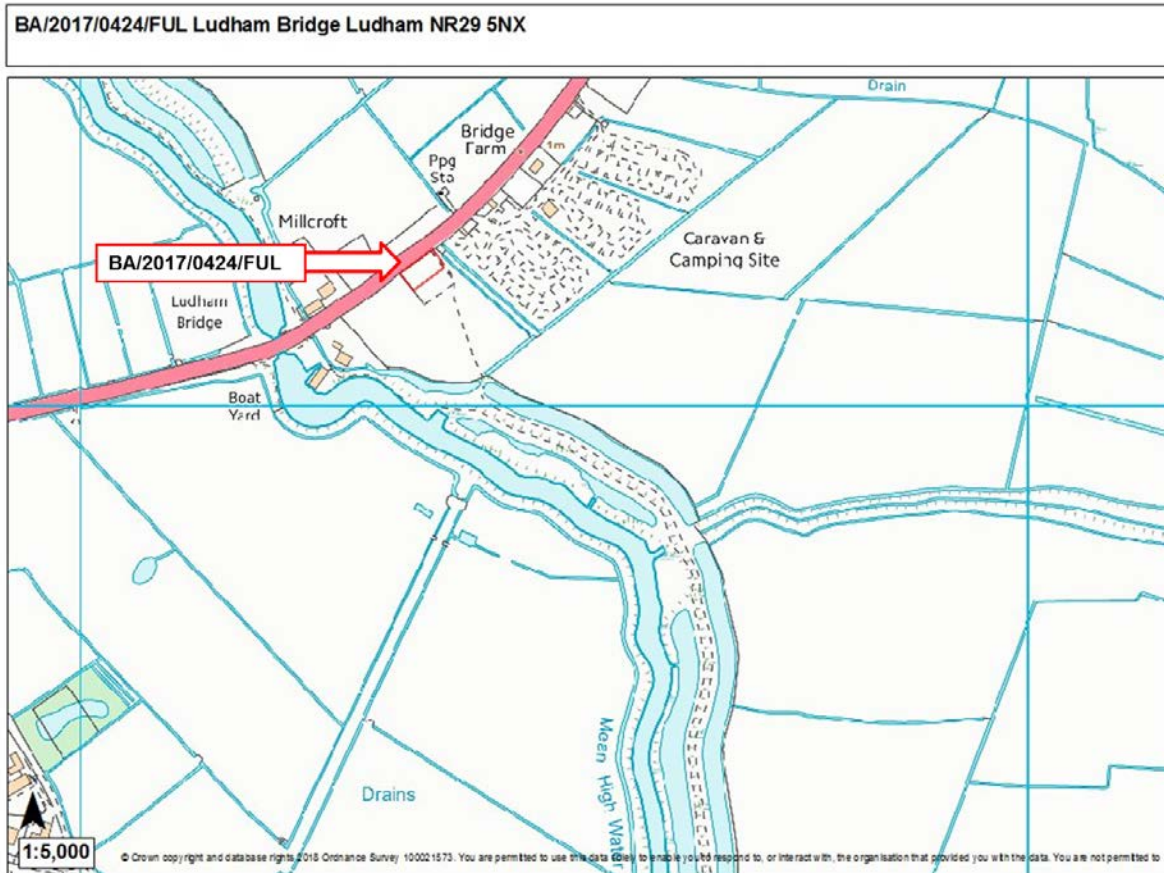
10.1 That planning permission be refused and authority be given to serve an Enforcement Notice with a compliance period of 3 months.

Background papers: BA/2017/0424/FUL, BA/2009/0202/FUL and BA/2016/0024/BOCP4
Broads Authority Local Enforcement Plan (2016)
Development Management Policies (2011)
National Planning Policy Framework (2012)

Author: Kayleigh Judson

Date of report: 13 April 2018

Appendices: Appendix A - Site plan



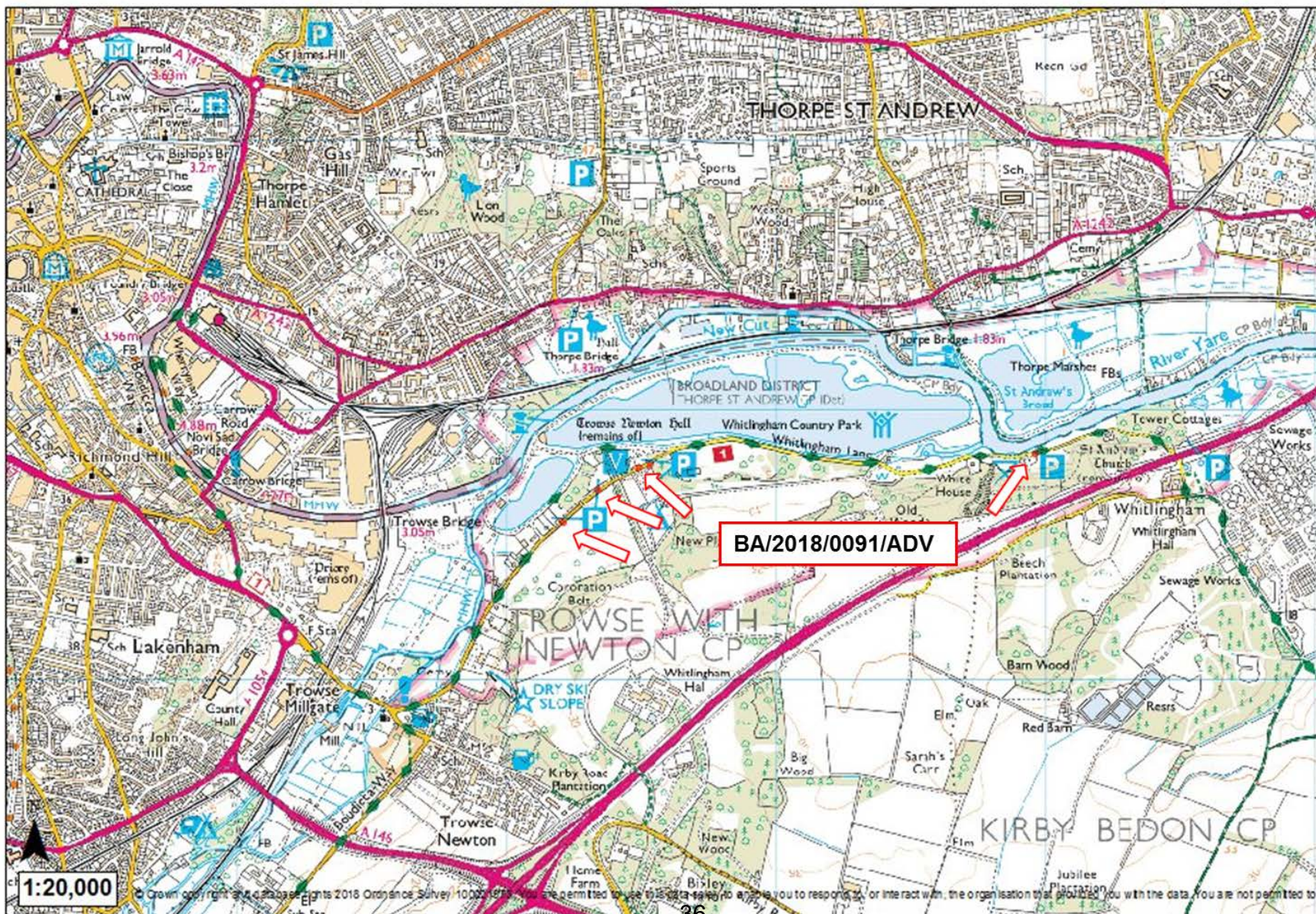
Reference:

BA/2018/0091/ADV

Location

Whitlingham Country Park, Whitlingham Lane,
Trowse

BA/2018/0091/ADV Whittingham Country Park Whittingham Lane Trowse NR14 8TR



Application for Determination
Report by Planning Officer

Target Date	04/05/2018
Parish:	Trowse with Newton Parish Council
Reference:	BA/2018/0091/ADV
Location:	Whitlingham Country Park, Whitlingham Lane, Trowse
Proposal:	5 No. Signs
Applicant:	Broads Authority
Recommendation:	Approve.
Reason for referral to Committee:	Broads Authority application

1 Description of Site and Proposals

- 1.1 The application site is along Whitlingham Lane in Whitlingham Country Park to the east of Norwich. The Park operates as a visitor facility, with water sports, a visitor centre and café in the Flint Barn as well as extensive areas of open space for informal recreation. The site attracts over 200,000 visitors per annum.
- 1.2 The application proposes the replacement of four directional signs, an additional directional sign and the removal of two signs installed along Whitlingham Lane, resulting in a total of five new directional signs along Whitlingham Lane. The signs would provide clear direction to the various activities on offer within Whitlingham Country Park and to the various car parks. The entrance sign would include the updated Broads National Park branding.
- 1.3 Sign 1 – At the entrance to Whitlingham Country Park two signs are currently sited on either side of the road. The proposal is to remove both signs and

replace with a single sign on the south side of the road. This sign would be 1.7 metres wide and have a maximum height of 1.4 metres. The sign would read 'Welcome to Whitlingham Country Park' and would include the Broads National Park and Whitlingham Charitable Trust logos.

Sign 2 – At the entrance to the Flint Barn car park a low directional sign is sited on the north side of the road. The proposal is to replace this sign with a sign measuring 1.2 metres wide with a maximum height of 1.5 metres, providing direction to the Flint Barn car park, visitor centre, blue badge parking, campsite and coaches.

Sign 3 – The directional sign measuring 1.2 metres wide by 0.85 metres high is an additional sign located at the eastern side of Whitlingham Country Park, to the south of Whitlingham Lane at the entrance to the Picnic Site car park. The sign would read 'Picnic Site Car Park'.

Sign 4 – At the entrance to the Lime Avenue car park, two signs on the north side of Whitlingham Lane are proposed to be replaced by a single directional sign measuring 1.3 metres wide by 1.5 metres high. The sign would provide direction to Lime Avenue car park, visitor centre, campsite, coaches, blue badge parking, and Whitlingham Adventure.

Sign 5 – At the entrance to the Old Quarry car park an existing directional sign on the south side of Whitlingham Lane is proposed to be replaced with a sign measuring 1.2 metres wide by 1.5 metres high. The sign would provide direction to Old Quarry car park, campsite, coaches, picnic site, woodland walk and read 'No coaches beyond here'.

All the proposed signs are single sided vault signs with square oak support posts. The colours include green, blue, purple and brown.

2 Site History

2.1 No relevant site history

3 Consultations

3.1 Consultations received

Natural England – no objections

4 Policies

4.1 The following Policies have been assessed for consistency with the National Planning Policy Framework (NPPF) and have been found to be consistent and can therefore be afforded full weight in the consideration and determination of this application.

[Development-Management-DPD2011](#)

DP10 – Advertisement and Signs

- 4.2 The National Planning Policy Framework is a material consideration.
[NPPF](#)

5 Assessment

- 5.1 The display of advertisements is subject to a separate consent process within the planning system. This is principally set out in the Town and Country Planning (Control of Advertisements) (England) Regulations 2007. Advertisements are controlled with reference to their effect on amenity and public safety only, so the regime is lighter touch than the system for obtaining planning permission for development. All advertisements are subject to the standard conditions set out in Schedule 2 to the Regulations.
- 5.2 The size, design, positioning, materials, degree of illumination, visual impact on the built and landscape character of the Broads and public safety must be considered in accordance with Development Management Policy DP10 and the National Planning Policy Framework.
- 5.3 In terms of size, positioning and material the new signs are similar to the existing, with oak posts supporting a modern 'vault' material to allow digital printing. The colour palette and design is contemporary in style and is not considered inappropriate. No degree of illumination is proposed. Accordingly it is not considered the signs would result in any adverse visual impact on the character of the built environment in this area. The proposal is therefore considered acceptable in accordance with Development Management Policy DP10 and the National Planning Policy Framework.

6 Conclusion

- 6.1 In conclusion, it is not considered the signs would result in any adverse visual impact on the character of the built environment in this area.

