

Planning Committee

Agenda 10 September 2021

10.00am

Yare House, 62-64 Thorpe Road, Norwich, NR1 1RY

John Packman, Chief Executive – Friday, 03 September 2021

Introduction

1. To receive apologies for absence
2. To receive declarations of interest
3. **To receive and confirm the minutes of the Planning Committee meeting held on 13 August 2021** (Pages 3-13)
4. To note whether any items have been proposed as matters of urgent business

Matters for decision

5. 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](#).
6. Request to defer applications include in this agenda and/or vary the order of the agenda
7. **To consider applications for planning permission including matters for consideration of enforcement of planning control:**

There are no planning applications for consideration.
8. **Code of Practice for Members on Planning Committee and officers** (Pages 14-54)
Report by Head of Governance

Enforcement

9. **Enforcement update** (Pages 55-58)
Report by Head of Planning

Policy

10. **Recreation Impact Avoidance and Mitigation Strategies – Norfolk and Suffolk Coast** (Pages 59-65)
Report by Planning Policy Officer

11. **Local Plan Issues and Options – bite size pieces** (Pages 66-116)

Report by Planning Policy Officer

12. **Consultation responses** (Pages 117-121)

Report by Planning Policy Officer

Matters for information

13. **Appeals to the Secretary of State update** (Pages 122-124)

Report by Senior Planning Officer

14. **Decisions made by Officers under delegated powers** (Pages 125-129)

Report by Senior Planning Officer

15. **To note the date of the next meeting – Friday 8 October 2021 at 10.00am at Yare House, 62/64 Thorpe Road, Norwich**

Planning Committee

Minutes of the meeting held on 13 August 2021

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Present

Harry Blathwayt, Nigel Brennan, Bill Dickson, Gail Harris, Paul Hayden, Tim Jickells, James Knight, Leslie Mogford, Vic Thomson, Melanie Vigo di Gallidoro and Fran Whymark

In attendance

Jack Ibbotson – Planning Officer, Cally Smith – Head of Planning and Sara Utting – Governance Officer

Members of the public in attendance who spoke

Mr Crowfoot of Geldeston Parish Council and Jodie & James Bromley (applicant) for item 9.2 – BA/2019/0412/FUL – Three Rivers Campsite, Station Road, Geldeston

Openness of Local Government Bodies Regulations 2014

The Head of Planning explained that the meeting was being audio-recorded. All recordings remained the copyright of the Broads Authority and anyone wishing to receive a copy of the recording should contact the Governance Team. The minutes remained the record of the meeting.

1. Apologies for absence

Apologies were received from Stephen Bolt, Andrée Gee and Michael Scott.

2. Appointment of Chair

Melanie Vigo di Gallidoro had been proposed by Tim Jickells and seconded by Gail Harris.

Melanie Vigo di Gallidoro was appointed Chair.

3. Appointment of Vice-Chair

Tim Jickells had been proposed by Melanie Vigo di Gallidoro and seconded by Bill Dickson.

Tim Jickells was appointed Vice-Chair.

4. Declarations of interest and introductions

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

The Chair advised members that this was the last meeting for the Planning Officer Jack Ibbotson, who was leaving the Authority after three years to take up a post at Norfolk County Council. Jack had made a great contribution to the work of the planning team and, on behalf of all members, the Chair wished him all the best for his future.

5. Minutes of last meeting

The minutes of the meeting held on 16 July 2021 were approved as a correct record and signed by the Chairman.

6. Matters of urgent business

There were no items of urgent business.

7. Chair's announcements and introduction to public speaking

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

8. Requests to defer applications and/or vary agenda order

No requests to defer or vary the order of the agenda had been received. It was noted that item 9.1 had been deferred, as previously advised to members via email.

9. Applications for planning permission

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

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

(1) BA/2020/0254/FUL - Catfield

Habitat restoration works and provision of temporary welfare facility

Applicant: RSPB

The Chair reminded the Committee that, as previously notified by email, this item had been deferred as the Authority was still awaiting some information and a number of matters needed to be resolved before the application was ready to be determined by the committee.

(2) BA/2019/0412/FUL – Three Rivers Campsite, Station Road, Geldeston

Demolition of service sheds and container; erection of new service building; shower room extension to boatshed; enlargement of basin and pontoon to provide mobility access and mooring/charging for electric day boats and visitor berth; play area; increase in number of caravan standings from 12 to 20; hard surface path to south end of site to provide mobility access; improved slipway

Applicant: Mr James Bromley

The Planning Officer (PO) provided a detailed presentation on the application for various works and changes to how the site operated at the Three Rivers Campsite on Station Road in Geldeston. He advised that, since the report had been prepared, two further letters of representation had been received: one from the Parish Council recommending members undertake a site visit, to which he responded that it would be for members to determine but he had very recently taken a number of photos to illustrate the site, and the other was from Mr Crowfoot asking if officers were aware that the site had been historically raised land. The

PO advised that this was covered in the report and he had also covered this issue as part of his presentation.

In assessing the application, the PO addressed the key issues of: the principle of development; the impact upon the landscape; impact upon ecology and peat soils; impact upon the amenity of neighbours; design and flood risk.

In response to a member's question on the amount of peat to be disposed of and how this was assessed as being an acceptable level, the PO advised that the initial survey showed the amount of peat in the spoil to be removed was approximately 60%. He referred to the policy, advising that, in this particular case, the harm had been reduced by reusing some of the peat in the landscape works (eg tree pits) but there were practical limitations. Furthermore, the location as a habitat had been assessed as low importance in this area. The policy was innovative but there were limitations on refusing works which involved peat. The Head of Planning added that, since the peat policy had been adopted two years ago, there had been changes in the way peat was thought about and the review of the Local Plan could see significant amendments to the policy, such as a possible compensation element. Officers were satisfied that the policy criteria had been met in this particular case, based on the existing adopted policy. This policy had enabled the Authority to have discussions with the applicant around how much peat would be coming out, what they proposed to do with it and how much they were limiting carbon loss.

A member referred to the number of drains in the area and questioned whether the Internal Drainage Board had been consulted. The PO confirmed that they received a weekly list of consultations from the Authority but had not responded to this application. An informative could be added, drawing the applicant's attention to seeking the necessary consents from the IDB.

Another member referred to the wording in condition in paragraph 8.4 ("flood proofing") and questioned if this would place an unnecessary burden on the applicants. The PO advised that the Environment Agency required details of the building to ensure it would be sound and some of these were not able to be controlled by Building Regulations. The Flood Response Plan (in a simplified format), together with provision of a refuge and structural details would meet the requirements. They were not considered to be onerous in this respect and officers would review the wording of the condition.

Mr Crowfoot provided a statement on behalf of the Parish Council, stating that it objected to any expansion in the number of pitches and furthermore, would like to see a moratorium for the next five to six years. There were concerns at the way the application had been submitted and re-submitted which it was felt excluded the rights of the Parish Council to make its opinions and have an impact on what would be done. It was considered that the owner had developed the site to meet demand but there were a number of interests involved. Of main concern was the view from the east, particularly walking along the footpath along the bank, from where the roadway and tents could be seen pitched all along the area. Furthermore, a sign had been erected stating "pitches 9-20", pointing down the land along the side of the Wherry Dyke, which gave the impression that the decision of the Planning Committee had

been pre-empted. Secondly, the Parish Council questioned how the application was related to its locality and environment. The centre of Geldeston was a Conservation Area (dating back to 1984) and there were issues of the landscape, wildlife, other river users, walkers and the local inhabitants. After the previous application for this site, the Parish Plan had been produced. 66% of households and 66% of residents had submitted their views, stating that they had little or no objection to sharing their amenities with others but this was a quiet corner of the Broads and residents did not wish to see it becoming a tourism centre. There was no effective screening to block views of the numerous tents and it would take 5-6 years for a hedge to form an effective screen. This was why a time limit was being suggested by the Parish Council.

In response to a question on the number of people which made up the 66%, Mr Crowfoot advised that this would have been based on 400 residents or 170 households in total.

Jodie Bromley provided a statement in support of the application, commenting that the aim was to conserve wildlife and introduce more to the site. Many native hedge species had already been planted on site. They spoke to all their visitors to learn from their experience and always kept villagers in mind. She was on site for around 12 hours a day most days and dealt with any issues as they arose. New hedge plants were proposed for screening on the walkway side. The ones previously planted last November were already waist height.

In response to questions on the average number of people who would be on site and if this increased during certain periods, Ms Bromley advised that during winter there would be eight pitches available (eight hardstandings) with two people occupying each, plus some campers. In the summer, there would be three people per pitch (mix of couples and families). Numbers of people would be around 40 non-peak and 60-70 at peak times. The proposal was to increase the number of caravans from 12 to 20 but the number of tents would remain the same but this would vary on where they were. Occasionally, cyclists called by looking for a site last minute and so a few extra tents would be allowed on site. These would be shielded by the long grass and only a few cars were permitted in that area. James Bromley added that a caravan pitch measured 15m x 2m and so could also have a tent adjacent to it. Whilst there was no set definition between tents and caravans, there would be no more than 20 caravans on site.

A member acknowledged the concerns which had been expressed by the Parish Council but felt it was essential to encourage successful and responsible business development in this type of sector. Another member concurred, commenting that he felt an increase from 12 to 20 would not make a material difference. In looking at the report, he noted that the closest residents were 130m away and he applauded the applicants in their proposals for sustainable tourism.

Another member referred to the peat loss but recognised this was not peat of a very good quality. The current policy would protect the peat from being oxidised but the amended policy should be evolved to prevent the loss of peat habitats.

In conclusion, it was considered that the proposed development was of an appropriate scale to a successful tourism business, in accordance with Policies DM29 and DM30 of the Local

Plan for the Broads. The suggested conditions would address any issues which had been raised by the statutory consultees.

Bill Dickson proposed, seconded by James Knight and

It was resolved unanimously

To approve the application subject to conditions relating to: standard time limit; in accordance with approved plans; materials condition prior to works above slab level/piling level of relevant building; flood response plan and structural details for flood proofing prior to commencement of development; details of boat wash down prior to commencement of development of the service building; details of slipway/ramp prior to commencement of works on the slipway; holiday use limit; use restriction condition (buildings not to be used for sleeping accommodation or human habitation); limit to size of craft used/launched from and within the site; landscaping management condition; car parking condition; lighting restriction/details; biodiversity enhancement and no amplified music.

James Knight left the meeting at this point (11.14am).

(2) BA/2021/0228/ADV – Norfolk Broads Direct, Wroxham

Site description – new entrance sign at site pedestrian entrance off Norwich Road

Applicant: Mr James Knight

The Head of Planning Officer (HoP) provided a detailed presentation on the application for advertisement consent for a new entrance sign at the pedestrian access to the site at Norfolk Broads Direct, accessed directly off the public footpath immediately to the south of Wroxham Bridge.

In assessing the application, the HoP addressed the key issues of: the principle of development; appearance of the proposed sign and street scene, and the height and siting of the sign.

Members considered the proposed sign was of a reasonable size and acceptable design; would not have an adverse impact on the street scene, result in an unacceptable obstruction to the existing entrance or contribute to congestion on the adjacent public footpath and, therefore, was in accordance with Policies DM16, DM23, DM43 and DM49 of the Local Plan for the Broads.

Harry Blathwayt proposed, seconded by Leslie Mogford and

It was resolved unanimously

To approve the application subject to conditions relating to: standard time limit; in accordance with approved plans and advertisement maintained in a condition that does not impair the visual amenity of the site.

James Knight re-joined the meeting at this point (11:29am).

10. Enforcement update

Members received an update report from the Head of Planning on enforcement matters previously referred to the Committee. Further updates were provided at the meeting as follows:

former Marina Keys, Great Yarmouth: a small amount of material remained on site but was insufficient to justify formal action. It was likely this would remain on site until works to implement the planning permission commenced. Therefore, it was recommended that the item be taken off the update report in the interim and an update would be provided in four months' time. Officers would chase the owner for a commitment to progress.

land to east of North End, Thorpe next Haddiscoe: more was to be cleared off site this week. Officers would visit the site shortly and further progress would be reported at the next meeting.

land off Damgate Lane, Acle: the owner and occupier of the caravan had both been written to and the occupier had confirmed they would be moving out. Officers would check at the end of this month. Planning permission was not required for the caravan to remain on site, so long as it was unoccupied. In terms of the other buildings on the adjacent site, officers were in discussion with the owners/occupiers and it was hoped to resolve through negotiations.

11. Lound, Ashby, Herringfleet and Somerleyton Neighbourhood Plan – proceeding to Regulation 16 consultation

The Head of Planning (HoP) introduced the report, which sought agreement for public consultation to go ahead on the Lound, Ashby, Herringfleet and Somerleyton Neighbourhood Plan. Members noted that the Broads Authority was a key stakeholder and therefore able to comment on the Plan. It was anticipated that a report would be presented to a future meeting of the Committee for endorsement of the suggested response.

A member commented that there was no reference to dark skies in the Plan and the HoP responded that this was not an area of the darkest skies. These would be found further north and south, but she would raise with the Planning Policy Officer to include within the Authority's response to the consultation.

Tim Jickells proposed, seconded by Harry Blathwayt, and

It was resolved unanimously to endorse the Lound, Ashby, Herringfleet and Somerleyton Neighbourhood Plan for consultation.

12. Fleggburgh Neighbourhood Plan – proceeding to Regulation 16 consultation

The Head of Planning (HoP) introduced the report, which sought agreement for public consultation to go ahead on the Fleggburgh Neighbourhood Plan. Members noted that the Broads Authority was a key stakeholder and therefore able to comment on the Plan. It was

anticipated that a report would be presented to a future meeting of the Committee for endorsement of the suggested response.

Gail Harris proposed, seconded by Harry Blathwayt, and

It was resolved unanimously to endorse the Fleggburgh Neighbourhood Plan for consultation.

13. Consultation responses

The Head of Planning (HoP) introduced the report, which provided a proposed response to two planning policy consultations recently received: one from Thorpe St Andrew Town Council seeking comments on the first draft of its Neighbourhood Plan and the other from Gt Yarmouth Borough Council seeking comments on the modifications to its Local Plan, following an examination by an independent Planning Inspector.

In terms of the Gt Yarmouth Local Plan, a member referred to the comments under Policy L1 (holiday accommodation areas) and the issue of additional visitors to the Broads, which he thought the Authority was trying to encourage. The HoP responded that this policy related to holiday accommodation in Great Yarmouth, which would result in additional visitors to the Broads. Whilst this was encouraged, to an extent, the impacts needed to be recognised. The new Local Plan for the Broads would include reference to the impact of additional housing and a tariff which would be imposed on all new houses across the county. This financial contribution (circa £185 per property) would be used to support projects such as environmental education, interpretation to highlight the sensitivity of sites and minimise impacts on that particular site. With reference to this document under consideration, the policy needed to look at the impact of new visitors arising from new holiday accommodation, which was not currently addressed. She referred the member to the Norfolk Green Infrastructure and Recreational impact Avoidance and Mitigation Strategy (GIRAMS).

In response to a question on how the committee would assess planning applications against both the Neighbourhood Plan and the Authority's Local Plan, particularly if there was any conflict, the HoP confirmed that the development plan for the Broads was its Local Plan and Neighbourhood Plans had the same status, so they did form part of the development plan. She referred to the "soundness" test which was used by the Examiner to assess whether plans had been prepared in accordance with legal and procedural requirements. To be found "sound", plans had to be:

- positively prepared
- justified
- effective
- consistent with national policy and other policies for the area.

An example was the Lound Neighbourhood Plan where officers had highlighted some inconsistencies and thereby a soundness issue. Therefore, in overall terms, both sets of plans had to have a level of conformity with each other.

Tim Jickells proposed, seconded by Gail Harris, and

It was resolved unanimously to note the report and endorse the proposed responses.

14. Minutes of the Heritage Asset Review Group meeting held on 25 June 2021

The Committee noted the minutes of the Heritage Asset Review Group meeting held on 25 June 2021.

It was noted that, at the Annual Meeting, it had been agreed to extend the membership of the Group to all members of the Authority and the Chair encouraged all members to attend.

15. Circular 28/83 Publication by Local Authorities of information about the handling of planning applications – 1 April to 30 June 2021

The Head of Planning (HoP) introduced the report, which provided the development control statistics for the quarter ending 30 June 2021. Key figures were in table 3, which showed that the Authority had met all of the national targets.

A member referred to table 2 and the figure of 40% of applications which required an extension of time and questioned the reasons for this, ie was it an underlying operational reason due to a shortage of resource or due to the applicant not having submitted the required information. The HoP responded that it was a combination, with officers often waiting for information, referring to the application which was due to be considered at the meeting today but had to be deferred. In terms of resources, this was not a particular issue at the current time. The member commented that he considered 40% to be a high percentage and it would be useful in future reports to have the figures split into the reasons for the extension.

The report was noted.

16. Appeals to the Secretary of State

The Committee received a schedule of appeals to the Secretary of State since the last meeting.

17. Decisions made by officers under delegated powers

The Committee received a schedule of decisions made by officers under delegated powers from 5 July to 30 July 2021 and any Tree Preservation Orders confirmed within this period.

18. Date of next meeting

The next meeting of the Planning Committee would be on Friday 10 September 2021 at 10.00am at Yare House, 62- 64 Thorpe Road, Norwich.

The meeting ended at 12:05pm

Signed by

Chairman

Appendix 1 – Declaration of interests Planning Committee, 13 August 2021

Member	Agenda/minute	Nature of interest
James Knight	9.3	Applicant. Disclosable pecuniary interest so left the room for this item.

Planning Committee

10 September 2021

Agenda item number 8

Code of Practice for members on Planning Committee and officers

Report by Head of Governance

Summary

The “Code of Conduct for Members on Planning Committee and Officers” has been reviewed and updated, following the recent adoption of a revised Member Code of Conduct. The retitled “Code of Practice for members on Planning Committee and officers” is attached for members’ attention.

Recommendation

To recommend that the Broads Authority adopt the revised “Code of Practice for members on Planning Committee and officers”, subject to any further agreed amendments.

1. Introduction

- 1.1. Broads Authority officers are in the process of reviewing and updating the Authority’s governance documents. Following the adoption of a revised Member Code of Conduct in July, the supplementary “Code of Conduct for Members on Planning Committee and Officers” (last revised in 2017) has been updated to be consistent with the Member Code of Conduct and the latest planning best practice.

2. Revised code of practice for planning

- 2.1. The updated Planning Code has been retitled as the “Code of Practice for members on Planning Committee and officers”. Changes include the removal of detailed advice covered in the updated Member Code of Conduct such as on declaration of interests, and other minor edits to reflect changes in terminology, improve the flow and formatting of the document.
- 2.2. The updated document with tracked changes is at Appendix 1, with a ‘clean’ version at Appendix 2. Members’ views are invited, with a recommendation that the document be endorsed for adoption by the full Authority on 24 September, pending any further amendments agreed by members.