7 Recommendation

Approve subject to the following conditions:

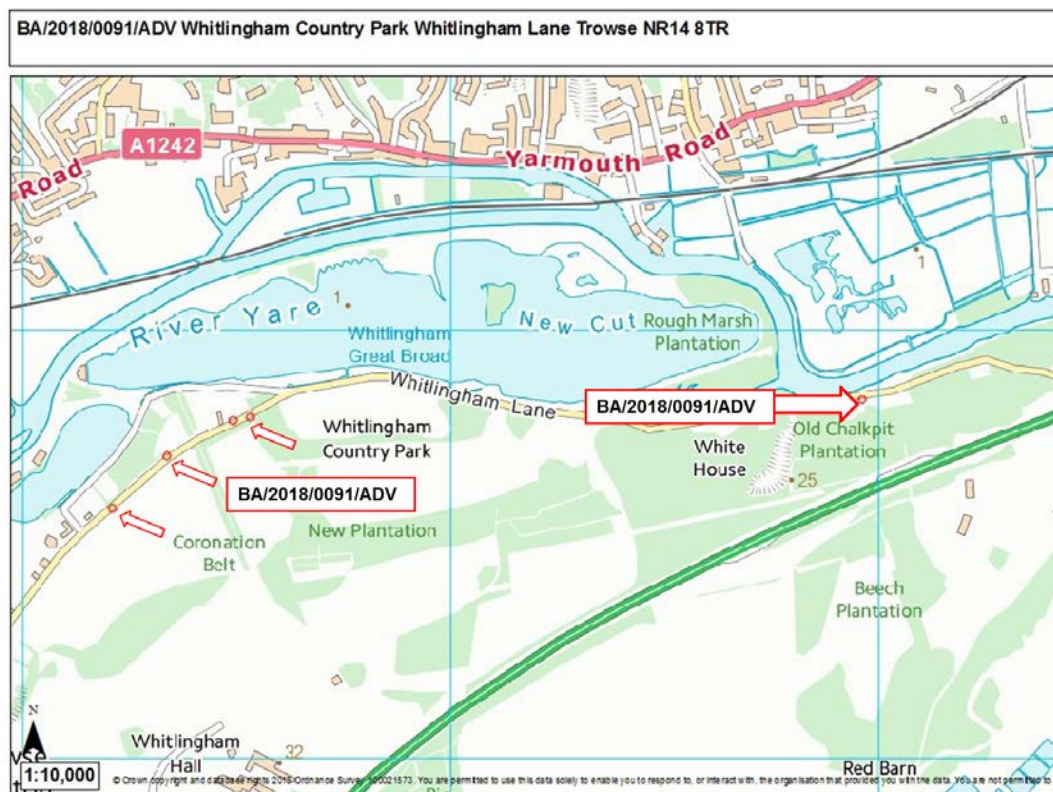
- i. Any advertisements displayed, and any site used for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable satisfaction of the Local Planning Authority.
- ii. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition.
- iii. Where an advertisement is required under these Regulations to be removed, the removal shall be carried out to the reasonable satisfaction of the Local Planning Authority.

- iv. No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.
- v. No advertisement shall be sited or displayed so as to obscure, or hinder the ready interpretation of, any road traffic sign, railway signal or aid to navigation by water or air, or so as otherwise to render hazardous the use of any highway, railway, waterway or aerodrome (civil or military).

8 Reason for Recommendation

In the opinion of the Local Planning Authority, the proposal is considered to be in accordance with Policy DP10 of the adopted Development Management Policies DPD (2011).

Background papers: BA/2018/0091/ADV
 Author: George Papworth
 Date of report: 12 April 2018
 Appendices: Appendix 1 – Map



Enforcement Update
Report by Head of Planning

Summary: This table shows the monthly updates on enforcement matters.

Recommendation: That the report be noted.

1 Introduction

1.1 This table shows the monthly update report on enforcement matters.

Committee Date	Location	Infringement	Action taken and current situation
10 October 2014	Wherry Hotel, Bridge Road, Oulton Broad –	Unauthorised installation of refrigeration unit.	<ul style="list-style-type: none"> • Authorisation granted for the serving of an Enforcement Notice seeking removal of the refrigeration unit, in consultation with the Solicitor, with a compliance period of three months; and authority be given for prosecution should the enforcement notice not be complied with • Planning Contravention Notice served • Negotiations underway • Planning Application received • Planning permission granted 12 March 2015. Operator given six months for compliance • Additional period of compliance extended to end of December 2015 • Compliance not achieved. Negotiations underway • Planning Application received 10 May 2016 and under

Committee Date	Location	Infringement	Action taken and current situation
			<p>consideration</p> <ul style="list-style-type: none"> • Scheme for whole site in preparation, with implementation planned for 2016/17. Further applications required • Application for extension submitted 10 July 2017, including comprehensive landscaping proposals (BA/2017/0237/FUL) • Further details under consideration. • Application approved and compliance to be monitored in autumn
3 March 2017	Burghwood Barns Burghwood Road, Ormesby St Michael	Unauthorised development of agricultural land as residential curtilage	<ul style="list-style-type: none"> • Authority given to serve an Enforcement Notice requiring the reinstatement to agriculture within 3 months of the land not covered by permission (for BA/2016/0444/FUL; • if a scheme is not forthcoming and compliance has not been achieved, authority given to proceed to prosecution. • Enforcement Notice served on 8 March 2017 with compliance date 19 July 2017. • Appeal against Enforcement Notice submitted 13 April 2017, start date 22 May 2017 (See Appeals Schedule) • Planning application received on 30 May 2017 for retention of works as built. • Application deferred pending appeal decision. • Application refused 13 October 2017 • Appeal dismissed 9 January 2018, with compliance period varied to allow 6 months. • Compliance with Enforcement Notice required by 9 July 2018. • Site inspected on 21 February in respect of other conditions.

Committee Date	Location	Infringement	Action taken and current situation
			<ul style="list-style-type: none"> • Site monitoring on-going, with next compliance deadline 31 March 2018
31 March 2017 26 May 2017	Former Marina Keys, Great Yarmouth	Untidy land and buildings	<ul style="list-style-type: none"> • Authority granted to serve Section 215 Notices • First warning letter sent 13 April 2017 with compliance date of 9 May. • Some improvements made, but further works required by 15 June 2017. Regular monitoring of the site to be continued. • Monitoring • Further vandalism and deterioration. • Site being monitored and discussions with landowner • Landowner proposals unacceptable. Further deadline given. • Case under review • Negotiations underway
5 January 2018	Barnes Brinkcraft, Riverside Estate, Hoveton	Non-compliance with planning condition resulting in encroachment into navigation of moored vessels	<ul style="list-style-type: none"> • Authority given to negotiate solution • Meeting held 17 January and draft scheme to limit vessel length agreed in principle. Formal confirmation awaited. • Report to Navigation Committee on 22 February 2018 • Planning application required
23 March 2018	Rear of Norfolk Broads Tourist Information and Activity Centre 10 Norwich Road Wroxham	Unauthorised development: free standing structure and associated lean-to.	<ul style="list-style-type: none"> • Authority given to serve an Enforcement Notice requiring the removal of the freestanding structure and associated lean- to with a compliance period of 6 months. • Enforcement Notice served 3 April 2018, with compliance date of 3 October 2018.

Committee Date	Location	Infringement	Action taken and current situation

2 Financial Implications

2.1 Financial implications of pursuing individual cases are reported on a site by site basis.

Background papers: BA Enforcement files
 Author: Cally Smith
 Date of report: 8 March 2018 Appendices: Nil

Former Waterside Rooms, Hoveton: Action for consideration
Report by Head of Planning

Summary: The former Waterside Rooms in Hoveton have fallen into disrepair and this report outlines the options for addressing this.

Recommendation: That North Norfolk District Council be advised of the support of the Broads Authority in instigating compulsory purchase.

1.0 Background

- 1.1 The building known locally as the former Waterside Rooms is situated on the south side of Station Road in Hoveton. It is a two storey structure, broadly square in plan form and constructed of brick with a flat roof. It fronts Station Road to the north, from which it is separated by a 7m wide amenity strip, and to the south there is a hardstanding area (formerly a terrace) and an extensive grassed area which faces the River Bure. The Kings Head Public House is located to the immediate east, and the curtilage of both properties tends to merge, whilst the boundary to the west is marked by trees.
- 1.2 The property formerly operated as The Three Horseshoes PH, but has been closed since the 1990s with no intervening use. It has fallen into disrepair and has been boarded up for at least 20 years.
- 1.3 The property was formerly in the ownership of a holding company, and sub-leased locally, however it is understood that it has recently been sold.
- 1.4 Members may be aware that previously there were two other disused sites on Station Road – one was the Broads Hotel site directly opposite the subject site, the other was the former Broads Hotel Cottage which was located to the west. In 2013 and 2014 respectively North Norfolk District Council (NNDC) took action through the environmental protection legislation (specifically s79 of the Building Act 1984) to facilitate the demolition of both properties. This was completed and both sites are now both screened by hoarding pending redevelopment.

2.0 Current position

- 2.1 Complaints are regularly received by the Broads Authority about the appearance of the former Waterside Rooms building and the impact on the amenity of the area. The complaints also relate to the curtilage land, although the Parish Council has been proactive in seeking to manage the land to some degree.

- 2.2 The Broads Authority as LPA has had discussions with the representatives of the previous leaseholders and the landowners, and a potential scheme for redevelopment was put forward in 2015 and agreed in principle. Clearly, this scheme did not come to fruition and the site has subsequently been sold. Discussions with the representative of the new owner earlier this year indicated that they too were committed to bringing the scheme forward, but there has been no progress and no application has been submitted.
- 2.3 The condition of the building and the situation on the site is continuing to deteriorate and there has been no effective management of the site, nor is any looking to be forthcoming. Both the Broads Authority and NNDC are concerned that the new owners continue to leave the building empty and in generally poor condition, and this is significantly detracting from the appearance of the area, both from the street and the river frontage.

3.0 Options for action

- 3.1 Section 215 of the Town and Country Planning Act 1990 confers on a Local Planning Authority (LPA) the power to take action in respect of land (or buildings on land) which is adversely affecting the amenity of an area through the lack of proper maintenance. It states:

(1) If it appears to the local planning authority that the amenity of a part of their area, or of an adjoining area, is adversely affected by the condition of land in their area, they may serve on the owner and occupier of the land a notice under this section.

(2) The notice shall require such steps for remedying the condition of the land as may be specified in the notice to be taken within such period as may be so specified.

- 3.2 These so-called 'Untidy Land Notices' are often used by an LPA to require the repair (and subsequent reuse) of buildings which have fallen into disrepair or to tidy up land which has become derelict.
- 3.3 As a consequence of its condition, the former Waterfront Rooms building is having an adverse effect on the amenity of the area. This effect is manifested through a significantly detrimental impact on the appearance of the area, which is accorded the same status as a National Park, and is exacerbated by the prominence of the location in the centre of Hoveton. This is being experienced by river users, people using the riverside footpath and moorings and pedestrians and other users of Station Road.
- 3.4 The service of a s215 Notice would be effective in achieving a visual improvement to the building, however, the extent of the improvement would be limited by the character of the building itself and could not be used to prompt a beneficial reuse – at best it would tidy up the existing building. Both the Broads Authority and NNDC would wish to see a more comprehensive approach taken in this prominent location, which would see the site redeveloped and brought back into a beneficial use.

3.5 Officers at NNDC have advised that they are prepared to consider the use of the compulsory purchase legislation to achieve the removal of the building and the redevelopment of the site. The mechanism for this would be through the planning legislation and would need to be instigated by NNDC as the Broads Authority does not have these powers. The use of a Compulsory Purchase Order would enable a more comprehensive approach to be taken to the site and would increase the probability of redevelopment. This action would be taken by NNDC, who would bear the cost and then recover it through re-sale.

4.0 Conclusion

4.1 The Broads Authority has a statutory duty to protect the appearance of the area and, in this case, there are two options for pursuing an improvement here.

4.2 Whilst the powers under s215 of the 1990 Act can be used to require the remediation of land or buildings that are having an adverse effect on local amenity, the use by NNDC of the compulsory purchase powers offer a more comprehensive approach and would be likely to prompt a beneficial reuse of this prominent site.

4.3 It is recommended that NNDC be advised that the Broads Authority would support their taking such action.

5.0 Financial implications

5.1 The cost of the compulsory purchase action would be met by NNDC and there would be no implications for the Broads Authority.

6.0 Recommendation

6.1 It is recommended that Members agree the above approach.

Author: Cally Smith
Date of report: 13 April 2018

Consultation on the National Planning Policy Framework and Proposed Response
Report by Head of Planning and Planning Policy Officer

Summary: This report advises Members of the content of the draft revised National Planning Policy Framework, identifies the main changes and recommends a proposed response.

Recommendation: That Members note the contents of the report and endorse the comments outlined in Sections 3-5 including the responses set out in Appendix 1 of the report.

1. Introduction

- 1.1 Members will recall that in July 2011 the Department for Communities and Local Government (DCLG) published the first draft National Planning Policy Framework (NPPF), which was proposed as a single document to set out national planning policy and provide statutory guidance to Local Planning Authorities (LPA) and stakeholders around matters including the development of planning policy and the determination of planning applications. The final version of the NPPF was published in March 2012 and the NPPF has since shaped policy development as well as having been a significant material consideration in the determination of planning applications.
- 1.2 Subsequent to its publication various other pieces of guidance have been produced, including the web-based Planning Practice Guidance (PPG), and cumulatively these comprise the national guidance. Local Plans are required to be in accordance with the NPPF and Members will recall that conformity with this has been a key consideration in the development of the Broads Local Plan
- 1.3 On 5 March 2018 the Ministry for Housing, Communities and Local Government (MHCLG) published the revised NPPF for consultation. The consultation period concludes on 10 May 2018 and the MHCLG has indicated its intention to consider the responses and publish the final version of the NPPF in the summer.
- 1.4 In addition to the NPPF consultation, there are also further consultation documents published covering matters including the draft planning practice guidance on viability and the housing delivery test measurement rulebook.

2. Summary of the draft National Planning Policy Guidance

- 2.1 The draft document is set out in 17 chapters. Some of these are relevant to all LPAs (eg Chapters 2 – 4 inclusive covering ;'Achieving sustainable development', 'Plan-making' and 'Decision-making'), some cover common and significant planning issues (eg Chapters 5, 6 and 11 covering, respectively, 'Delivering a sufficient supply of homes',

'Building a strong, competitive economy' and 'Making effective use of land') whilst others are more specialist (eg Chapters 13 and 17 covering, respectively, 'Protecting Green Belt land' and 'Facilitating the sustainable use of minerals').

2.2 The key themes from each chapter of relevance to the Broads can be set out as follows:

Chapter 1: Introduction

2.3 The introduction confirms the principle of a plan-led system, reiterating that 'Planning law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise' (para 2).

Chapter 2: Achieving Sustainable Development

2.4 This chapter reiterates the objective of sustainable development, which continues to be identified at a high level as 'meeting the needs of the present without compromising the ability of future generations to meet their own needs'. It advises that a presumption in favour of sustainable development lies at the heart of the Framework, and provides detail on this in para 11, which is attached at Appendix 2.

2.5 Footnote 7 identifies 'areas or assets of particular importance' where the full implementation of NPPF policies may not be appropriate, and this list includes, inter alia, the National Parks and the Broads, designated heritage assets and areas at risk of flooding or coastal change.

Chapter 3: Plan-making

2.6 This chapter reiterates the 'plan-led' process, but adds components of aspiration and deliverability as well as increasing emphasis on engagement with communities, stakeholders and others. It also requires greater use of digital technology in consultation to improve accessibility. A clear distinction is made between 'strategic' policies and 'local' policies, with the former responding to the identified priorities and opportunities for the area, whilst the latter includes an emphasis on neighbourhood plans and the role of these in the statutory process. Cooperation between the various level of plan and type of plan-maker is identified as critical.

2.7 Changes to the tests of soundness relate to consistency so that the spatial development strategy is assessed like strategic policies, that plans are positively prepared to meet objectively assessed housing need, and that value is placed on the Statements of Common Ground. There is also reference to the need for the tests of soundness to be applied proportionality

2.8 In terms of viability, it is suggested that viability assessments should not be required where a proposal meets development plan expectations on allocated sites. Plan-making viability studies may have to look at the viability of specific strategic sites in addition to being typology based. It should also be stated in what circumstances a viability appraisal is required to support a planning application.

Chapter 4: Decision-making

- 2.9 The value of frontloading, pre-application advice and engagement is given prominence in this section, as one of a suite of mechanisms to improve the ‘approvability’ of schemes as the emphasis is firmly on ‘Decision-makers at every level (should) seek(ing) to approve applications for development where possible’ (para 39). LPAs are also encouraged to use Local Development Orders, which create local permitted development rights, and Community Right to Build Orders to promote development. Caution is advised around the use of planning conditions, which should be kept to a minimum with pre-commencement conditions avoided where possible. This latter matter has been covered recently in the MHCLG consultation on the use of conditions.
- 2.10 Planning enforcement is covered in this chapter, where it is advised at para 59 that effective enforcement is important to maintain confidence in the planning system.

Chapter 5: Delivering a sufficient supply of homes

- 2.11 This new chapter brings forward a number of initiatives from the last few years, including the new standard methodology for assessing housing numbers.
- 2.12 Following the Budget, the draft text proposes that local planning authorities should ensure that at least 20% of the sites allocated for housing in their plans are on sites of half a hectare or less. The housing delivery measurement test rulebook has been brought forward with a tapered approach to measuring housing delivery against local plan targets over 5 years. It also advises that Authorities should have an additional "buffer" of site allocations depending on delivery circumstances (up to 20%). It would also require authorities who are delivering under 95% against their targets to produce an action plan as to how to tackle under-delivery.
- 2.13 On affordable housing, the definition has been widened to include starter homes and discounted market homes; and, on major sites at least 10% of homes should be available for affordable home ownership. No affordable housing should be required on sites below ten units (ie not on major sites), except in designated rural area, where a threshold lower than 5 may be set.

Chapter 6: Building a strong and competitive economy

- 2.14 The preamble to this short chapter identifies the role planning decisions can make in promoting economic growth, and states at para 82 “Significant weigh should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development”. There is strong emphasis on the need for an economic vison and strategy.
- 2.15 Concerning the rural economy, this is now included in the general economy chapter rather than the rural area being treated separately. The document identifies four strands of rural enterprise that planning should enable:
- a) Growth and expansion of existing business;
 - b) Development and diversification of agriculture and other land-based rural businesses;

- c) Sustainable rural leisure and tourism; and
- d) Retention and development of community services and facilities.

2.16 Paragraph 85 is significant and states:

Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found outside existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land and sites that are well-related to existing settlements should be encouraged where suitable opportunities exist.

Chapter 7: Ensuring the vitality of town centres

2.17 The approach seeks to strengthen the role and resilience of town centres through a sequential approach to town centre-uses, maintaining connections to the town centre and allowing diversity and flexibility of uses. Town centre policies should now look 10 years ahead, and there is more emphasis on regeneration and policy interventions to address this

Chapter 8: Promoting healthy and sustainable communities

2.18 The policies in this chapter relate primarily to the urban environment and the contribution planning can make to promoting social interaction, cohesion and safety as well as a healthy and active lifestyle. It requires policies and decisions to consider the social and economic benefits of estate regeneration, as well as make provision for infrastructure such schools, and social facilities including open space, recreational land, public rights of way and Local Green Space.

Chapter 9: Promoting sustainable transport

2.19 The draft NPPF sets out the objectives to be met in respect of transport infrastructure, which include addressing the impacts of development, exploiting opportunities to promote walking, cycling and public transport and taking environmental impacts into account. It states that transport issues should be considered from the earliest stages of plan-making and in developing proposals so that the planning system can support these objectives.

2.20 The guidance on taking highways issues into account in decision making is clear, stating that “Development should only be prevented or refused on highways grounds if the residual cumulative impacts on the road network or road safety would be severe” (para 109). It does, however, also state that applications for development should give priority to pedestrians and cyclists and notes the role of public transport.

Chapter 10: Supporting high quality communications

2.21 Much telecommunications development is covered either by permitted development rights or the prior notifications procedure. This short chapter therefore simply reiterates

the role of advanced, high quality telecommunications development in supporting economic growth and social wellbeing and advises that LPAs should support the expansion of such networks, whilst encouraging them to be suitably designed and located.

Chapter 11: Making effective use of land

- 2.22 This chapter can usefully be read in conjunction with Chapter 5 ('Delivering a sufficient supply of homes') as much of it relates to the national housing need. There is emphasis on identifying and bringing forward for development brownfield sites, reviewing allocated land where development is not coming forward and promoting optimal density of development, including higher density developments around commuter hubs. At a more local level it proposes that Local Plans set minimum density standards for parts of the plan area, and also gives encouragement to upward extensions.
- 2.23 There is a recognition that some undeveloped land can perform other functions, for example wildlife, recreation, flood risk mitigation (para 11(b)).

Chapter 12: Achieving well-designed place

- 2.24 This short chapter discusses the importance of design in creating high quality buildings and places, outlining the value of clear policies and visions setting out clearly the design expectations so that developers and stakeholders have clarity on what is expected. It advises that these should be developed with local communities, and be based on an area's defining characteristics. It supports the use of design guides and codes within policy documents, and advises that LPAs should ensure that they have the appropriate tools and processes for evaluating design, which should take place throughout the evolution of development proposals.
- 2.25 In terms of decision-making, it advises that "Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions ..." (para 129) which great weight should be given to outstanding or innovative designs which promote high levels of sustainability or improve the overall character of an area.

Chapter 13: Protecting Green Belt land

- 2.26 This is not directly relevant to the Broads.

Chapter 14: Meeting the challenge of climate change, flooding and coastal change

- 2.27 Climate change is recognised in the document as a key challenge, and the proactive role of the planning process in reducing the risk and managing and mitigating impacts is outlined. The document is comprehensive in its approach, and advises that LPAs should account for climate change in all aspect of planning.
- 2.28 Looking at flood risk, a precautionary approach is advocated whereby development is avoided in areas of highest risk, with safety measures incorporated where such development is necessary. The existing approach is retained, whereby risk is identified

at a macro scale through a Strategic Flood Risk Assessment and this is then used to inform sequential approach to both plan-making and decision-taking.

- 2.29 Development in coastal areas vulnerable to physical change should be avoided, unless appropriate.

Chapter 15: Conserving and enhancing the natural environment

- 2.30 This chapter identifies the role of the planning system in contributing to and enhancing the natural environment. Those areas which are of most relevance to the Broads are:

“a) protecting and enhancing valued landscapes, ...
b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;
d) minimising impacts and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures; ...”

- 2.31 The document retains the particular reference to the great weight to be given to conserving landscape and scenic beauty in the National Parks and the Broads, and goes on to state that the scale and extent of development within these designated areas should be limited, which is a useful explicit clarification.

- 2.32 In terms of plan-making, LPAs are advised to identify and map the habitat components of bio-diversity as well as promote the conservation, recreation and restoration of priority habitats and species and ecological networks. In terms of decision-making, the hierarchy of avoid, mitigate, compensate or refuse is retained.

- 2.33 The approach to be taken to contamination, pollution and similar environmental issues is set out in this chapter and the document advises that planning decisions should contribute to compliance with national objectives and values for pollution. Clarification is also given around the role of complementary regulatory regimes, advising that planning should not revisit such issues and should “assume that these regimes will operate effectively” (para 181).

Chapter 16: Conserving and enhancing the historic environment

- 2.34 The current NPPF is strong on the protection of the historic environment and the draft proposes no significant changes.

Chapter 17: Facilitating the sustainable use of minerals

- 2.35 This is not directly relevant to the Broads.

3. Commentary and the main changes

- 3.1 The draft proposes extensive change to the wording of the existing NPPF, with very little of the original document left untouched. In general the ordering within sections is clearer, with general principles first, then what plans should do, then how to approach decision making, then other considerations.

- 3.2 The explicit retention of the plan-led system is welcome, as is the emphasis on sustainable development, although given the scale of development being promoted (especially around housing) there is clearly a very wide interpretation of the definition of 'sustainable development'.
- 3.3 The main areas of change are as follows, which are set out in the order in which they appear in the document.
- 3.4 The objectives set out in para 8 (economic, social and environmental) have been extended and now include, inter alia, an emphasis on improved productivity (economic), increasing housing supply (social) and explicitly covering the effective use of land (environmental). This change increases both their breadth and scope, and hence what the Government is expecting of the planning system.
- 3.5 There is a clearer division between strategic and non-strategic plans, which is indicative of the increased emphasis the Government is placing on Neighbourhood Plans as a means to better engage communities in plan-making and local decisions. These are expected to support strategic plans. There is also a greater emphasis in plan-making on strategic planning and cross-boundary planning, through the Duty to Cooperate. Planning policy will need to set out 'an appropriate strategy' (para 21), which contrasts with the current NPPF which refers instead to 'the most appropriate strategy' which suggests that LPAs will have more flexibility, subject, of course, to justification.
- 3.6 In the development of planning policy, there is a requirement to prepare and maintain Statements of Common Ground with major stakeholders, the purpose of which is to promote cooperation.
- 3.7 Health and affordable housing are identified as 'infrastructure', which potentially increases the scope for their funding, for example through CIL where this has been adopted.
- 3.8 In respect of housing, there is an increased emphasis on supply, build-out rates and addressing the constraint issues on sites which have not come forward, in order to promote their development or reallocation. The document is more explicit around deliverability and develop ability, and Members should note that the Letwin Review (which is due to report in the autumn) has noted that

"The fundamental driver of build out rates once detailed planning permission has been granted for large sites appears to be the "absorption rate" – the rate at which newly constructed homes can be sold into (or are believed by the house-builder to be able to be sold successfully into) the local market without materially disturbing the market price".

The draft document appears to be mindful of this comment, but does not specifically address it and it will be interesting to see how it is developed in the final version. There is provision in the document for LPAs to consider reducing the time period for development to commence (ie reducing the time limit down from 3 years) and for it to assess why permissions for major development have not been commenced – it should noted that delays in making a start on development are frequently for non-planning reasons.

- 3.9 There is a stronger requirement to provide a range of types of homes so that groups with specific needs are better provided for. This may be relevant in the Broads, where the demographic profile shows a higher proportion of older persons.
- 3.10 In terms of housing supply, there is a greater emphasis overall on small sites, and affordability, as well as strong support for the provision of entry level homes on non-allocated land outside settlements, which is in principle the same as a rural exceptions site approach. The document recognises that in areas of particular importance (ie covered by Footnote 7, see 2.5 above) restrictions may apply.
- 3.11 The Housing Delivery Test Mechanism is new, but has been much trailed.
- 3.12 The reference to highway safety, in addition to the usual matters of congestion and capacity, in the 'Promoting Sustainable Transport' chapter is new.
- 3.13 As will have been seen at paras 2.24 and 2.25 above, the draft NPPF places greater emphasis on design than its predecessor, and this is particularly welcome given the status of the Broads as a protected landscape. In recent years much of the design guidance at a national level – for example CAGE and the Code for Sustainable Homes – have been disbanded, so it is good to see the recognition of design as an important element.
- 3.14 There is a new reference to Marine Policy Statements, marine plans and Coastal Change Management Areas in the chapter on climate change, flooding and coastal change, with a precautionary approach.
- 3.15 In chapter 15 ('Conserving and enhancing the natural environment') guidance is provided on integrating new development with existing development and LPAs are advised that "Existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established" (para 180). The onus for resolving the potential conflict through mitigation is placed on the applicant, identified as the 'agent of change'. This is a significant change and potentially refers to a range of businesses, including pubs, music venues and sports clubs.