Author: Maria Conti

Date of report: 31 August 2021

Background papers: "Probity in Planning" – LGA (Dec 2019)

Appendix 1 – Code of Practice for members on Planning Committee and officers – tracked changes version

Appendix 2 – Code of Practice for members on Planning Committee and officers – clean version

Code of ~~Conduct~~ Practice for members on Planning Committee and officers

(Adopted ~~September 2021~~ July 2017)

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1. ~~Status of the Code~~Introduction

~~1.1.~~ The successful operation of the ~~Broads Authority's~~ planning ~~functions~~~~system by the~~ ~~Broads Authority~~ relies on mutual trust ~~between its members and officers~~, and an understanding of ~~members' and officers' each other's~~ respective roles. It also relies on ~~each ensuring that they~~ each acting in a way ~~which that~~ is ~~not only~~ fair and impartial, ~~but and is also~~ clearly seen to be so.

~~1.1.1.2.~~ The ~~purpose of this e-aim of the~~ Code of ~~Conduct Practice~~ is to give clear guidance to ~~Broads~~ Authority members and officers ~~who become~~ involved in operating the planning ~~system~~~~function for the Broads executive area~~, and ~~to ensure~~ ~~to give the~~ public ~~have~~ confidence that ~~the Authority's~~ decision-making ~~on planning matters~~ is ~~informed~~, open and fair. ~~This Code of Practice is supplementary to the Authority's Member Code of Conduct (see para 1.2 below) and should be read in conjunction with that document.~~

~~The successful operation of the planning system by the Broads Authority relies on mutual trust and an understanding of members' and officers' respective roles. It also relies on each~~

~~ensuring that they act in a way which is not only fair and impartial but is also clearly seen to be so.~~

~~This code is supplementary to the Authority's Code of Conduct for Members and the rules on the 'Declaration declaring disclosable pecuniary and other interests. (Other interests relate to membership of lobby groups, clubs and societies, gifts and hospitality and to toll paying. Once declared the member may still speak and vote on the matter. A Disclosable Pecuniary Interest in a matter requires the member to leave the room while it is discussed.)~~

1.3. ~~Members and officers should also refer to the~~ following guidance:

- ~~• guide on Openness and transparency on personal interests published by the(~~
Department for Communities and Local Government, 2013)
- ~~• For further guidance Members should refer to Probity in Planning issued by the(~~ Local
Government Association, 2019)
- ~~• Code of Practice for Planning Decisions (Broads Authority)~~
- ~~— Code of Practice for Planning Consultations (Broads Authority)~~
- ~~• Failure to follow recommendations contained in this Code could be taken into account in investigations into allegations of maladministration and might also indicate a breach of the Members' Code of Conduct.~~

A. ~~Part General guidance Members and officers~~

2. ~~The~~ Roles and conduct of members and officers

- ~~2.1. Members and officers have different, but complementary, roles. The Broads Authority's has a~~ Protocol on Member and Officer Relations ~~which~~ sets out the respective and complementary roles of members and officers, and what they can expect from each other.
- 2.2. Members are expected to follow the Authority's Member- Code of Conduct for Members. It is important to note that failure to follow the recommendations in this Code of Practice may be taken into account in any investigation into allegations of maladministration, and may also indicate a breach of the Member Code of Conduct. Officers, and advisors acting on behalf of the Authority, are expected to follow their appropriate code of professional conduct.
- 2.3. While members will take due note of officer recommendations, ~~but it is~~ it is the members ~~of the Authority~~ who take the decisions (other than where decisions are dealt with under delegated powers). ~~Members In doing so,~~ they must represent the interests of the Broads executive area as a whole. For planning matters, this means, taking decisions based firmly on the policies of the development plan, unless other material considerations indicate otherwise.

3. Development proposals submitted by members and officers

- 3.1. The ~~Broads~~ Authority recognises that development proposals submitted by serving ~~and or~~ former members and officers and their close friends and relations could ~~easily~~ give rise to suspicion of impropriety. ~~It is important to ensure that To avoid this, any such applications proposals will be dealt with in the following way: are handled in a way which gives no grounds for accusations of favouritism:~~
- The Authority's ~~Solicitor and~~ Monitoring Officer will be informed of ~~such the~~ proposals.
 - ~~Such The~~ proposals will be reported to the Planning Committee and will not be dealt with under delegated powers.
 - ~~As part of the report, t~~The ~~Solicitor Monitoring Officer~~ will confirm whether the proposal has been processed in accordance with the usual practice, with a note made on the application file.
 - Serving Authority members ~~of the Authority~~ who act as ~~paid~~ agents for people pursuing a planning matter, or who submit planning proposals in their own right, must play no part in the decision-making process for that proposal.
- ~~— Members should ensure that they declare any disclosable pecuniary and other interests (see Section 9 below).~~
- ~~A member has a Disclosable Pecuniary Interest in their own application (and those made by a spouse, civil partner or partner or another local authority of which they are a member and from whom they receive an allowance) and must withdraw from the meeting. The Members' Code of Conduct also provides that they shall not improperly influence the decision, although this does not prevent them from explaining or justifying the proposal to officers. (For the avoidance of doubt, a member does not have a DPI in an application submitted by a third party just because an authority of which they are a member has commented on it. Similarly, a member does not have a DPI in a matter on which the other authority is seeking the Broads Authority's comments.)~~
 - ~~Members of the Planning Committee who serve on bodies that make, initiate or who are otherwise closely associated with applications to the Planning Committee (or who have family members who do so) must declare that fact and withdraw from the meeting.~~
 - Members and officers who have submitted their own planning applications should refrain from not contact or correspondence with members of the Planning Committee in respect of that application, from the submission of the application until the decision notice has been issued.

4. Development proposals submitted by the Broads Authority's own development
- 4.1. ~~Proposals for the Broads Authority's own development will be treated in the same way as those of a private developer. In the interests of openness and taking into consideration the environmental sensitivity of the Broads, there is no provision for delegated approval.~~ The Authority's scheme of delegated powers does not require that any development proposal by the Broads Authority must be determined by Planning Committee, but for reasons of transparency and openness such applications would usually be referred to the Committee under the Director's discretion provisions in the scheme of delegated powers.
5. Consideration of proposals by another committee of the Authority
- 5.1. A planning proposal may be discussed at another committee of the Broads Authority, such as the Navigation Committee or the full Authority, before the application comes to the Planning Committee. In such cases, members sitting on another committee of the Authority at which a planning application is under discussion should avoid unqualified expressions of support or opposition that might lead a fair minded and informed member of the public to think a member has already made up their mind before the application comes to the Planning Committee (see section 14 below on predisposition, predetermination and bias). ~~If a members do wishes~~ to participate and vote at the full Authority or the Navigation Committee another committee and at Planning Committee, Members they must declare at full the other committee that: Authority and the Navigation Committee
 - (i) ~~(a) That t~~ They understand that they are considering the proposals within the remit of the full Authority or the Navigation Committee other committee and not coming to a decision on all, nor even or necessarily any, of the matters which that are material to a planning application.
 - (ii) ~~(b) Notwithstanding participati~~ ng on in debate or voting at full the other committee Authority or the Navigation Committee they will, when the matter comes before the Planning Committee, consider any planning application afresh, taking account of and take into account any representations for and against the proposal in the light of up to date circumstances.
- 5.2. Any member ~~who~~ is unable to consider the proposal afresh at the Planning Committee should withdraw from the meeting when the item is considered ~~at the Planning Committee meeting.~~
- ~~4.3 — More general advice on predetermination and bias is contained in paragraph 14.~~
6. Pre-application and post-application discussions
- 6.1. Discussions between developers and the Authority can be of considerable benefit, and are encouraged by government. Applicants may also organise their own form of

consultation, to which members may be invited. In such circumstances, the following guidelines should be followed.

6.2. Where a planning application has **not** been submitted:

- (i) Members should refer those who approach them for planning, procedural or technical advice to officers.
- (ii) Exceptionally, and generally only in the case of major applications raising significant issues, it may be appropriate for members to be involved in an application prior to its submission. Minutes should be taken of any meeting with a member, and the minutes attached for committee. Such involvement will be limited to:
 - a. Public exhibitions or public meetings. Members should not, ~~however,~~ attend a planning presentation without requesting an officer to be present.
 - b. Committee site visits as part of the pre-application process.
 - c. (Very exceptionally) private meetings between the applicant and the Authority or third parties. ~~However, members~~ Members should be accompanied by the relevant officer and not attend such meetings alone.

(iii) In the case of all such meetings:

- a. ~~The A member's~~ remit ~~of members~~ and the purpose of their involvement is to identify issues and understand local concerns, and this should be made clear.
- b. ~~A member~~ Members must maintain an impartial listening role and avoid expressing an opinion or giving advice beyond outlining adopted planning policies.
- c. Any discussion should not develop into negotiations, and it must be made clear that they are not part of the determination process.
- d. Discussions should not touch on commercially sensitive or confidential information, bearing in mind the need for transparency and the requirements of the Freedom of Information Act.
- e. Officers of appropriate seniority should attend, and make written notes of the proceedings ~~should to~~ be kept on file; and
- f. ~~A member's~~ involvement should, wherever possible, be authorised by the Planning Committee, and their involvement recorded in any subsequent committee report.

6.3. Where a planning application **has** been submitted:

- (i) ~~Following the submission of a planning application, A~~ member's involvement prior to consideration at Planning Committee will be limited to public meetings and committee site visits ~~(-referred to in paragraph 5.2-i) (a) and (b) above).~~
- (ii) If approached, ~~a~~ members should advise the applicant(s) to contact the Planning Officer for further guidance.
- (iii) In the case of meetings between the ~~developer-applicant~~ and Planning Officer(s):
 - a. ~~The Officers-officer(s)~~ should clarify at the outset that discussions will not bind the Authority to making a particular decision.
 - b. No views will be expressed on the outcome of the application, since not all information will be to hand ~~and, neither will~~ consultation will not have taken place.
 - c. Advice should be consistent and based on the development plan and material considerations.
 - d. Advice should be, and be seen to be, impartial.
 - e. A written note should be made by the officer(s) of all meetings and telephone discussions.
 - f. The officer(s) should meet a applicant(s) ~~should be met~~ on Authority premises, except other than in exceptional cases ~~and other than or~~ for site familiarisation purposes.

6.4. Members should not seek to influence or put pressure on officers to support a particular form of action.

6.5. These guidelines also apply ~~also~~ to meetings to discuss planning applications or development proposals called by third parties, including attendance at parish council or other public meetings.

6.6. Generally, members should not say anything that gives the appearance they have made up their mind on an application (see section 14 below). They should not accept any hospitality offered by the applicant or other interested party at a public meeting or public exhibition unless it is also offered to the public at large- (see sections 15 and 18 below).

7. Decisions contrary to officer recommendations and/or the development plan

7.1. The law requires that where the development plan is relevant, decisions should be taken in accordance with it unless material considerations indicate otherwise.

7.2. All applications that are not in accordance with the development plan must be advertised as a departure in accordance with statutory procedures.

~~7.2.7.3.~~ If it is intended to approve such an application, then:

- material considerations must be clearly identified;
- reasons for overriding the development plan must be clearly demonstrated in the committee report; and
- referral to the Secretary of State ~~should be necessary considered,~~
depending upon the relevant type and scale of the development proposed
(section 77 of the Town and Country Planning Act 1990).

~~7.3.7.4.~~ If the Planning Committee takes a decision contrary to the officers' recommendation:

- ~~• a detailed minute of the reasons for the contrary decision should be made and kept on the application file;~~
- ~~• the officer should have the opportunity to explain the implications of the contrary decision;~~
- the reasons for the contrary decision refusal should be clearly set out by the Planning Committee and agreed at that committee meeting before a vote is taken;
- the officer should have the opportunity to explain the implications of the contrary decision;
- appropriate conditions should be clearly set out and agreed at that committee meeting, before a vote is taken;
- the ~~Solicitor-Monitoring Officer~~ or their representative should ensure that procedures have been properly followed; and-
- a detailed minute of the reasons for the contrary decision should be made and kept on the application file.

~~7.4.7.5.~~ In the case of applications where ~~there are adverse policy implications, when~~ new issues of material consideration are raised on the day of the committee meeting, or if there is a concern about the validity of the reasons for a contrary decision, or if members are under undue pressure, the application may be deferred at the Chair's discretion ~~of the Chair of the Committee. This will~~ to allow time to compile additional advice to members ~~to be compiled.~~

B. Part-Guidance for mMembers

8. Training

- 8.1. All members of the Planning Committee are required to participate in training on the planning system as it applies in the Broads executive area. This training must be

completed as soon as possible after a member's ~~their~~ appointment, and before they ~~serve serving~~ on the committee.

8.2. Regular update briefings will be provided to all members as appropriate.

9. Registration and declaration of interests

9.1. ~~The provisions of the Members~~ Member Code of Conduct for Members sets out ~~provisions, including those~~ relating to the declaration of disclosable pecuniary interest (DPI) and other interests ~~are Here.~~ -All matters required to be recorded in the Register of Interests relating to a matter before the Planning Committee must be disclosed to the meeting. There is an opportunity to declare interests at the start of each meeting.

9.2. ~~Under that Code, members who serve on bodies that make, initiate or are otherwise closely associated with applications to that committee (or who have family members who do so) must declare that fact and withdraw from the meeting. The member must not improperly influence the decision, although this does not prevent them from explaining or justifying the proposal to officers. For the avoidance of doubt, a member does not have a DPI in an application submitted by a third party just because an authority they are a member of has commented on it. Similarly, a member does not have a DPI in a matter on which the other authority is seeking the Broads Authority's comments.~~

9.1.9.3. ~~The publication~~ Probity in Planning ~~issued by the~~ (LGA, 2019) also has detailed further guidance on the registration and disclosure of interests, including a flowchart ~~to assist members~~ on what to disclose and the extent of any further involvement once ~~they have made such~~ a declaration is made.

9.2. ~~All matters required to be recorded in the Register of Members Interests relating to an agenda item before the Planning Committee must be disclosed to the meeting. There will be an opportunity to declare interests at the start of each meeting.~~

9.3. ~~A member who has a Disclosable Pecuniary Interest must:~~

9.4. (a) ~~Withdraw from the room whenever it becomes apparent that the matter is being considered at that meeting, unless the member has obtained a dispensation from the Monitoring Officer.~~

(b) ~~Not seek improperly to influence a decision about that matter.~~

8.4 ~~A member who has a Disclosable Pecuniary Interest in a matter may, provided that it is in accordance with the public speaking arrangements and provided that there is no discussion of the matter, make a statement before withdrawing from the room.~~

10. Delegated decisions

10.1. Any member of the Authority ~~Members~~ may request, within 7-21 days of receipt of the schedule of the ~~publication of the Authority's weekly list of~~ planning applications, that any application ~~with a wider public interest be~~ is placed before the Planning

Committee for a decision. In such cases, the member must provide appropriate planning reasons in writing.

11. Lobbying ~~of and by members~~

11.1. Lobbying of and by members is a normal and perfectly proper part of the ~~political democratic~~ process. However, lobbying can lead to a member's ~~the~~ impartiality and integrity ~~of a member~~ being called into question. If a member is approached by planning applicants, objectors or supporters, they should:

- listen, but not express views or opinions on any application, nor negotiate;
- refer the lobbyist to a professional officer, or meet the lobbyist in the presence of an officer;
- notify an officer of the lobbying approach and the summary of any discussions;
- If ~~Members~~ the member receives any correspondence on an application between the agenda being published and the items being considered at committee, they should forward ~~this~~ it to the relevant officers, in case the officers ~~have not been made aware~~ are ~~aware~~ of the content of the correspondence;
- confirm they will only be able to take a decision after having heard all the relevant evidence and arguments at committee;
- in any reply to correspondence ~~a letter~~ either supporting or opposing an application, explain their neutral position and pass any relevant written information to officers for the file;
- before speaking at committee, declare any lobbying approaches, attendance at an informal site visit or a meeting on an application or other planning issue in the company of an applicant or consultee;
- if ~~a member has~~ they have gone public in support of a particular outcome or campaigned actively for it, recognise that they may well have pre-determined the issue and should withdraw from discussion of the item (see section 14).

11.2. ~~In addition, members shall~~ Members should not put pressure on officers for a particular recommendation.

11.3. Members should not ~~themselves~~ become a member of, lead or represent an organisation whose primary purpose is to lobby to promote or oppose planning proposals, unless it is the member's intention to openly campaign on the matter and to step away from consideration of the matter at Planning Committee. This does not prevent members joining general interest groups that reflect their area of interest and that concentrate on issues beyond particular planning proposals (e.g. a Wildlife Trust or local civic society) but members they should ~~seek to~~ disclose that interest on the grounds of transparency where the organisation has made representations on a particular proposal.

11.4. If a member speaks on behalf of a lobby group or as a campaigner (for example on a proposal within their ward) at a decision-making committee, they should withdraw from the meeting once the public or ward member speaking opportunities have been completed.

12. Public speaking

- 12.1. Public speaking at Planning Committee ~~will be~~ allowed in accordance with the agreed ~~protocol~~ Public Speaking Scheme (As set out in (Appendix 1). The Scheme ~~Public Speaking at Planning Committee~~ does **not** apply to enforcement matters, applications dealt with under delegated powers, consultations or policy matters ~~or consultations~~.
- 12.2. At the start of each meeting, the Chair ~~should will reiterate~~ outline the ~~procedures and guidelines to be applied for~~ public speaking process.
- 12.3. Members should not allow ~~members of~~ the public to communicate with them during committee proceedings, other than through the agreed protocol, as this may give the appearance of bias. This includes the use of mobile or other electronic devices. ~~for communicating during meetings~~.

13. Committee site visits

- 13.1. A cCommittee site visits will be held if there is a significant ~~where the expected benefit is substantial in doing so~~. Reasons ~~could may~~ include where the impact of the proposed development ~~being is~~ difficult to visualise, where ~~comments of the~~ applicant and objector comments cannot be expressed adequately in writing and a site visit would ~~show demonstrate to the public or the applicant~~ that members have listened to their ~~arguments~~, or where the proposal is particularly contentious. The reason for holding a site visit will be included in the committee minutes ~~ed~~.
- 13.2. The decision to hold a site visit is at the committee's discretion, and visits ~~Site visits will be~~ held in accordance with the agreed protocol (Appendix 2).