4. Proposed response

- 4.1 The draft NPPF is accompanied by a questionnaire setting out the consultation questions. The proposed response is attached at Appendix 1.

5. Conclusion and recommendation

- 5.1 The draft NPPF sets out proposed changes to the national planning regime. Whilst the revisions to the document are extensive, there are no changes proposed which would have a significant adverse impact on the Broads Authority as LPA.
- 5.2 It is recommended that the response set out below is submitted to MHCLG as the formal response of the Broads Authority.

5.3 Members will be updated on the final version of the NPPF when it is published in due course.

Background papers: NPPF

Author: Cally Smith and Natalie Beal

Date of report: 13 April 2018

Appendices: APPENDIX 1: Proposed response to consultation
APPENDIX 2: Extract from NPPF

DOCUMENT:	National Planning Policy Framework – consultation proposals and proposed text – 70 pages long.
LINK	Text: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/685289/Draft_revised_National_Planning_Policy_Framework.pdf
DUE DATE:	10 May 2018
STATUS:	Government consultation on final draft
PROPOSED LEVEL:	Planning Committee endorsed
NOTES:	This document is a neat summary of the changes that are proposed to the NPPF text and why these changes are proposed. This is 28 pages long. https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/685288/NPPF_Consultation.pdf
PROPOSED RESPONSE:	<p><u>Consultation proposals:</u></p> <ul style="list-style-type: none"> • Annex A, page 28. Are all of these to be superseded now by the Draft NPPF when it is finalised? This needs to be made clear. • Viability assessment circumstances: Where there is a proposal for a change of use from say a business to something else, we require viability evidence to prove this is needed. Presuming that this will still be acceptable? That is to say that this is an instance where viability appraisals are needed and is set out in the Local Plan. • Transitional arrangements, if a Local Plan is examined and adopted within the six months that is ok, but it will be not produced under the new NPPF. So if there is a conflict between the new Local Plan that has been found sound and adopted and the new NPPF, what happens? Or are the transition arrangements on the proviso that the Local Plan will then be reviewed straight away? This needs clarifying. • Permitted Development Rights relating to building upwards. This should not apply in protected landscapes such as AONB, Conservation Areas, the Broads and National Parks. • How will the developer contributions document be weaved into the NPPF? Or will there be a standalone document? <p><u>NPPF</u></p> <ul style="list-style-type: none"> • Paragraphs 4 and 5. For the avoidance of doubt and to assist users, suggest a full list with links to the documents is included. • Footnote 7, page 6: Change to remove the brackets around the Broads and better refer to Broads rather than the Broads Authority. There is no need for brackets and the wording change makes better grammatical sense by referring to being with an area rather than within an authority: <i>'7 The policies referred to are those in this Framework relating to sites protected under the Birds and Habitats Directives and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, within a National</i>

	<p><i>Park (for the Broads Authority) or defined as Heritage Coast; irreplaceable habitats including ancient woodland; aged or veteran trees; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 55); and areas at risk of flooding or coastal change. It does not refer to policies in development plans’.</i></p> <ul style="list-style-type: none"> • Paragraph 14, page 7. So if the Neighbourhood Plan does not allocate sites for housing then paragraph 14 does not apply? None of the Neighbourhood Plans in the Broads Authority area allocate sites for development. So there are no tests to pass to be contrary to a Neighbourhood Plan that does not allocate sites? This needs to be clear. • Paragraph 14a, page 7. So in areas where the HDT does not apply, only the first part of 14a applies? • Paragraph 64 – There is not mention of schemes that are 6-10 dwellings and rural areas. The NPPF sets out what is allowed for 5 or less and more than ten but nothing about 6-10. The last part of 64 relating to reducing by a proportionate amount and footnote 22 – the methodology for working out the amount to reduce this by is not complete and is not clear. For absolute clarity, please make obvious a list of areas that are ‘designated rural areas’. • Paragraph 64 uses the term ‘major sites’ and 65 uses the term ‘major housing development’. Are these the same things? Is this major development as defined in other Acts? This needs clarifying and the term needs to be consistent. • Paragraph 66 – what is the methodology for this? In areas like the Broads where there are two LPAs involved and plans are at different stages and no entire parish is within the Broads’ area, who sets the figure for the entire Parish? • Paragraph 72 – is this starter homes on rural exceptions sites? Note that the term ‘starter homes’ is only included once and in the glossary to define the term ‘starter homes’. What is an entry level home? That is not defined in the glossary. Are they the same thing? • Paragraph 74 b – so according to a) we have to apply 5% anyway. According to c) if we are a persistent under deliverer we apply 20%. But when do we apply 10%? b) refers to ‘where the LPA wishes to...’. This is not clear, even in the NPPG (where 5% is not mentioned). • Paragraph 81d – does this mean garden, buildings or both? Everything in the residential curtilage (so outhouses, sheds, gardens, driveways and farm buildings)? Do you mean ‘dwellings’ can be subdivided rather than ‘properties’? As worded (property) there is a risk that all gardens/sheds etc. in rural areas will be developed. Gardens are still excluded from the definition of previously developed land in the glossary. Care must be taken of unintended consequences from poorly drafted wording open to interpretation. • Paragraph 85 – is this saying that rural businesses are acceptable in all instances if they only meet those three criteria? It is not clear how a small rural business can exploit opportunities to make a location more sustainable – can we reasonably ask for them to pay for and deliver a new footway to an existing settlement or extend or provide a new bus service to serve their business? This needs clarifying. • Paragraph 118e. Care needs to be taken for such proposals in protected landscapes such as AONB, Conservation Areas, the Broads and National Parks
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	<p>where the impact on the very character they are designated for will be harmed.</p> <ul style="list-style-type: none">• Paragraph 168 – are there recreational impacts on European designated sites concerns about this? The undeveloped sites could be the protected sites and there could be recreation impact issues.• Finally, throughout all the documents, there are numerous terms used. MHCLG should check for consistency and intentions: local plans versus strategic plans versus development plans. Local planning authorities versus strategic plan making authorities versus plan making authorities versus local authorities.
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The presumption in favour of sustainable development

11. Plans and decisions should apply a presumption in favour of sustainable development.

For **plan-making** this means that:

- a) plans should positively seek opportunities to meet the development needs of their area, and be sufficiently flexible to adapt to rapid change;
- b) strategic plans⁵ should, as a minimum, provide for objectively assessed needs for housing and other development, as well as any needs that cannot be met within neighbouring areas⁶, unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area⁷; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

For **decision-taking** this means:

- c) approving development proposals that accord with an up-to-date development plan without delay; or
- d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed⁷; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

12. The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making.

⁵ Local plans or spatial development strategies that contain policies to address the strategic priorities of an area (see chapter 3).

⁶ As established through statements of common ground.

⁷ The policies referred to are those in this Framework relating to sites protected under the Birds and Habitats Directives and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, within a National Park (or the Broads Authority) or defined as Heritage Coast; irreplaceable habitats including ancient woodland; aged or veteran trees; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 55); and areas at risk of flooding or coastal change. It does not refer to policies in development plans.

**Consultation on Documents Accompanying
National Planning Policy Framework and Proposed Responses**
Report by Planning Policy Officer

Summary:	This report informs the Committee of the Officers' proposed response to the consultation on the documents accompanying the NPPF and invites any comments or guidance the Committee may have.
Recommendation:	That the report be noted and the nature of the proposed response be endorsed.

1 Introduction

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

2 Financial Implications

- 2.1 There are no financial implications.

Background papers: None

Author: Natalie Beal
Date of report: 12 April 2018

Appendices: APPENDIX 1 – Schedule of Planning Policy Consultations received

- *Supporting Housing Delivery*
- *Planning Practice Guidance*
- *Housing Delivery Test*
- *Draft Planning Practice Guidance*

APPENDIX 1

ORGANISATION:	MHCLG
DOCUMENT:	Supporting housing delivery through developer contributions – 45 pages long.
LINK	https://www.gov.uk/government/consultations/supporting-housing-delivery-through-developer-contributions
DUE DATE:	10 May 2018
STATUS:	Government consultation on final draft
PROPOSED LEVEL:	Planning Committee endorsed
NOTES:	<p>Following the announcements at Autumn Budget 2017, the government is seeking views on a series of reforms to the existing system of developer contributions in the short term.</p> <p>A range of research including the research report accompanying this document and the CIL Review have identified the following consistent themes:</p> <ul style="list-style-type: none"> • The partial take-up of CIL has resulted in a complex patchwork of authorities charging and not charging CIL. Where CIL is charged, it is complex for local authorities to establish and revise rates. These can often be set at a lowest common denominator level; • Development is delayed by negotiations for section 106 planning obligations, which can be sought alongside CIL contributions; • Developers can seek to reduce previously agreed section 106 planning obligations on the grounds that they will make the development unviable. This renegotiation reduces accountability to local communities; • CIL is not responsive to changes in market conditions; • There is a lack of transparency in both CIL and section 106 planning obligations – people do not know where or when the money is spent; and • Developer contributions do not enable infrastructure that supports cross boundary planning. <p>Proposals address the following:</p> <ul style="list-style-type: none"> • Reducing complexity and increasing certainty • Swifter development • Increasing market responsiveness • Improving transparency and increasing accountability • Introducing a Strategic Infrastructure Tariff
COMMENTARY:	<p>In relation to the Broads Authority, we do not charge CIL because of our small objectively assessed need and small numbers of annual completions – to commission a consultant to investigate CIL, pay for the examination of the CIL and then to pay for the administration of collecting and spending the Levy would be disproportionate to the funding raised.</p> <p>Of particular importance in this consultation document is the notion of removing the pooling restriction on S106 agreements. The Government proposes to allow local planning authorities to pool section 106 planning obligations in three distinct circumstances:</p> <p>a) Where the local authority is charging CIL;</p>

	<p>b) Where it would not be feasible for the authority to adopt CIL in addition to securing the necessary developer contributions through section 106; or</p> <p>c) Where significant development is planned on several large strategic sites.</p> <p>It is important to note that when setting out the above three categories in more detail, category b relates to house prices rather than the issue in the Broads relating to CIL not being feasible due to low number of housing being completed.</p>
PROPOSED RESPONSE:	<p>We request that the Broads Authority:</p> <ul style="list-style-type: none"> i) is included in exemptions to the pooling restrictions if National Parks are exempted or if this is not pursued (para 104); ii) is exempted to reflect the identified housing need for the plan period being so low as to make the calculation, examination and subsequent collecting of CIL not feasible on the basis of low housing numbers. <p>The statements in the document refer only to the National Parks rather than saying 'National Parks and the Broads Authority'. The Broads Authority is a nationally protected landscape, the same as National Parks. This needs to be rectified.</p> <p>The consultation refers to it being <i>feasible</i> to charge CIL, but only in relation to house prices and fails to consider the situation in areas like the Broads. In the Broads, housing need and annual housing completions are small and the cost of commissioning a consultant to help come up with CIL in the first place, the cost of examination and then cost of administering the change is disproportionate to the income that will be generated. In the Broads, the OAN is 287 which averages at 13 a year for the plan period to 2036. We would therefore argue that 'feasible' needs to reflect the OAN of an area and the annual average.</p> <p>As such, we request that the Broads Authority:</p> <ul style="list-style-type: none"> i) is included in exemptions to the pooling restrictions if National Parks are exempted or if this is not pursued; ii) is exempted to reflect the identified housing need for the plan period being so low as to make the calculation, examination and subsequent collecting of CIL not feasible on the basis of low housing numbers. <p>It is not clear why Habitats Directive mitigation is not exempt from pooling restrictions. Such mitigation protects the integrity of designated sites whilst enabling housing delivery. It seems prudent to exempt Habitats Directive mitigation from the pooling restrictions.</p> <p>Finally, throughout all the documents, there are numerous terms used. MHCLG should check for consistency and intentions: local plans versus strategic plans versus development plans. Local planning authorities versus strategic plan making authorities versus plan making authorities versus local authorities.</p>
ORGANISATION:	MHCLG
DOCUMENT:	Draft Planning Practice Guidance for Viability -13 pages long.
LINK	https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/685291/Draft_viability_guidance.pdf
DUE DATE:	10 May 2018