14. Regular review of decisions

- 14.1. The Planning Committee will regularly ~~review decisions to ensure quality and consistency of decision-making across a range of categories of applications. The committee will subsequently decide whether there is a need to review any policies or practices.~~ receive a list of delegated decisions, quarterly statistics on performance, results of the annual customer satisfaction survey, as well as the regular updates on appeals and enforcement. Members will also have the opportunity to carry out site visits of implemented planning permissions. This information will assist members to refine their understanding of the impact of their decisions, to help the discussions on planning policy which will be presented to them, in particular as part of the work for the reviews of the Local Plan for the Broads.

15. ~~Predisposition, p~~Predetermination, ~~predisposition~~ and bias

- 15.1. ~~14.1~~ Members are entitled to have and express their own views, as long as they are prepared to reconsider their position in the light of all the evidence and arguments, giving what they feel is the right weight to those material considerations. They must not give the impression that their mind is closed before the matter is considered by the decision-making committee.
- 15.2. It is not a problem for ~~councillors a member~~ to be predisposed ~~(as opposed to predetermined)~~ in respect of a particular planning matter. 'Predisposition' is where a member holds a preliminary view in favour of or against an issue, such as an application for planning permission, but ~~they have~~has an open mind to the merits of the arguments before they make the final decision at the committee meeting. This includes having ~~formed~~ a preliminary view about how they are likely to vote before ~~they attend~~ the meeting, and/or expressing that preliminary view publicly. ~~They may even have been elected specifically because of their views on this particular issue.~~
- 15.3. On the other hand, 'predetermination' or bias can lead to problems. ~~It occurs~~This is where a member is closed to the merits of any arguments relating to a particular issue, such as an application for planning permission, and decides on the issue without taking ~~them~~the evidence and arguments into account. This could lead to a challenge to the decision made through a judicial review application to the courts.
- 15.4. Members must not even appear to have already decided how they will vote at the meeting, such that nothing will change their mind. This impression can be created in a number of ~~different~~ ways, such as quotes given into the press, comments to officers, and or what they have said at meetings or written in correspondence.
- 15.5. ~~Rarely will m~~Membership of an organisation, such as a national charity, will rarely amount to predetermination or bias on its own, unless the organisation~~#~~ has a particular vested interest in the outcome of a specific decision that a member is involved in making. Members should also refer to the Code of Conduct relating to the declaration of interests for guidance.
- 15.6. There is an important difference between those members ~~who are~~ involved in taking a decision and those members ~~who are~~ seeking to influence it, as the latter. ~~This is because members who are not involved with taking a decision~~ are generally free to speak about how they want that decision to go. When considering whether there is an appearance of predetermination or bias, members ~~who are~~ responsible for making the decision should apply the following test: Would a fair-minded and informed observer, having considered the facts, decide there is a real possibility that the member had predetermined the issue or was biased?
- 15.7. ~~However, w~~When applying this test, members ~~they should remember that it is legitimate for a member to be predisposed towards a particular outcome on the basis of their support of a general policy, even giving a view. This is as long as they are prepared to be open minded and consider the arguments and points made about the~~

~~specific issue under consideration and have not committed themselves to voting a particular way. Members should be aware that tshould be aware of here can be a the~~
fine line between being predisposed, and being predetermined or biased,
~~predisposition and predetermination,~~ and should exercise caution and ~~be clear in~~
expressing themselves clearly where they are predisposed. Appendix 3 ~~sets out gives~~
examples of the different circumstances in which predetermination and bias ~~can may~~
arise.

~~15.8. In conclusion, members are entitled to have and express their own views, as long as they are prepared to reconsider their position in the light of all the evidence and arguments, giving what they feel is the right weight to those material considerations. They must not give the impression that their mind is closed.~~

16. Gifts and hospitality ~~(Members)~~

16.1. Members should refer to the ~~The~~ Member Code of Conduct for guidance on the receipt of gifts and ~~requires any member receiving any gift or hospitality over the value of £50 in their capacity as a member to register the details within 28 days with the Monitoring Officer.~~

16.2. ~~A member should treat with extreme caution any offer or gift, favour or hospitality which is made to a Member personally. In this respect the person or organisation making the offer may be doing, or seeking to do, business with the Authority, or may be applying to the Authority for planning permission or some other kind of decision. Gifts or hospitality includes any opportunity to acquire goods or services at a price or on terms at which they are not readily available to the general public. Members should avoid placing themselves in situations where the impression could be gained that this is taking place.~~

C. Part Guidance for ~~o~~Officers

17. ~~Officer r~~Reports to committee

17.1. To ensure adequate consideration of the issues, consistency of decision-making, clarity of reasoning behind the recommendation and public confidence, the following information should be contained in reports to the Planning Committee:

- accurate information, with representations by consultees adequately summarised;
- a clear explanation of the development plan, site or related history and other material considerations;
- a technical appraisal that clearly justifies the recommendation;
- a full justification of material considerations if the recommendation is contrary to the development plan;
- a written recommendation of action.

17.2. ~~Oral~~Verbal reporting (except to update a report) should be ~~extremely~~ rare and carefully ~~minuted~~recorded in the meeting minutes when it does occur.

18. Complaints and record keeping

18.1. Every planning application file must contain an accurate account of events throughout its life. Particular care ~~needs to~~must be taken with applications determined under ~~officers' powers~~delegated to officers. powers. The principles of complete and accurate record keeping apply equally to enforcement and development plan matters. All files are stored electronically.

18.2. Complaints will be fully investigated in accordance with the Authority's ~~adopted~~complaints process, which is outlined on our website at: How to complain (broad-
authority.gov.uk) protocol.

19. Gifts and hospitality ~~(officers)~~

19.1. Officers should treat with caution any offer of a gift, favour or hospitality, or any other benefit, to themselves or a family member made by an organisation or member of the public with whom they have dealings in the course of their work. Officers should refer to the Code of Conduct for Employees, or to the Head of Human Resources, for further advice. Officers must refuse offers of hospitality from people with an interest in a planning proposal. The only exception is in respect of offers of token hospitality (such as non-alcoholic beverages with or without biscuits) that are part of usual social courtesy. Any offers shall be recorded within 28 days in accordance with arrangements made by the Monitoring Officer.

~~19.2. An officer must refuse any offer or gift, favour or hospitality which is made to an Officer personally. In this respect, the person or organisation making the offer may be doing, or seeking to do, business with the Authority, or may be applying to the Authority for planning permission or some other kind of decision. Gifts or hospitality includes any opportunity to acquire goods or services at a price or on terms at which they are not readily available to the general public. Officers should avoid placing themselves in situations where the impression could be gained that this is taking place.~~

Public Speaking Scheme at Planning Committee

The Public Speaking Scheme

Introduction Purpose

The purpose of the Public Speaking Scheme at the Authority's Planning Committee relates to allow applicants and objectors to speak in support of, or objection to, a planning proposal being considered by the committee.

The views of County and District Councils, Parish Councils and the Highway Authority will be reported to the Planning Committee when received in time for the agenda. Parish Councils and Ward or Division members of District Councils and the County Council may also address the Planning Committee as part of the Public Speaking Scheme.

The Scheme applies to matters where the Broads Authority is the decision maker, and not where the Authority is asked to respond as a consultee to a proposal.

The scheme does not apply to enforcement matters ~~(because these do not involve any public consultation as such), nor to~~ applications where the proposal is dealt with or refused under delegated powers ~~or if the proposal is refused under delegated powers.~~ The scheme ~~also does not apply to consultations or planning policy matters or consultations eg: such as the Local Plan for the Broads/ Development Plan.~~

Objecting to an application Making an objection

While it is not essential, objectors to applications are encouraged to follow the procedure of making formal written submissions, which can then be referred to in reports submitted to the Planning Committee. ~~In addition, the An~~ opportunity ~~also~~ to speak in front of the committee is also available if a formal objection has previously been made.

It is important to stress that there will be no disadvantage to objectors who ~~prefer not to, or are unable to, do not~~ present their objection in person in front of the committee. Planning officers will make sure that all objections received are fairly reported fairly, and members will fully consider ~~take~~ the matters raised ~~fully into consideration~~ when making a decision.

Other authorities

The views of County and District Councils, Parish Councils and the Highway Authority will be reported to the Planning Committee when received in time for the agenda.

Objectors include individuals, interest groups and organisations. Parish Councils and Ward or Division members of District Councils and the County Council are also able to address the

Planning Committee as part of the public speaking procedure.

Supporting an application

~~Either the applicant or their agent (but not both) and supporters will have~~ the opportunity to speak at the meeting ~~in support of the application to speak. Any other supporters are asked to share the applicant's allotted speaking time.~~ Applicants are ~~however also~~ encouraged to work with the Planning Case Officer to ~~ensure make sure~~ sufficient information has been submitted in advance to ~~enable allow the~~ Planning Committee to make a fully informed decision.

~~Making a presentation~~ Speaking at committee

It is the responsibility of objectors and the applicant ~~/agent~~ to contact the Planning Case Officer to follow the progress of the application, and arrange to attend the ~~relevant committee~~ meeting at which the application is being considered. Progress on applications, together with ~~committee the~~ agendas and reports, ~~to the Authority's committees are made available on the~~ can be viewed on the Authority's website at <https://www.broads-authority.gov.uk/about-us/committees>. ~~www.broads-authority.gov.uk~~

~~It is helpful if a~~ request to speak ~~should be~~ made to the ~~Committee Secretary~~ Governance team as soon as possible, ~~and at the latest prior to the commencement of the meeting, (Preferably at the latest by 3-00pm the day before the meeting).~~ The ~~Committee Secretary~~ Governance team will notify the ~~committee~~ Chair~~man~~ and the Planning Case Officer ~~of the request. As noted above, objectors are encouraged to submit a formal written submission.~~

~~To be taken into account, a~~ Any additional ~~comments or~~ material on any applications or Enforcement Matters must be received ~~a minimum of at least 3 three~~ days before the meeting, otherwise ~~they it~~ will not be taken into account. This is to give members sufficient time to consider all relevant information. ~~However, t~~ This does not ~~preclude prevent~~ those who have registered to speak from making the points within their allotted time for public speaking. ~~Any correspondence for members concerning an application before the committee must also be addressed to the Planning Case Officer in order so they can provide at professional advice can be provided to Members members. A f~~ Failure to follow this ~~procedure process~~ may result in items ~~in the future either~~ being deferred or ~~for~~ late information ~~to be being~~ discounted.

~~A table Space will be~~ set aside ~~within in~~ the meeting room ~~to enable for~~ speakers to address the meeting. ~~At the beginning of the consideration of the planning applications, I~~ the Chair~~man~~ will ask all members of the public who wish to speak to come up to the public speaking desk space at the beginning start of the presentation ~~on f~~ the relevant application. ~~The Chair may c~~ Consideration ~~can be given to~~ changing the order of the agenda ~~items if this is helpful~~ in cases of exceptional public interest.

~~Any person exercising the right to speak under the scheme will have the opportunity to speak~~ Public speaking will begin immediately after ~~the Planning Officer's full~~ presentation, at which they will describe the proposal and site location, outline responses received, give

~~policy guidance and make an overall assessment of the proposal with a recommendation to the committee. of the relevant planning application by the Planning Officer.~~

Representations will then be heard in the following order:

- ~~• Planning Officer provides description of application, responses received, full assessment with recommendation~~
- Parish Councillors (5 minutes)
- Objectors (total of 5 minutes)
- Applicant/agent/supporters (total of 5 minutes)
- Ward or Division Councillors (5 minutes)

~~Discussion and consideration of decision~~

~~Objectors and applicants addressing the committee will be expected to make their presentations within a maximum of 5 minutes. Any eExtensions to the time limit for all speakers is at the discretion of the Chair. of time will be agreed with the Chair beforehand.~~

~~Any speaker Facilities are available for persons exercising the right to speak to who wishes to show slides or make a visual presentation to the Planning Ccommittee, however, it is necessary to notify the Committee Secretary of this must notify the Governance team by 3.00pm on the previous day to see whether so that the arrangements can be made for the necessary equipment can be made to be available, and the presentation is in an accessible format. If the information is available in a form other than as a PowerPoint or a Word file it may not be possible to view it, so it is essential that contact is made with the Committee Secretary.~~

If there are several objectors, they should agree beforehand on sharing or delegating their time. This also applies to the applicant, agent and any supporters. The Chair will try to make sure points are not repeated. If there are exceptional circumstances of public interest, the Chair has discretion to increase the time allocated.

With the Chair's permission, members or officers will be allowed additional time to ask questions of the objector and ~~the/or~~ applicant, agent and supporters only to seek clarification about the points raised only. This will be additional time to that allocated for public speaking ~~and should only be used to seek clarification on the point being made, not for the purpose of facilitating speaking.~~

Speakers ~~will are not be~~ allowed to question other speakers, members or officers. The Planning Officer will respond to comments and members' questions ~~where required.~~

Deferral

If new evidence is brought to the committee that could significantly affect or influence a decision, it may be necessary to defer consideration of the application to a subsequent meeting to allow for members and officers to make a full assessment of the case.

Appendix 2 - ~~Broads Authority~~ — Protocol at Planning Committee site visits

Selection of site visits

Planning Committee site visits ~~are used as one means of ensuring that~~ are one way to make sure- members ~~have get~~ sufficient information about ~~the a~~ site and ~~the~~ surrounding area to reach a decision on a particular application. The ~~visits~~ are used selectively as fact-finding exercises (similar to Planning Inspector site visits) to supplement officer reports and other information. They may not be appropriate where matters of fundamental planning policy are involved and there are no significant other material considerations. ~~As information gathering exercises, t~~ They are not formal committee meetings, and no decisions or recommendations are made at them.

The decision to hold a site visit is at the committee's discretion, and ~~Site visits~~ may be appropriate where:

- Officers recommend a ~~site~~ visit because of specific aspects of the application;
- The issues are finely balanced and member assessment and judgement can only be concluded by a site inspection;
- The details are complex, or the impacts on neighbour amenity or the wider landscape are difficult to envisage other than by site assessment;
- It is ~~beneficial~~ expedient in the interests of local decision-making to demonstrate that all aspects of a proposal have been considered on site.

Determination of the ~~great~~ majority of applications ~~does will~~ not involve ~~the holding of~~ a site visit.

Member attendance

All Planning Committee members are invited to attend site visits and are ~~urged encouraged~~ to do so wherever possible. Members ~~will be~~ are sent details of the visit in advance, including a site location map. Members who attend the site visit but not the committee meeting where the application will be considered are invited to send any comments ~~that they may have~~ to the Administrative Governance Officer before the ~~prior to the Committee committee~~ meeting.

~~Site visit d~~ Dates and times

Site visits are normally held ~~These are published in advance and are normally~~ two weeks before a Planning Committee meeting, starting at 10am. ~~The first site visit is normally scheduled for 10am~~

~~Invitations to Site Visits~~ Other attendees

In addition to ~~Committee~~ members, the following ~~people will be~~ are invited to the site ~~meeting visit~~ in a consultative capacity:

- a representative from the Parish Council;

- the local District Council member;
- a representative from the Broads Society (as an observer).

The applicant's agent is notified of the proposed date and fact-finding nature of the visit, and permission is requested for access to the land, ~~informing them of the fact-finding nature of the visit~~.

Conduct at site visit

The procedure at a site visit ~~proceeds is~~ as follows:

- (i) The Chair welcomes those attending, reminding them ~~stressing~~ that the site visit is for fact finding only; no decision will be made on site, and the application will be considered for determination at a future committee meeting. The aim of the visit is not to debate the issues, but to make sure all participants are satisfied that members have seen all the appropriate details of the site and its surroundings. ~~He/she~~ The Chair should will remind members of the issues points in the 'Notes for members' section below.
- (ii) Apologies are noted.
- (iii) The Planning Officer describes the application giving details of the site, the development proposed and any updated information. ~~He/she should~~ They will show and explain any relevant drawings, and pay particular attention to the context of the site in the Broads area.
- (iv) Comments from other officers are invited, where appropriate, including:
 - County Council (Highways) Officer;
 - Other Broads Authority officers ~~if present~~, e.g. Ecologist.
- (v) Questions from ~~Broads Authority~~ Planning Committee members are invited.

Note: At the Chair's discretion the applicants, other invitees or third parties may be asked to provide factual information concerning about the application, but will not be invited to 'put their case'. Representations s in support of or objection to the application should be made in writing to the Authority.

- (vi) ~~opportunity for members and others~~ Attendees ~~to~~ walk around the site as a group, if ~~considered~~ necessary. At each stop, the Chair ~~man should will~~ ask if everyone is satisfied that all appropriate factual matters have been seen. ~~;~~
- (vii) The Chair ~~man~~ concludes and closes the meeting visit by reminding ~~the~~ group attendees when the application will ~~he be~~ heard by the Planning Committee (if known) and when public speaking will be in operation. ~~;~~

The Chair ~~man~~ may ~~wish to~~ ask whether anyone (other than the applicant) wishes to refer to any points which that require clarification before the committee meeting.

A summary note of the site ~~meeting~~ visit is taken on the day and included with the agenda papers for the relevant committee meeting. The note is also available on the public record of the application.

Notes for members:

- In view of the fact-finding nature of the site visit, members should be as impartial as possible before, during and after the ~~site~~ visit.
- ~~When moving round a site, members and other p~~Participants should keep together as one group while moving around a site.
- Members should avoid discussing the application with applicants /agents or, — objectors ~~etc.~~ before, during or after ~~a the~~ the site visit. If members wish to ask questions of any party, this should take place only when the whole group is present.
- Members should politely deflect any attempts at lobbying, by suggesting that comments ~~should be~~ be put in writing to the Authority or ~~that the points should be~~ made during public speaking at the Planning Committee.
- Any member wishing ~~Members are encouraged to attend official site visits, but where this is not possible and individuals wish~~ to view a site outside an organised site visit should do so only at another time, they are advised to do so only from public vantage points, and should not ~~to~~ enter into discussions with applicants /agents within the site.

Appendix 3 - Predetermination and bias - examples

Predetermination and bias ~~can~~ may arise in a number of ways, including those set out below. ‡

Connection with someone affected by a decision

This sort of bias particularly concerns administrative decision-making, where the Authority must take a decision that involves balancing the interests of people with opposing views. It is based on the belief that the decision-making body cannot make an unbiased decision, or a decision that objectively looks impartial, if a member serving on it is closely connected with one of the parties involved.

Improper involvement of someone with an interest in the outcome

This sort of bias involves someone who has, or appears to have, inappropriate influence in the decision being made by someone else. It is inappropriate because they have a vested interest in the decision.

Prior involvement

This sort of bias arises because someone is being asked to make a decision about a matter ~~issue with which~~ they have previously been involved with. This may be a problem, for example, if ~~the second decision is a formal appeal from the first decision, so that someone a member~~ is hearing an appeal on a matter on which they have previously expressed a view ~~from their own decision~~. However, if ~~it is just a case of the member person in question is just being~~ required to reconsider a matter in the light of new evidence or representations, it is unlikely to be unlawful for them to participate.