STATUS:	Draft – not specifically out for consultation itself.
PROPOSED LEVEL:	Planning Committee endorsed
NOTES:	<p>Viability assessment is a process of assessing whether a site is financially viable, by looking at whether the value generated by a development is more than the cost of developing it.</p> <p>This document is effectively draft NPPG text, linked to the revised NPPF.</p> <p>One of the main topics covered is: <i>Where proposals for development accord with all the relevant policies in an up-to-date development plan no viability assessment should be required to accompany the application. Plans should however set out circumstances in which viability assessment at the decision making stage may be required.</i></p>
PROPOSED RESPONSE:	Local Plan viability assessments are strategic and based on site typologies and many assumptions. Schemes have site and scheme-specific issues and rather than assumptions, knowns and therefore the actual viability of a specific scheme may not be assessed specifically in the Local Plan viability assessment or might differ. This could lead to debates and disagreement at the application stage. It is suggested that the proposals in this document and the NPPG and NPPF are carefully considered for unintended consequences such as this.
ORGANISATION:	MHCLG
DOCUMENT:	Housing Delivery Test. Draft Measurement Rule Book – 5 pages long
LINK	https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/685292/Housing_Delivery_Test_Measurement_Rule_Book.pdf
DUE DATE:	10 May 2018
STATUS:	Draft – not specifically out for consultation itself.
PROPOSED LEVEL:	Planning Committee endorsed
NOTES:	<ol style="list-style-type: none"> 1. The Housing Delivery Test (HDT) is the annual measurement of housing delivery performance in a plan-making authority area (non-metropolitan districts, development corporations with plan making and decision taking powers, metropolitan boroughs and London boroughs). The HDT does not apply to National Park Authorities or to development corporations without full plan making and decision making powers. The consequences of failing the HDT are set out in the revised NPPF¹. 2. The HDT is the percentage measurement of the number of net homes delivered (Table 1) against the number of homes required in a plan-making authority area. $\text{Housing Delivery Test (\%)} = \frac{\text{Total net homes delivered over three year period}}{\text{Total number of homes required over three year period}}$
PROPOSED RESPONSE:	<p>We request that the following change is made to reflect what the Government intended to do: ‘The HDT does not apply to National Park Authorities and the Broads Authority or to development corporations without full plan making and decision making powers’.</p> <p>There appears to be a drafting error in the Housing Delivery Test (HDT) document.</p>

In the Government response to the Planning for the right homes in the right places consultation¹, the Government says that the HDT will not apply in National Park Authority and Broads Authority areas as shown below:

Question 5(c) response

There were 1,102 responses to this question, about half (45%) were neutral towards the proposal, while just over a third (39%) agreed with it. Points raised include:

- Some respondents were uncertain if the question related only to areas which do not align with local authority boundaries.
- There was support for using both existing and emerging plans for the purposes of monitoring, though there were reservations about using unexamined plan figures and concern that figures might not be up to date and sound.
- For developers and some other groups, the apportioning of figures *pro rata* was a popular solution.

Government response

For five year land supply monitoring, we intend to produce guidance to indicate that in a limited number of areas where local planning authorities do not align with local authority boundaries, local authorities would be able to use a locally identified figure as the basis of five year land supply monitoring. This guidance will also clarify that the Housing Delivery Test will not be applied in **National Park Authority and Broads Authority** areas due to their particular circumstances and data availability.

Guidance will set out in more detail the approach that should be taken in Urban Development Corporation and Mayoral Development Corporation areas.

12

However in the Draft Measurement Rule Book says 'The HDT does not apply to National Park Authorities or to development corporations without full plan making and decision making powers'. That is to say that 'and the Broads Authority' has been missed out.

We request that the following change is made to reflect what the Government intended to do: 'The HDT does not apply to National Park Authorities **and the Broads Authority** or to development corporations without full plan making and decision making powers'. This need to be followed through to the NPPG as well.

It seems that MHCLG have taken on board the representation² from National Parks England on the Housing Delivery Test by exempting National Parks. However it seems that the Broads Authority has been forgotten. Here is an extract from the consultation response to 'Planning for the right homes in the right places' which clearly includes the Broads Authority.

¹ <https://www.gov.uk/government/consultations/planning-for-the-right-homes-in-the-right-places-consultation-proposals>

² http://www.nationalparksengland.org.uk/_data/assets/pdf_file/0009/1105002/National-Parks-England-response-to-Planning-for-the-right-homes-in-the-right-places-CLG-Consultation-Nov-2017.pdf

	<p><i>‘Secondly, we would again ask that the Housing Delivery Test is not applied to National Park Authorities and the Broads Authority. We have raised this issue in our response the Housing White Paper. We set out three reasons as to why the test is unsuitable in National Parks and the Broads under our response to question 5b. In short, the test risks penalising National Parks and the Broads for failing to deliver housing and economic growth. It does not recognise that national planning policy states that development should be restricted in accordance with the statutory framework for National Parks and the Broads. This focuses on the conservation and enhancement of the natural beauty, wildlife and cultural heritage and promoting opportunities for their enjoyment. We note and welcome the statement by the Secretary of State, Sajid Javid MP that “There will be places where constraints – for example, such as Areas of Outstanding Natural Beauty, national parks or others – mean there’s not enough space to meet local need” (CLG Written Ministerial Statement 14/09/17). The test, as currently set out, is also likely to be failed at some point in most National Parks and the Broads because of low and uneven levels of housing supply.’</i></p> <p>To elaborate on the uneven levels of housing supply:</p> <ul style="list-style-type: none"> • the Authority has an OAN of 287 dwellings until 2036 which is an average of 13 dwellings a year. For the 2016/17 monitoring period, 3 dwellings were delivered. • Through completions, permissions and allocations, the OAN is exceeded by around 12% in the plan period. The bulk of the OAN will be met through two larger sites of 76 and 120 dwellings in size. If we presume that one developer on one site can complete 30 dwellings a year, the first site will be done in around 2 years and the second site completed in 4 years. • So whilst the delivery of housing will look good in those years, outside of those years we may go down to low rates of delivery meaning we would fail the HDT, yet met our housing need for the plan period. <p>Finally, throughout all the documents, there are numerous terms used. MHCLG should check for consistency and intentions: local plans versus strategic plans versus development plans. Local planning authorities versus strategic plan making authorities versus plan making authorities versus local authorities.</p>
ORGANISATION:	MHCLG
DOCUMENT:	Draft Planning Practice Guidance -56 pages long.
LINK	https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/687239/Draft_planning_practice_guidance.pdf
DUE DATE:	10 May 2018
STATUS:	Draft – not specifically out for consultation itself.
PROPOSED LEVEL:	Planning Committee endorsed
NOTES:	<p>This draft NPPG text reflects the emerging amended NPPF and in particular:</p> <ul style="list-style-type: none"> • Viability • Housing Delivery • Local Housing Need Assessment • Neighbourhood Plans • Plan-making

	<ul style="list-style-type: none"> • Build to rent
<p>PROPOSED RESPONSE:</p>	<ul style="list-style-type: none"> • Page 15 – amend the title to say ‘...National Parks and the Broads..’ Later in that section (the second paragraph), it may be better to say ‘Broads’ rather than ‘Broads Authority’ as the sentence is talking about applying something to or in an area rather than to or in an Authority. • Page 18 – five year land supply buffer – no mention of the 5% that is in the NPPF... in this NPPG text, the 10% is mandatory but in the NPPF it seems optional (if a LPA wishes to...). This is very confusing and needs clarifying. • Page 19 – involvement of PINS in confirming five year land supply position. Will there be a template for us to complete? When will the deadline for submission of the statement be? How much will the assessment and recommendations by PINS cost the Authority? What timeline will PINS have to respond? What extra resources will PINS have to cope with this annual demand and how will this affect Local Plans in examination mode? • The document uses the term ‘annual land supply statement’ and ‘annual position statement’. Are these the same things? If so, use one term, if not, explain the difference between them. • Page 22 para starting ‘Although the...’ – as mentioned in the response to the Housing Delivery Test Document, you have made a mistake and need to add ‘...National Parks and the Broads Authority’ • Finally, throughout all the documents, there are numerous terms used. MHCLG should check for consistency and intentions: local plans versus strategic plans versus development plans. Local planning authorities versus strategic plan making authorities versus plan making authorities versus local authorities.

Consultation Documents Update and Proposed Responses
Report by Planning Policy Officer

Summary:	This report informs the Committee of the Officers' proposed response to planning policy consultations recently received, and invites any comments or guidance the Committee may have.
Recommendation:	That the report be noted and the nature of proposed response be endorsed.

1 Introduction

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

2 Financial Implications

- 2.1 There are no financial implications.

Background papers: None

Author: Natalie Beal
Date of report: 11 April 2018

Appendices: APPENDIX 1 – Schedule of Planning Policy Consultations received
Suffolk County Council: Parking Management Strategy
Great Yarmouth Borough Council: Housing Strategy

APPENDIX 1

ORGANISATION:	Suffolk County Council
DOCUMENT:	Suffolk Parking Management Strategy consultation document
LINK	http://www.suffolk.gov.uk/council-and-democracy/consultations-petitions-and-elections/consultations/suffolks-parking-management-strategy
DUE DATE:	23 April 2018 – deadline extension requested.
STATUS:	Final draft
PROPOSED LEVEL:	Planning Committee endorsed
NOTES:	<p>A parking strategy that deals with the supply and management of car parking can be one of the most useful tools available to local authorities in helping them achieve their economic, social and environmental objectives. In particular, a parking strategy can:</p> <ul style="list-style-type: none"> • Support the local economy (e.g. by making it easy for shoppers and tourists to visit Suffolk) and facilitate development growth; • Meet residents’ needs for car parking near their homes (e.g. by introducing controlled parking zones); • Provide access to key services and facilities for special needs groups and people with impaired mobility; • Improve journey time reliability for road users (e.g. by designing and managing on-street parking facilities to reduce traffic conflicts and delays). • Encourage sustainable travel modes and help reduce reliance on the private car (e.g. by setting parking charges at appropriate levels); • Enhance the built and natural environment (e.g. by making the most effective use of land required for parking and by improving the look of the streetscene by reducing sign clutter); • Make Suffolk a safer place (e.g. by ensuring that car parks are ‘safer by design’ and improving road safety).
PROPOSED RESPONSE:	<ul style="list-style-type: none"> • There seems to be no mention of cycle parking. This document is not called car parking; it refers to the term ‘parking’. Where are the policies for cycle parking? In another document? If they do not exist, or even if they do, it seems prudent to address cycle parking in this document. • The same can be said for electric car charging points. • Furthermore, there is no mention of the growing problem of cars parking on footways. This is against the law as we understand it (willing obstruction of the highway) and this document seems to be an ideal place to seek to address such an issue. • For the avoidance of doubt, what is the time period relating to short stay and the time period relating to long stay? That seems to be something that should be clarified and set out in this document. • Throughout, when you say ‘districts’, ‘councils’ and boroughs’ should you also include the Broads Authority? • 1.3 – and the Broads Authority – that is another Local Planning Authority in Suffolk. • Policy PMS2 – what is an ‘acceptable walking distance’? What is ‘further away’? What are ‘good sustainable transport alternatives’ – peak hour bus service? What is ‘adequate provision’? What are ‘certain criteria’? • Policy PMS3 – what are the ‘recommended parking charges’?

	<ul style="list-style-type: none"> • Page 7 – what makes a ‘well-designed prioritised parking scheme’. Is this the place to include guidance or a checklist? • Policy PMS4 – what are ‘on-street parking schemes’? Is that charging for on-street parking? • 7.1 and PMS5 – how is the Broads Authority involved in this commitment and introduction? • Section 8 – anything more about design? Impermeable surface? Landscaping? Pedestrian access and egress? Lighting and light pollution? This section seems to be only about signing and lining and this document seems to be an ideal place to give design guidance. • PMS6 – what is ‘a good level of information in a number of forms’?
ORGANISATION:	Great Yarmouth Borough Council - Housing Strategy
DOCUMENT:	Great Yarmouth Borough Council
LINK	https://www.great-yarmouth.gov.uk/article/3965/Current---Housing-Strategy-2018-2023-Consultation
DUE DATE:	24 April 2018 – deadline extension requested.
STATUS:	Final draft
PROPOSED LEVEL:	Planning Committee endorsed
NOTES:	<p>At Housing and Neighbourhoods Committee on 18 January 2018, members agreed to move forward with the Borough Council's Housing Strategy for 2018-2023. We are now seeking views from stakeholders and the wider community on the strategy and what should be included in its implementation plan.</p> <p>The Housing Strategy covers all housing, rented and owned, and recognises the contribution the right mix of good quality and well managed housing (and good advice and support) can make.</p> <p>We are keen to take a positive approach to actively making things happen in the borough, not just leaving it to the open market.</p> <p>We have identified four strategic objectives to meet current and future housing requirements in Great Yarmouth:</p> <ul style="list-style-type: none"> • New homes - ensuring there are enough good quality new homes • Our homes - improving the quality and use of the council's housing stock • Decent homes - providing a good mix of decent homes across all tenures • Healthy homes - meeting the needs of vulnerable households <p>This strategy expands on these four key priorities, highlighting our ambition and our approach to delivery. The strategy is underpinned by a strong evidence base.</p>
PROPOSED RESPONSE:	<p>The proposed response is really just two questions:</p> <p>1: As a Local Planning Authority within Great Yarmouth Borough Council and with the Borough Council being the Housing Authority for the entire Borough (including that</p>

	<p>area which is the Broads), it would be prudent to mention this in the document and refer to the Broads Authority.</p> <p>2: As the document is about various types of homes, it should also refer to residential moorings and boat dwellers.</p>
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Waveney District Council – a second Statement of Common Ground
Report by Planning Policy Officer

Summary:

This report introduces a second Statement of Common Ground with Waveney District Council which has been produced primarily to support the Waveney Local Plan.