Commenting before a decision is made

Once a lobby group or advisory body has commented on a matter or application, it is likely that a member involved with that body will still be able to take part in making a decision about it. However, if the member has made comments that suggest they have already made up their mind, they may not take part in the decision. If the member is merely seeking to lobby the meeting at which the decision is taking place, they are not prevented by the principles of predetermination or bias from doing so. There is no particular reason why the fact that members can do this, in the same way as the public, should lead to successful legal challenges.

Code of Practice for members on Planning Committee and officers

(Adopted September 2021)

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1. Introduction

- 1.1. The successful operation of the Broads Authority's planning function relies on mutual trust between its members and officers, and an understanding of each other's respective roles. It also relies on each acting in a way that is fair and impartial, and clearly seen to be so.
- 1.2. The purpose of this Code of Practice is to give clear guidance to Authority members and officers involved in operating the planning function for the Broads executive area, and to give public confidence that the Authority's decision-making on planning matters is informed, open and fair. This Code of Practice is supplementary to the Authority's Member Code of Conduct (see para 1.2 below) and should be read in conjunction with that document.
- 1.3. Members and officers should also refer to the following guidance:
 - Openness and transparency on personal interests (Department for Communities and Local Government, 2013)

- Probity in Planning (Local Government Association, 2019)
- Code of Practice for Planning Decisions (Broads Authority)
- Code of Practice for Planning Consultations (Broads Authority)

A. General guidance

2. Roles and conduct of members and officers

- 2.1. The Authority's [Protocol on Member and Officer Relations](#) sets out the respective and complementary roles of members and officers, and what they can expect from each other.
- 2.2. Members are expected to follow the Authority's Member [Code of Conduct](#). It is important to note that failure to follow the recommendations in this Code of Practice may be taken into account in any investigation into allegations of maladministration, and may also indicate a breach of the Member Code of Conduct. Officers, and advisors acting on behalf of the Authority, are expected to follow their appropriate code of professional conduct.
- 2.3. While members will take due note of officer recommendations, it is the members who take the decisions (other than where decisions are dealt with under delegated powers). In doing so, they must represent the interests of the Broads executive area as a whole. For planning matters, this means taking decisions based firmly on the policies of the development plan, unless other material considerations indicate otherwise.

3. Development proposals submitted by members and officers

- 3.1. The Authority recognises that development proposals submitted by serving or former members and officers and their close friends and relations could give rise to suspicion of impropriety. To avoid this, any such proposals will be dealt with in the following way:
 - The Authority's Monitoring Officer will be informed of the proposal.
 - The proposal will be reported to the Planning Committee and will **not** be dealt with under delegated powers.
 - The Monitoring Officer will confirm whether the proposal has been processed in accordance with the usual practice, with a note made on the application file.
 - Serving Authority members who act as agents for people pursuing a planning matter, or who submit planning proposals in their own right, must play no part in the decision-making process for that proposal.
 - Members should ensure that they declare any disclosable pecuniary and other interests (see Section 9 below).

- Members and officers who have submitted their own planning applications should not contact or correspond with members of the Planning Committee in respect of that application, from the submission of the application until the decision notice has been issued.

4. Development proposals submitted by the Broads Authority

- 4.1. The Authority's scheme of delegated powers does not require that any development proposal by the Broads Authority must be determined by Planning Committee, but for reasons of transparency and openness such applications would usually be referred to the Committee under the Director's discretion provisions in the scheme of delegated powers.

5. Consideration of proposals by another committee

- 5.1. A planning proposal may be discussed at another committee of the Broads Authority, such as the Navigation Committee or the full Authority, before the application comes to the Planning Committee. In such cases, members should avoid unqualified expressions of support or opposition that might lead a fair minded and informed member of the public to think a member has already made up their mind before the application comes to the Planning Committee (see section 14 below on predisposition, predetermination and bias). If a member wishes to participate and vote at another committee and at Planning Committee, they must declare at the other committee that:

- (i) They understand they are considering the proposal within the remit of the other committee and not coming to a decision on all, or necessarily any, of the matters that are material to a planning application.
- (ii) Notwithstanding participating or voting at the other committee they will, when the matter comes before the Planning Committee, consider any planning application afresh, taking account of any representations for and against the proposal in the light of up to date circumstances.

- 5.2. Any member is unable to consider the proposal afresh at the Planning Committee should withdraw from the meeting when the item is considered.

6. Pre-application and post-application discussions

- 6.1. Discussions between developers and the Authority can be of considerable benefit, and are encouraged by government. Applicants may also organise their own form of consultation, to which members may be invited. In such circumstances, the following guidance should be followed.
- 6.2. Where a planning application has **not** been submitted:
 - (i) Members should refer those who approach them for planning, procedural or technical advice to officers.

(ii) Exceptionally, and generally only in the case of major applications raising significant issues, it may be appropriate for members to be involved in an application prior to its submission. Minutes should be taken of any meeting with a member, and the minutes attached for committee. Such involvement will be limited to:

- a. Public exhibitions or public meetings. Members should not attend a planning presentation without asking an officer to be present
- b. Committee site visits as part of the pre-application process.
- c. (Very exceptionally) private meetings between the applicant and the Authority or third parties. Members should be accompanied by the relevant officer and not attend such meetings alone.

(iii) In the case of all such meetings:

- a. A member's remit and the purpose of their involvement is to identify issues and understand local concerns, and this should be made clear.
- b. A member must maintain an impartial listening role and avoid expressing an opinion or giving advice beyond outlining adopted planning policies.
- c. Any discussion should not develop into negotiations, and it must be made clear that they are not part of the determination process.
- d. Discussions should not touch on commercially sensitive or confidential information, bearing in mind the need for transparency and the requirements of the Freedom of Information Act.
- e. Officers of appropriate seniority should attend, and make written notes of the proceedings to be kept on file; and
- f. A member's involvement should, wherever possible, be authorised by the Planning Committee, and their involvement recorded in any subsequent committee report.

6.3. Where a planning application **has** been submitted:

(i) A member's involvement prior to consideration at Planning Committee will be limited to public meetings and committee site visits (referred to in paragraph 5.2above).

(ii) If approached, a member should advise the applicant(s) to contact the Planning Officer for further guidance.

(iii) In the case of meetings between the applicant and Planning Officer(s):

- a. The officer(s) should clarify at the outset that discussions will not bind the Authority to making a particular decision.

- b. No views will be expressed on the outcome of the application, since not all information will be to hand and consultation will not have taken place.
- c. Advice should be consistent and based on the development plan and material considerations.
- d. Advice should be, and be seen to be, impartial.
- e. A written note should be made by the officer(s) of all meetings and telephone discussions.
- f. The officer(s) should meet applicant(s) on Authority premises, other than in exceptional cases or for site familiarisation purposes.

6.4. Members should not seek to influence or put pressure on officers to support a particular form of action.

6.5. These guidelines also apply to meetings to discuss planning applications or development proposals called by third parties, including attendance at parish council or other public meetings.

6.6. Generally, members should not say anything that gives the appearance they have made up their mind on an application (see section 14 below). They should not accept any hospitality offered by the applicant or other interested party at a public meeting or public exhibition unless it is also offered to the public at large (see sections 15 and 18 below).

7. Decisions contrary to officer recommendations and/or the development plan

7.1. The law requires that where the development plan is relevant, decisions should be taken in accordance with it unless material considerations indicate otherwise.

7.2. All applications that are not in accordance with the development plan must be advertised as a departure in accordance with statutory procedures.

7.3. If it is intended to approve such an application, then:

- material considerations must be clearly identified;
- reasons for overriding the development plan must be clearly demonstrated in the committee report; and
- referral to the Secretary of State may be necessary, depending upon the relevant type and scale of the development proposed (section 77 of the Town and Country Planning Act 1990).

7.4. If the Planning Committee takes a decision contrary to the officer recommendation:

- the reasons for the contrary decision should be clearly set out by the committee and agreed at that committee meeting before a vote is taken;

- the officer should have the opportunity to explain the implications of the contrary decision;
- appropriate conditions should be clearly set out and agreed at that committee meeting, before a vote is taken;
- the Monitoring Officer or their representative should ensure that procedures have been properly followed; and
- a detailed minute of the reasons for the contrary decision should be made and kept on the application file.

7.5. In the case of applications where new issues of material consideration are raised on the day of the committee meeting, or if there is a concern about the validity of the reasons for a contrary decision, or if members are under undue pressure, the application may be deferred at the Chair's discretion to allow time to compile additional advice to members.

B. Guidance for members

8. Training

8.1. All members of the Planning Committee are required to participate in training on the planning system as it applies in the Broads executive area. This training must be completed as soon as possible after a member's appointment, and before they serve on the committee.

8.2. Regular update briefings will be provided to all members as appropriate.

9. Registration and declaration of interests

9.1. The [Member Code of Conduct](#) sets out provisions relating to the declaration of disclosable pecuniary interest (DPI) and other interests. All matters required to be recorded in the Register of Interests relating to a matter before the Planning Committee must be disclosed to the meeting. There is an opportunity to declare interests at the start of each meeting.

9.2. Probity in Planning (LGA, 2019) also has detailed further guidance on the registration and disclosure of interests, including a flowchart on what to disclose and the extent of any further involvement once a declaration is made.