Recommendation:

that Planning Committee agree the Statement of Common Ground and the Chairman of Planning Committee (or Vice Chairman) signs the Statement.

1 Introduction

- 1.1 This report introduces a second Statement of Common Ground (SOCG) with Waveney District Council which has been produced primarily to support the Waveney Local Plan.
- 1.2 The first Statement of Common Ground with Waveney Council came before Planning Committee on 2 March 2018¹ and was subsequently signed by the Vice Chairman and forms part of the Duty to Cooperate Statement². This SOCG was produced mainly to support the Local Plan for the Broads.
- 1.3 The SOCG that is the subject of this report is mainly aimed at supporting the Waveney Local Plan. It is centered on Waveney District Council and includes additional signatories (see appendix A).

2 About the Waveney SOCG

- 2.1 The SOCG states that Waveney District is its own Housing Market Area and Functional Economic Area, along with the part of the Broads within the district. It also sets out its objectively assessed housing need which is 374 dwellings per annum over the period 2014-2036 equating to 8,228 new homes and that the Broads' need of 57 is part of that 8,228 housing need number.
- 2.2 The Authority supports Waveney District Council's position on these three issues and it is therefore recommended that the SOCG is signed by the Chairman or Vice Chairman of Planning Committee to help support Waveney's Local Plan.

¹ <http://www.broads-authority.gov.uk/broads-authority/committees/planning-committee/planning-committee-2-march-2018>

² http://www.broads-authority.gov.uk/_data/assets/pdf_file/0018/1136601/BLP-Appendix-E-Final-Broads-Local-Plan-Duty-to-Cooperate-Statement-ba160318.pdf

3 Financial Implications

3.1 There are no financial implications, other than officer time in carrying out the Duty to Cooperate requirements.

Background papers:None

Author: Natalie Beal
Date of report: 12 April 2018

Appendices:

Appendix A Waveney District Council Statement of Common Ground.

Waveney Local Plan

Duty to Cooperate – Statement of Common Ground on Housing Market Area, Functional Economic Area and Objectively Assessed Needs.

Introduction

- 1.1 Section 110 of the Localism Act sets out the duty to cooperate. The duty applies to all Local Planning Authorities, National Park Authorities and County Councils in England and to a number of other prescribed public bodies. The duty to cooperate requires these bodies to engage constructively, actively and on an ongoing basis on strategic cross boundary planning issues. Local Planning Authorities have to demonstrate how they have met the requirements of the duty.
- 1.2 Housing and employment needs are defined by the National Planning Policy Framework as potential strategic cross boundary planning issues.
- 1.3 This Statement of Common Ground sets out the agreed position of the signatory parties with respect to the housing market area and functional economic area, together with associated objectively assessed needs relevant to the Waveney Local Plan.
- 1.4 The signatory parties to this Statement of Common Ground are:
 - Waveney District Council
 - The Broads Authority
 - Great Yarmouth Borough Council
 - South Norfolk District Council
 - Suffolk Coastal District Council
 - Mid Suffolk District Council

Housing Market Area

Background

- 1.5 The Ipswich and Waveney Housing Market Areas Strategic Housing Market Assessment Part 1¹ concludes that the Waveney District in isolation could form a reasonable housing market area. The study identifies that the District has high levels of self-containment with respect to commuting, and reasonably high levels of self containment with respect to migration. The study concludes that Borough of Ipswich, together with Suffolk Coastal, Mid Suffolk and Babergh Districts form a strong Ipswich centred housing market area. It further states *“it would not appear sensible or pragmatic to conclude that Waveney should form part of the Ipswich HMA.”*
- 1.6 The Great Yarmouth Strategic Housing Market Assessment² concludes that the Great Yarmouth Borough forms its own housing market area. This approach was found to be sound at the examination into the Great Yarmouth Core Strategy. The Inspector’s Report³ into the Great Yarmouth Core Strategy stated *“The Council’s Strategic Housing Market Appraisal (SHMA), of 2007 and updated in 2013, concludes that, having regard to a range of factors including commuting flows the Borough’s housing market aligns with the borough boundary. I have seen or heard nothing to suggest that this is not a soundly-based assumption.”*
- 1.7 The Central Norfolk Strategic Housing Market Assessment⁴ identifies a Central Norfolk Strategic Housing Market Area comprising the entire Districts of South Norfolk, Broadland and the City of Norwich together with parts of Breckland and North Norfolk.
- 1.8 All studies referred to above assume that need arising from the Broads area is part of the overall District needs. The Central Norfolk Strategic Housing Markets Assessment identifies a component objectively assessed need for the Broads area. It gives a total amount for the entire Broads area as well as splitting the figure down to the area covered by the Broads in each of the six Districts.
- 1.9 The Norfolk Strategic Planning Framework⁵ confirms housing market areas for Central Norfolk (Norwich, South Norfolk, Broadland, Breckland and North Norfolk), Great Yarmouth and Kings Lynn and West Norfolk.

1.1 _____

¹ Ipswich and Waveney Housing Market Areas Strategic Housing Market Assessment Part 1 –(Peter Brett Associates, May 2017) - <http://www.eastsuffolk.gov.uk/assets/Planning/Waveney-Local-Plan/First-Draft-Local-Plan/Strategic-Housing-Market-Assessment-Part-1.pdf>

² Great Yarmouth Strategic Housing Market Assessment (HDH Planning & Development, November 2013) - <https://www.great-yarmouth.gov.uk/CHttpHandler.ashx?id=1241&p=0>

³ Report On The Examination Into Great Yarmouth Local Plan: Core Strategy 30th November 2015 - <https://www.great-yarmouth.gov.uk/CHttpHandler.ashx?id=1574&p=0>

⁴ Central Norfolk Strategic Housing Market Assessment 2015 (ORS, January 2015) <http://www.greaternorwichgrowth.org.uk/dmsdocument/2160>

⁵ Norfolk Strategic Planning Framework – March 2018 <https://www.norfolk.gov.uk/-/media/norfolk/downloads/what-we-do-and-how-we-work/policy-performance-and-partnerships/partnerships/strategic-member-forum/latest-endorsed-version-of-the-norfolk-strategic-planning-framework.pdf?la=en>

Agreed Position of Parties

- 1.10 At present, the Waveney District forms its own Housing Market Area for the basis of strategic planning. The Waveney Housing Market Area includes the part of the Broads Authority which is within the Waveney District.**
- 1.11 Following the adoption of the Waveney Local Plan, the parties will continue to monitor demographic, housing and travel to work data to test whether the currently defined housing market areas remain appropriate. This will be particularly important with respect to the relationship between Great Yarmouth and Waveney.**

Functional Economic Area

Background

- 1.12 The Ipswich and Waveney Economic Areas Employment Land Needs Assessment⁶ concludes that the Waveney District constitutes its own functional economic area. However, it identifies a strong sub-market link with Great Yarmouth particularly with respect to offshore renewable energy. The study concludes that the Borough of Ipswich, together with Suffolk Coastal, Mid Suffolk and Babergh Districts form a functional economic area.**
- 1.13 The Norfolk Strategic Planning Framework concludes that the functional economic areas for Norfolk are likely to be the same as the housing market areas.**

Agreed Position of Parties

- 1.14 At present, the Waveney District forms its own Functional Economic Area for the basis of strategic planning. The Waveney Functional Economic Area includes the part of the Broads Authority which is within the Waveney District.**
- 1.15 The parties acknowledge that with respect to the offshore oil and gas, offshore renewables and offshore related engineering sectors that a sub-regional economic area effectively operates across the towns of Great Yarmouth and Lowestoft. This is recognised through the Enterprise Zone designation. The two authorities will continue to work together to plan for and support this sector.**
- 1.16 Following the adoption of the Waveney Local Plan, the parties will continue to monitor demographic, economic and travel to work data to test whether the currently defined functional economic areas remain appropriate. This will be particularly important with respect to the relationship between Great Yarmouth and Waveney.**

1.1 _____

⁶ Ipswich and Waveney Economic Area Employment Land Needs Assessment (NLP, March 2016)

<http://www.eastsuffolk.gov.uk/assets/Planning/Waveney-Local-Plan/Background-Studies/Employment-Land-Needs-Assessment-2016.PDF>

Objectively Assessed Need

Background

- 1.17 The Ipswich and Waveney Housing Market Areas Strategic Housing Market Assessment Part 1¹ concludes that the objectively assessed need for the Waveney Housing Market Area is 374 dwellings per annum over the period 2014-2036 equating to 8228 new homes. The First Draft Waveney Local Plan⁷ identifies more than sufficient land to meet this need. For the Ipswich Housing Market Area the study concludes an objectively assessed need of 1,786 homes per annum over the period 2014-2036 equating to 39,302 new homes. Part 1 of the Suffolk Coastal Issues and Options⁸ and the Ipswich Issues and Options only include options where the full objectively assessed need for Suffolk Coastal and Ipswich are met within the area. The Babergh and Mid-Suffolk Joint Local Plan Consultation Document⁹ does not present any other option than meeting the objectively assessed need for Babergh and Mid-Suffolk in full.
- 1.18 The Great Yarmouth Strategic Housing Market Assessment identified an objectively assessed need for 420 homes per annum for the Borough. The Council's Core Strategy¹⁰ plans to meet this need in full.
- 1.19 The latest version of the Central Norfolk Strategic Housing Market Assessment¹¹ identifies an objectively assessed need for 60,350 dwellings over the plan period. The Greater Norwich Local Plan Growth Options consultation¹² which covers Norwich, South Norfolk and Broadland concludes *"The Norfolk Strategic Framework shows that there is no need for Greater Norwich to provide for unmet need from neighbouring districts. There is no evidence of any overriding reasons that prevent Greater Norwich meeting its own housing need"*.
- 1.20 The Central Norfolk Strategic Housing Market Assessment identifies an objectively assessed need for the Broads Authority of 286 homes over the period 2015-2036. Of this 57 homes are needed in the Waveney part of the Broads. This figure also forms part of the Waveney District objectively assessed need.

1.1

⁷ Waveney Local Plan – First Draft Plan – July 2017 <http://www.eastsuffolk.gov.uk/assets/Planning/Waveney-Local-Plan/First-Draft-Local-Plan/First-Draft-Local-Plan.pdf>

⁸ Issues and Options for the Suffolk Coastal Local Plan Review (August 2017) <http://www.eastsuffolk.gov.uk/assets/Planning/Suffolk-Coastal-Local-Plan/Local-Plan-Review/Issues-and-Options-Consultation/Issues-and-Options-for-the-SCDC-Local-Plan-Review-document.pdf>

⁹ Babergh and Mid-Suffolk Joint Local Plan Consultation Document (August 2017) <http://www.midsuffolk.gov.uk/assets/Strategic-Planning/JLP-Reg-18-Docs/BMSDC-Joint-Local-Plan-Consultation-Document-August-2017.pdf>

¹⁰ Great Yarmouth Local Plan: Core Strategy 2013-2030 – Adopted December 2015 - <https://www.great-yarmouth.gov.uk/CHttpHandler.ashx?id=1884&p=0>

¹¹ Central Norfolk Strategic Housing Market Assessment 2017 – June 2017 - <https://www.north-norfolk.gov.uk/media/3426/strategic-housing-market-assessment-2017.pdf>

¹² Greater Norwich Local Plan Regulation 18 Consultation - Growth Options 2018 - <https://gnlp.jdi-consult.net/documents/pdfs/Reg.18%20Growth%20Options%20document%20final.pdf>

- 1.21 The Waveney Employment Land Needs Assessment Update¹³ indicates a need for 43 hectares of new employment land to help meet jobs targets. The First Draft Waveney Local Plan identifies more than sufficient land to meet this need.
- 1.22 The existing and emerging Local Plans for Greater Norwich, Suffolk Coastal, Mid Suffolk and Great Yarmouth do not indicate that employment needs cannot be met within their areas.

Agreed Position of Parties

- 1.23 The emerging Local Plan for Waveney will meet objectively assessed development needs for the Waveney Housing Market Area and the Waveney Functional Economic Area in full. The Broads Authority will meet the objectively assessed need for the Broads Authority's component of the Waveney Housing Market need in full.**
- 1.24 There is no requirement for the Waveney Local Plan to deliver unmet need from neighbouring housing market areas and functional economic areas.**

1.1 _____

¹³ Employment Land Needs Assessment Update 2017 - <http://www.eastsuffolk.gov.uk/assets/Planning/Waveney-Local-Plan/First-Draft-Local-Plan/Employment-Land-Needs-Assessment-Update.pdf>

Signatures

Signature:

Print name:

Position:

Authority: Waveney District Council

1.35

Signature:

Print name:

Position:

Authority: Suffolk Coastal

1.46

Signature:

Print name:

Position:

Authority: Mid Suffolk

1.57

Signature:

Print name:

Position:

Authority: Great Yarmouth

1.68

Signature:

Print name:

Position:

Authority: South Norfolk

Signature:

Print name:

Position:

Authority: Broads Authority

**Broads Authority
Heritage Asset Review Group**

Notes of Meeting held on Friday 23 March starting at 11.10am

Present:

Melanie Vigo di Gallidoro – in the Chair
Mike Barnard
Peter Dixon
Bruce Keith
Paul Rice
Haydn Thirtle

In attendance

Sandra Beckett – Administrative Officer (Governance)
Will Burchnall – Programme Manager, Water Mills and Marshes:
Landscape Partnership Scheme (WMM)
Ben Hogg – Historic Environment Manager
Simon Hooton – Head of Strategy and Projects
John Packman – Chief Executive
Marie-Pierre Tighe – Director of Strategic Services
Prue Smith – Consultant on Cultural Heritage

23/1 Apologies for absence and welcome

Apologies were received from Jacquie Burgess and Bill Dickson.

23/2 To receive the note of the meeting held on 10 November 2017

The Note of the twenty-second meeting of HARG held on 10 November 2017 was received as a correct record.

23/3 Points of Information arising from the last meeting

There was nothing further to report other than matters that would be covered under the items on the agenda.

23/4 Heritage at Risk

23/4(1) Buildings at Risk Schedule March 2018

The Historic Environment Manager provided the Group with the updated Schedules relating to the Buildings At Risk Survey as well as the Schedule relating to current and potential Enforcement issues.

It was noted that the planning and listed building consent for **Common Farmhouse, Fleggburgh** had been approved at the Planning Committee

meeting on 2 March 2018. The Local Member wished to thank the Authority and the parish council for their support in progressing the matter. Members recognised the ambitious scale of the project and were hopeful of its successful progress and completion. Officers would continue to have dialogue with the owner.

Bridge Farmhouse, Low Road, Mettingham - It was noted that following the catastrophic fire earlier in the year Historic England had approved the application to delist the building and therefore this would now be removed from the Historic Buildings National List. Recording of the special features would be undertaken as demolition was to take place. The owner had been advised not to carry out a full demolition until the necessary recordings had been done. Members were advised that it was unlikely that it would be possible to salvage any materials for recycling.

Manor Farm House, Thurne. The application upon which the Authority had been consulted, to delist this building, had been approved by Historic England on 8 December 2017, the reason being due to the remodelling of the interior. Members considered this to be unfortunate since it was one of the first buildings to be viewed when entering the village and still retained considerable historic significance. It was considered that it still had merit as a non-designated heritage asset and should be included on the Local List.

Langley Abbey Stable block – It was pleasing to note the works to the property had been carried out and therefore this had now be removed from the H@R schedule.

Brick Barn, Hill Farm, Gillingham – Repairs to the roof sheeting had been undertaken and therefore there was no immediate threat but monitoring would continue .

Mills

Swim Coots Drainage Mill at Catfield – It was noted that repair works had been carried out and the site was now secure and no longer at risk, therefore it could be removed from the list.

With reference to the **Mills** within the schedule, most came within the Water Mills and Marshes Landscape Partnership Scheme project . However, with regard to Tunstall Dyke and Tunstall Smock Mills at Halvergate, the owners had not engaged with the laser scan programme. In one case considering that the clearance of the structure may encourage trespass. Officers would continue to engage with the owners to ensure that they were aware of their responsibilities for heritage assets. It was hoped that the progress on the LPS would provide an incentive and catalyst.

The Six Mile House Drainage Mill, Chedgrave Marshes, Haddiscoe currently sits on an island within a soke dyke as a result of the BESL works. BESL have carried out medium term flood protection work to the defences around the mill and have consulted on the long term solution.

These works were due to be completed shortly and this would allow works on the mill to be undertaken as part of the LPS scheme. The works for the Lockgate Mill, Breydon would potentially start in the Autumn as part of the LPS.

It was pleasing to note that the repair works on the Mills seemed to be progressing as a result of the LPS.

The Historic Environment Manager reported that Prue Smith, the Historic Buildings Consultant had managed to contact the owner of the **Grade II Listed 34 Bridge Street, Bungay formerly known as the Music House** which was sadly in need of repair and vulnerable to further potential damage. The owner was aware of the financial commitment. The Historic Buildings Consultant would be meeting with the owner to discuss options, recognising the limitation of resources.

High Mills at Potter Heigham. This property had now been taken off the list as extensive cap repairs had been carried out. Before and after photographs had been taken.

The Group welcomed the progress report.

23/4(2) Enforcement Issue: Manor House Ashby with Oby

Although the schedule for the replacement windows and doors was phased over a long period, it was appreciated that it would be advantageous for some works to be carried out on a regular basis so as there was not a significant financial commitment near to the end of the compliance period. The next phase was due to take place in Summer 2018 and the Planning Officer (Compliance and Implementation) would be visiting the owner within the next two weeks.

23/5 Conservation Area Re-Appraisals Update

Progress was reported on the following Conservation Areas.

(1) East and West Somerton Conservation Area (CA) Re-Appraisal

It was noted that the Somerton Conservation Area Re-Appraisal had been approved for consultation by the Planning Committee on 1 April 2016 and sent out for public consultation on 22 September 2017. The closing date was 20 November 2017. The preparation for the consultation had been fruitful and received positive feedback from the parish council and all concerned.

The Historic Environment Manager reported that the responses had all been received and were being analysed. As a result, there were a number of the main site issues that required consideration. These included Staithe House and Staithe House farm yard, a property on Staithe road, some open land to the south of Staithe road, an area to the south of West

Somerton to include the remaining properties and field between, the village hall and properties to the east of the Street. The Historic Environment Manager explained that generally open agricultural land did not fully meet the criteria for inclusion in the Conservation Area. Such inclusion could not be included to prevent any development taking place. Any proposals for development would be assessed under the usual planning policies and merits of the case. Neither was the proposed southward extension considered to meet the criteria, although this had been supported locally via the consultation. The village hall could be included in this assessment. The Group considered that the Conservation Area boundary in relation to the centre of the village should remain as it is.

The Group considered that Staithe Farm house should remain within the Conservation Area and the Head of the Staithe dyke including the Staithe Farmhouse buildings should also be included but that the 20th century property on the south west corner of the farmyard (Sunways) could possibly be excluded.

It was noted that a report would be prepared for a future Planning Committee meeting in May 2018 following an analysis of the consultation. The Planning Committee would formally consider the representations and make a decision regarding adoption and any boundary changes. It was intended that a report would then go to the full Authority for adoption in July 2018.

(2) Ludham and Horning Conservation Area Re-Appraisals

It was noted that the process for dealing with the Conservation Area Re-appraisals had improved considerably as lessons were learnt. There were now only 2 Conservation Areas out of the 25 that required re-appraisal – Ludham and Horning. Both of these areas shared boundaries with North Norfolk District with the majority being outside the Broads area. However, given that substantial and significant parts were contained within the Executive Area, the Authority would be carrying out the appraisals. Members were provided with maps of the existing CA boundaries, and indications of the existing parts considered to be no longer worthy of inclusion and therefore excluded as well as parts which now might be considered as worthy of inclusion.

Ludham

Officers considered that there were three distinct character areas for Ludham relating to Horsefen Road, the Village itself and Staithe Road. It was noted that there had been considerable new development since the Conservation Area had been designated originally and these were being evaluated in relation to conservation area status criteria. Slides of the areas were provided for information.

Horning

The Group considered that the area of Upper Street Horning, including the Water Works building were worthy of consideration as a satellite part of the Conservation Area. It was also suggested that some properties on the eastern side of Lower Street, in North Norfolk District, had Broads characteristics and were worthy of consideration for inclusion. The suggestion of including the Crabbetts Marsh development upstream from the Swan Inn and Horning Sailing Club also had some merits.

Officers undertook to examine the proposed boundaries for the Conservation Area Re-Appraisals in more detail before bringing reports to the Planning Committee for approval for consultation.

The Group welcomed the progress being made.

23/6 Water, Mills and Marshes: The Broads Landscape Partnership Project

- (1) Members had been provided with the link to the Water Mills and Marshes website which they considered to be very useful and impressive, noting that it was being developed as the project was progressing.

Web: www.watermillsandmarshes.org.uk

Twitter: [@Broads_LPS](https://twitter.com/Broads_LPS)

Facebook: www.facebook.com/watermillsandmarshes

YouTube: https://www.youtube.com/channel/UCbma_7-l-sokaExkKxitjxw

The Project Manager reported that the project had commenced in January 2018 having been officially launched on 17 January 2018. The Project had now been able to recruit three members of staff, Andrew Farrell as a project Officer, Anna Lynch an Administrative Officer and Sean Grimes as Heritage Skills Training Supervisor who would be commencing work on 3 April 2018 to manage construction and maintenance work on the drainage windmills.

Norwich City College was enthusiastically developing the heritage skills training programme in association with its building courses. It was anticipated that this could involve the creation of a special qualification that could be recognised by City and Guilds. City College was building its own workshop for construction of doors and windows on site to link in with the project. It was hoped that the training could cover 100 students per year. Work was already starting on the Pumping Station at Strumpshaw in association with the RSPB.

The Group welcomed the progress and the idea of going into the colleges and schools and providing introductory talks for students on heritage providing the idea of heritage as a potential career pathway and vocational route.

The Project Manager would be providing regular updates on the Water

Mills and Marshes project to the full Authority.

The Group enthusiastically welcomed and noted the progress being made.

(2) Mills

The Historic Environment Manager provided the group with a series of images of the Mills that would be worked on during the course of the WMM project. This would include a variety of works depending on the state of the individual mills. Planning permission for work on the first of the mills – Pumping Station, Low Road, Strumpshaw for works to the chimney, the engine house, moving of irrigation pump and landscaping in the area was granted by the Planning Committee on 2 February 2018. *Wiseman's Mill at Oby* It was queried whether this application (not submitted by the LPS but forming part of the scheme) was due to come to Planning Committee. The Historic Environment Manger would seek clarification. Once the structures were consolidated the potential for other functions, such as providing broadband facilities could be examined. It was noted that the the Project was employing a specialist engineer for some of the work.

The Group welcomed the update and looked forward to receiving the next instalment on progress.

23/7 HARG Meetings Programme during WMM project

The Chairman proposed that the meetings for HARG be scheduled for every six months rather than four monthly particularly while the officers responsible for Cultural Heritage were involved in the Water Mills and Marshes project. Members would be able to receive updates via email and/or through the website in between the meetings and as the WMM project would be focussing on the mills, these formed a significant section of the Buildings At Risk register.

Members considered the proposal sensible and agreed HARG meetings take place six monthly either in October and April or November and May. The meetings would follow the Planning Committee meeting.

23/8 Any Other Business

No other items for report were raised.

23/9 Date of Next Meeting –

It was noted that the next meeting of the Heritage Asset Review Group would take place either on Friday 9 November 2018 or 7 December 2018 following the Planning Committee meeting.

The meeting concluded at 13.00pm

Appeals to the Secretary of State: Update and Annual Review 2017/18
Report by Head of Planning and Administrative Officer

Summary:	This report sets out the current position regarding appeals against the Authority and provides an annual summary of the decisions received from the Secretary of State from April 2017 to 31 March 2018.
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Recommendation:	That the report be noted.
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1 Introduction

- 1.1 The Authority has not received any new appeals since August 2017, when the last appeal was received and the last decision on an appeal was received in January 2018, so there are no outstanding appeals.
- 1.2 The attached schedule at Appendix 1 shows a summary of the decisions by the Secretary of State on appeals in the year 1 April 2017 – 31 March 2018.
- 1.3 Between 1 April 2017 and 31 March 2018 the Authority received decisions from the Planning Inspectorate on 6 appeals. The decisions concerned five appeals against refusal (one which was against the Authority’s refusal to remove conditions), and one against an Enforcement Notice. Of the appeals against refusal three were allowed and two dismissed. The remaining appeal, which was dismissed, was against enforcement action at Burghwood Barns at Ormesby St Michael. Three appeals related to decisions made by Planning Committee and the other three appeals concerned decisions made under delegated powers. The table below provides a comparison with the number of decisions in 2016/17.

<u>2016/2017</u>	<u>2017/18</u>
Decisions: 7	Decisions: 6
Allowed: 4	Allowed: 3
Dismissed: 3	Dismissed: 3

- 1.4 The appeals record for 2017/18 is disappointing, and follows on from a similarly disappointing record in 2016/2017. Members may recall that appeal performance was the subject of a report to Planning Committee at the meeting on 25 May 2017, where it was resolved to take a more pragmatic approach to matters such as materials. All of the appeal decisions received in the period after 1 April 2017 related to decisions made on applications before the new approach was adopted in May 2017. Members should note that in some cases there were considerable delays between the decisions being

made and the appeals being considered and this is shown in the table at Appendix 1.

2 Financial Implications

2.1 There are no financial implications.

Background papers: BA appeal and application files.

Author: Cally Smith/ Sandra A Beckett

Date of report 12 April 2018

Broads Plan Objectives: None

Appendices: APPENDIX 1 – Schedule of Appeals to the Secretary of State on which decisions have been made since 1 April 2017.

BROADS AUTHORITY
Schedule of Decisions on Appeals to the Secretary of State since April 2017

Start and Decision Date	Location Nature of Appeal/ Description of Development	Decision and Date
25 January 2017 21 April 2017	APP/E9505/W/16/3164553 BA/2016/0158/FUL BA/2016/0007/REF Land at Griffin Lane, Thorpe St Andrew Appeal against refusal Boatshed, storage container and shelter BCK Marine	Delegated Decision 24 June 2016 DISMISSED
3 April 2017 6 June 2017	APP/E9505/W/17/3169091 BA/2016/0284/CU Violet Cottage, Irstead Road, Neatishead Appeal against refusal Retrospective application to use annexe building as holiday accommodation Mr Simon Ciappara	Delegated Decision 3 October 2016 ALLOWED
18 May 2017 3 August 2017	APP/E9505/W/17/3170595 BA/2016/0343/FUL The Workshop, Yarmouth Road LUDHAM NR29 5QF Appeal against refusal Change of use of outbuilding (MT Shed) to residential dwelling Dr Rupert Gabriel	Delegated Decision 20 January 2017 DISMISSED
22 May 2017 9 January 2018	APP/E9505/C/17/3173753 APP/E9505/C/17/3173754 BA/2015/0026/UNAUP2 Burghwood Barnes Burghwood Road, Ormesby St Michael Appeal against Enforcement Unauthorised development of Agricultural land as residential curtilage	Committee Decision 3 March 2017 DISMISSED Enforcement Notice varied to allow compliance within 6 months.

Start and Decision Date	Location Nature of Appeal/ Description of Development	Decision and Date
<p>17 August 2017</p> <p>2 November 2017</p>	<p>APP/E9505/W/17/3174937 BA/2016/0356/COND Waveney Inn and River Centre Staithe Road Burgh St Peter</p> <p>Waveney River Centre Appeal against refusal to grant removal of condition conditions 1 and 6 (Temporary approval and passing bay signs) of permission BA/2016/0064/COND (April 2016)</p>	<p>Committee Decision 9 December 2016 re BA/2016/0356/COND</p> <p>ALLOWED</p>
<p>19 July 2017</p> <p>12 October 2017</p>	<p>App/E9505/W/17/3176423 BA/2017/0060/CU Eagles Nest, Ferry Road, Horning</p> <p>Mr Robert King /Ellis Forest Marine Appeal against refusal Change of use of first floor of boathouse to residential manager's accommodation (Class C3) associated with the adjacent King Line Cottages</p>	<p>Committee Decision 28 April 2017</p> <p>ALLOWED</p>

Decisions made by Officers under Delegated Powers
Report by Director of Strategic Services

**Broads Authority
Planning Committee**

27 April 2018

Agenda Item No.18

Summary:	This report sets out the delegated decisions made by officers on planning applications from 12 March 2018	to 10 April 2018
Recommendation:	That the report be noted.	

Application	Site	Applicant	Proposal	Decision
Ashby With Oby Parish Council				
BA/2017/0150/LBC & BA/2017/0149/FUL	Wisemans Mill River Bure Ashby With Oby Norfolk	Mr Hugh Callacher	Restoration of mill and detached engine shed. Two shepherd huts for camping. Partial restoration of Wisemans Cottage to construct storage.	Approve Subject to Conditions
Barton Turf And Irstead Parish Council				
BA/2018/0003/FUL	Summer Use On Barton Broad And Winter Mooring At Gayes Staithe.	Mr Stephen Bradnock	Continued use of base and pontoon with 3 additional decks, higher capacity hoist and ramps for wheelchair access. Replacement piles.	Approve Subject to Conditions
Beccles Town Council -				
BA/2018/0021/LBC	St Peters House Old Market Beccles Suffolk NR34 9AP	Mr James Mullan And Lyall Thow	Secondary glazing.	Approve Subject to Conditions
Bungay Town Council				
BA/2017/0333/LBC & BA/2017/0332/HOUSEH	51 Staithe Road Bungay NR35 1EU	Mr Rory Clifford	Replacement two storey extension.	Approve Subject to Conditions

Application	Site	Applicant	Proposal	Decision
Chedgrave Parish Council -				
BA/2018/0052/FUL	Walklin Cruisers Pits Lane Chedgrave Norfolk NR14 6NQ	Mr Denis Walklin	Replacement outbuilding	Approve Subject to Conditions
Dilham Parish Council				
BA/2018/0046/HOUSEH	7 The Street Dilham Norfolk NR28 9PS	Mr D Clarke	Extension and alterations.	Approve Subject to Conditions
Horning Parish Council -				
BA/2018/0041/HOUSEH	Woodside School Road Horning NR12 8PX	Mr & Mrs Paul and Catherine Jeffery	Rear single storey extension to bungalow	Approve Subject to Conditions
Hoveton Parish Council -				
BA/2018/0068/HOUSEH	Waters Edge Cottage Meadow Drive Hoveton Norfolk NR12 8UN	Mr Simon Francis	Replacement quayheading. New boardwalk, decking and disabled access ramp.	Approve Subject to Conditions
Martham Parish Council				
BA/2017/0354/FUL	Land South Of Pumping Station Cess Road Martham NR29 4RG	Mr Ian Curtis	Change of use to campsite for 6 shepherd huts.	Approve Subject to Conditions
Mettingham Parish Council -				
BA/2018/0049/LBC BA/2018/0048/HOUSEH	Alder Farm Low Road Mettingham NR35 1TP	Mr John Groom	Erection of steel framed pole barn	Approve Subject to Conditions
Oulton Broad Parish Council -				
BA/2017/0237/FUL	Wherry Hotel Bridge Road Lowestoft Suffolk NR32 3LN	Anglia Restaurants Ltd	Extension.	Approve Subject to Conditions

Application	Site	Applicant	Proposal	Decision
Reedham Parish Council				
BA/2018/0016/HOUSEH	The Pink House 36 Riverside Reedham Norwich NR13 3TF	Mr M Church	External alterations, enlarge garage and widen drive.	Approve Subject to Conditions
Repps With Bastwick Parish Council				
BA/2018/0037/HOUSEH	69 Riverside Repps With Bastwick NR29 5JX	Mr Peter Lavender	Replace annex roof; replace patio doors with cladding on east elevation; add a new window to north elevation	Approve Subject to Conditions
Rockland St Mary With Hellington Parish Council				
BA/2017/0476/COND	The Broad 1 Lower Road Rockland St Mary NR14 7HS	Mr Andy Burt	Variation of condition 2: approved plans, of BA/2016/0265/FUL.	Approve Subject to Conditions
Somerton Parish Council				
BA/2018/0007/FUL	Ivy House Horsey Road West Somerton Somerton Norfolk NR29 4DW	Mr Davies	Change of use of outbuildings to 2 No. holiday lets	Approve Subject to Conditions
BA/2018/0054/HOUSEH	Fieldlands Horsey Road West Somerton Somerton Norfolk NR29 4AB	Mr David Cornwell	Single storey rear extension.	Approve Subject to Conditions
South Walsham Parish Council				
BA/2018/0051/HOUSEH	The Boathouse 1B Fleet Lane South Walsham Norwich Norfolk NR13 6ED	Mr Stephen Maltby	Replacement quayheading	Approve Subject to Conditions
Stokesby With Herringby Parish Council				
BA/2018/0064/NONMAT	Chandlers End Mill Road Stokesby With Herringby Norfolk NR29 3EY	Mr R J Bell	Change hip-end to gable-end roof, non-material amendment to BA/2010/0426/FUL.	Approve

Application	Site	Applicant	Proposal	Decision
Surlingham Parish Council				
BA/2018/0042/FUL	West Bank Coldham Hall Carnser Surlingham NR14 7AN	Mr And Mrs Sam And Ruth Dunning	Construction of a replacement residential dwelling.	Approve Subject to Conditions
Thorpe St Andrew Town Council				
BA/2017/0437/LBC	Rushcutters 46 Yarmouth Road Thorpe St Andrew Norwich NR7 0HE	Greene King PLC	Rebuild wall to external area to match existing.	Approve Subject to Conditions
BA/2017/0436/FUL				
Trowse With Newton Parish Council				
BA/2018/0029/FUL	Whitlingham Broad Camp Site Whitlingham Lane Trowse Norfolk NR14 8TR	Ms Linda Robey	Play area.	Approve Subject to Conditions

**Circular 28/83: Publication by Local Authorities of Information about the Handling of
Planning Applications**
Report by Head of Planning

Summary:	This report sets out the development control statistics for the quarter ending 31 March 2018.
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1. Development Control Statistics

1.1 The development control statistics for the quarter ending 31 March 2018 are summarised in the table below.

Table 1:

Total number of applications determined	74						
Number of delegated decisions	61 [82.4%]						
Type of decision	Numbers granted				Numbers refused		
	72 (97.3%)				2 (2.7%)		
Speed of decision	Under 8 wks	8-13 wks	13-16 wks	16-26 wks	26-52 wks	Over 52 wks	Agreed Extension
	43 (58.1%)	1 (1.3%)	0 (0%)	4 (5.4%)	2 (2.7%)	0 (0%)	24 (32.5%)
Number of Enforcement Notices	0						
Consultations received from Neighbouring Authorities	16						

Table 2: National Performance Indicators

	BV 109 The percentage of planning applications determined in line with development control targets to determine planning applications.		
National Target	60% of Major applications in 13 weeks (or within agreed extension of time)	65% of Minor* applications in 8 weeks (or within agreed extension of time)	80% of other applications in 8 weeks (or within agreed extension of time)
	<i>Majors refers to any application for development where the site area is over 1000m²</i>	<i>*Minor refers to any application for development where the site area is under 1000m² (not including Household/ Listed Buildings/Changes of Use etc)</i>	<i>Other refer to all other applications types</i>
Actual	4 applications received 4 determined in 13 weeks (or within agreed extension of time) (100%)	29 applications received. 27 determined in 8 weeks (or within agreed extension of time) (93.1%)	41 applications received. 37 determined in 8 weeks (or within agreed extension of time) (90.2%)

Development Control Statistics provided by Broads Authority using IDOX Uniform Electronic Planning System.

Author: Asa Coulstock
Date of Report: 17 April 2018

PS1 returns:

1.1	On hand at beginning of quarter	59
1.2	Received during quarter	69
1.4	Withdrawn, called in or turned away during quarter	1
1.4	On hand at end of quarter	53
2.	Number of planning applications determined during quarter	74
3.	Number of delegated decisions	61
4.	Number of statutory Environmental Statements received with planning applications	2
5.1	Number of deemed permissions granted by the authority under regulation 3 of the Town and Country Planning General Regulations 1992	0
5.2	Number of deemed permissions granted by the authority under regulation 4 of the Town and Country Planning General Regulations 1992	0
6.1	Number of determinations applications received	0
6.2	Number of decisions taken to intervene on determinations applications	0
7.1	Number of enforcement notices issued	0
7.2	Number of stop notices served	0
7.3	Number of temporary stop notices served	0
7.4	Number of planning contravention notices served	1
7.5	Number of breach of conditions notices served	0
7.6	Number of enforcement injunctions granted by High Court or County Court	0
7.7	Number of injunctive applications raised by High Court or County Court	0

PS2 Returns

Type of Development	Total Decisions			Total Decisions Time from application to decision						Within Agreed Extension of Time
	Total	Granted	Refused	Not more than 8 wks	More than 8 wks but not more than 13 wks	More than 13 wks and up to 16 wks	More than 16 wks and up to 26 wks	More than 26 wks and up to 52 wks	More than 52 wks	
Major										
Dwellings	1	1	0	0	1	0	0	0	0	0
Offices/ Light Industry	0	0	0	0	0	0	0	0	0	0
Heavy Industry/Storage/Warehousing	1	1	0	0	0	0	0	0	0	1
Retail Distribution and Servicing	0	0	0	0	0	0	0	0	0	0
Gypsy and Traveller Sites	0	0	0	0	0	0	0	0	0	0
All Other Large-Scale Major Developments	2	2	0	0	0	0	0	0	0	2
Minor										
Dwellings	5	5	0	1	0	0	0	0	0	4
Offices/Light Industry	0	0	0	0	0	0	0	0	0	0
General Industry/Storage/Warehousing	5	5	0	3	0	0	0	0	0	2
Retail Distribution and Servicing	1	0	1	0	0	0	0	0	0	1
Gypsy and Traveller Sites	0	0	0	0	0	0	0	0	0	0
All Other Minor Developments	18	18	0	10	0	0	2	0	0	6
Others										
Minerals	0	0	0	0	0	0	0	0	0	0
Change of Use	3	3	0	1	0	0	1	0	0	1
Householder Developments	28	27	1	23	0	0	0	1	0	4
Advertisements	1	1	0	1	0	0	0	0	0	0
Listed Building Consent to Alter/Extend	9	9	0	4	0	0	1	1	0	3
Listed Building Consent to Demolish	0	0	0	0	0	0	0	0	0	0
**Certificates of Lawful Development	2	2	0	2	0	0	0	0	0	0
Notifications	0	0	0	0	0	0	0	0	0	0
TOTAL	74	72	2	43	1	0	4	2	0	24
Percentage (%)		97.3%	2.7%	58.1%	1.3%	0%	5.4%	2.7%	0%	32.5%

Please Note – Applications for Lawful Development Certificates are not counted in the statistics report for planning applications. As a result these figures are not included in the **Total column above.

Development Control Statistics provided by Broads Authority using IDOX Uniform Electronic Planning System.