10. Delegated decisions

10.1. Any member of the Authority may request, within 21 days of receipt of the schedule of the planning applications, that an application is placed before the Planning Committee for a decision. In such cases, the member must provide appropriate planning reasons in writing.

11. Lobbying

11.1. Lobbying of and by members is a normal and perfectly proper part of the democratic process. However, lobbying can lead to a member's impartiality and integrity being called into question. If a member is approached by planning applicants, objectors or supporters, they should:

- listen, but not express views or opinions on any application, nor negotiate;
- refer the lobbyist to a professional officer, or meet the lobbyist in the presence of an officer;
- notify an officer of the lobbying approach and the summary of any discussions;
- If the member receives any correspondence on an application between the agenda being published and the items being considered at committee, they should forward it to the relevant officers, in case the officers are unaware of the content of the correspondence;
- confirm they will only be able to take a decision after having heard all the relevant evidence and arguments at committee;
- in any reply to correspondence either supporting or opposing an application, explain their neutral position and pass any relevant written information to officers for the file;
- before speaking at committee, declare any lobbying approaches, attendance at an informal site visit or a meeting on an application or other planning issue in the company of an applicant or consultee;
- if they have gone public in support of a particular outcome or campaigned actively for it, recognise that they may well have pre-determined the issue and should withdraw from discussion of the item (see section 14).

11.2. Members should not put pressure on officers for a particular recommendation.

11.3. Members should not become a member of, lead or represent an organisation whose primary purpose is to lobby to promote or oppose planning proposals, unless it is the member's intention to openly campaign on the matter and to step away from consideration of the matter at Planning Committee. This does not prevent members joining general interest groups that reflect their area of interest and that concentrate on issues beyond particular planning proposals (e.g. a Wildlife Trust or local civic society) but they should disclose that interest on the grounds of transparency where the organisation has made representations on a particular proposal.

11.4. If a member speaks on behalf of a lobby group or as a campaigner (for example on a proposal within their ward) at a decision-making committee, they should withdraw from the meeting once the public or ward member speaking opportunities have been completed.

12. Public speaking

- 12.1. Public speaking at Planning Committee is allowed in accordance with the agreed Public Speaking Scheme (Appendix 1). The Scheme does **not** apply to enforcement matters, applications dealt with under delegated powers, consultations or policy matters.
- 12.2. At the start of each meeting, the Chair will outline the public speaking process.
- 12.3. Members should not allow the public to communicate with them during committee proceedings, other than through the agreed protocol, as this may give the appearance of bias. This includes the use of mobile or other electronic devices..

13. Committee site visits

- 13.1. A committee site visit will be held if there is a significant benefit in doing so. Reasons may include where the impact of the proposed development is difficult to visualise, where applicant and objector comments cannot be expressed adequately in writing and a site visit would show that members have listened to the arguments, or where the proposal is particularly contentious. The reason for holding a site visit will be included in the committee minutes.
- 13.2. The decision to hold a site visit is at the committee's discretion, and visits are held in accordance with the agreed protocol (Appendix 2).

14. Regular review of decisions

- 14.1. The Planning Committee will regularly receive a list of delegated decisions, quarterly statistics on performance, results of the annual customer satisfaction survey, as well as the regular updates on appeals and enforcement. Members will also have the opportunity to carry out site visits of implemented planning permissions. This information will assist members to refine their understanding of the impact of their decisions, to help the discussions on planning policy which will be presented to them, in particular as part of the work for the reviews of the Local Plan for the Broads.

15. Predisposition, predetermination and bias

- 15.1. Members are entitled to have and express their own views, as long as they are prepared to reconsider their position in the light of all the evidence and arguments, giving what they feel is the right weight to those material considerations. They must not give the impression that their mind is closed before the matter is considered by the decision-making committee.
- 15.2. It is not a problem for a member to be predisposed in respect of a particular planning matter. 'Predisposition' is where a member holds a preliminary view for or against an issue, such as an application for planning permission, but has an open mind to the merits of the arguments before they make the final decision at the committee meeting. This includes having a preliminary view about how they are likely to vote before the meeting, or expressing that view publicly..

- 15.3. On the other hand, ‘predetermination’ or bias can lead to problems. This is where a member is closed to the merits of any arguments relating to a particular issue, such as an application for planning permission, and decides on the issue without taking the evidence and arguments into account. This could lead to a challenge to the decision made through a judicial review application to the courts.
- 15.4. Members must not even appear to have already decided how they will vote at the meeting, such that nothing will change their mind. This impression can be created in a number of ways, such as quotes to the press, comments to officers, or what they have said at meetings or written in correspondence.
- 15.5. Membership of an organisation such as a national charity will rarely amount to predetermination or bias on its own, unless the organisation has a particular vested interest in the outcome of a specific decision that a member is involved in making. Members should also refer to the Code of Conduct relating to the declaration of interests for guidance.
- 15.6. There is an important difference between those members involved in taking a decision and those members seeking to influence it, as the latter are generally free to speak about how they want that decision to go. When considering whether there is an appearance of predetermination or bias, members responsible for making the decision should apply the following test: Would a fair-minded and informed observer, having considered the facts, decide there is a real possibility that the member had predetermined the issue or was biased?
- 15.7. When applying this test, members should be aware of the fine line between being predisposed, and being predetermined or biased, and should exercise caution and express themselves clearly where they are predisposed. Appendix 3 gives examples of the different circumstances in which predetermination and bias may arise.

16. Gifts and hospitality

- 16.1. Members should refer to the Member Code of Conduct for guidance on the receipt of gifts and hospitality.

C. Guidance for officers

17. Reports to committee

- 17.1. To ensure adequate consideration of the issues, consistency of decision-making, clarity of reasoning behind the recommendation and public confidence, the following information should be contained in reports to the Planning Committee:
 - accurate information, with representations by consultees adequately summarised;
 - a clear explanation of the development plan, site or related history and other material considerations;

- a technical appraisal that clearly justifies the recommendation;
- a full justification of material considerations if the recommendation is contrary to the development plan;
- a written recommendation of action.

17.2. Verbal reporting (except to update a report) should be rare and carefully recorded in the meeting minutes when it does occur.

18. Complaints and record keeping

18.1. Every planning application file must contain an accurate account of events throughout its life. Particular care must be taken with applications determined under powers delegated to officers. The principles of complete and accurate record keeping apply equally to enforcement and development plan matters. All files are stored electronically.

18.2. Complaints will be fully investigated in accordance with the Authority's complaints process, which is outlined on our website at: [How to complain \(broads-authority.gov.uk\)](https://www.broads-authority.gov.uk) .

19. Gifts and hospitality

19.1. Officers should treat with caution any offer of a gift, favour or hospitality, or any other benefit, to themselves or a family member made by an organisation or member of the public with whom they have dealings in the course of their work. Officers should refer to the Code of Conduct for Employees, or to the Head of Human Resources, for further advice. .

Public Speaking Scheme at Planning Committee

Purpose

The purpose of the Public Speaking Scheme at the Authority's Planning Committee is to allow applicants and objectors to speak in support of, or objection to, a planning proposal being considered by the committee.

The views of County and District Councils, Parish Councils and the Highway Authority will be reported to the Planning Committee when received in time for the agenda. Parish Councils and Ward or Division members of District Councils and the County Council may also address the Planning Committee as part of the Public Speaking Scheme.

The Scheme applies to matters where the Broads Authority is the decision maker, and not where the Authority is asked to respond as a consultee to a proposal.

The scheme does not apply to enforcement matters, applications where the proposal is dealt with or refused under delegated powers, consultations or planning policy matters such as the Local Plan for the Broads.

Objecting to an application

While it is not essential, objectors to applications are encouraged to follow the process of making formal written submissions, which can then be referred to in reports to the Planning Committee. An opportunity to speak in front of the committee is also available if a formal objection has previously been made.

It is important to stress that there is no disadvantage to objectors who do not present their objection in person in front of the committee. Planning officers will make sure that all objections received are reported fairly, and members will fully consider the matters raised when making a decision.

Supporting an application

Either the applicant or their agent (but not both) has the opportunity to speak at the meeting in support of the application. Any other supporters are asked to share the applicant's allotted speaking time. Applicants are also encouraged to work with the Planning Case Officer to make sure sufficient information has been submitted in advance to allow the Planning Committee to make a fully informed decision.

Speaking at committee

It is the responsibility of objectors and the applicant/agent to contact the Planning Case Officer to follow the progress of the application, and arrange to attend the committee meeting at which the application is being considered. Progress on applications, together with committee agendas and reports, are made available on the Authority's website at <https://www.broads-authority.gov.uk/about-us/committees>.

A request to speak should be made to the Governance team as soon as possible, and at the latest by 3pm the day before the meeting. The Governance team will notify the committee Chair and the Planning Case Officer of the request. As noted above, objectors are encouraged to submit a formal written submission.

To be taken into account, any additional material on any applications or Enforcement Matters must be received at least 3 days before the meeting, otherwise it will not be taken into account. This is to give members sufficient time to consider all relevant information. However, this does not prevent those who have registered to speak from making the points within their allotted time for public speaking. Any correspondence for members concerning an application before the committee must also be addressed to the Planning Case Officer so they can provide professional advice to members. Failure to follow this process may result in items being deferred or late information being discounted.

Space is set aside in the meeting room for speakers to address the meeting. The Chair will ask all members of the public who wish to speak to come up to the public speaking space at the start of the presentation on the relevant application. The Chair may consider changing the order of the agenda in cases of exceptional public interest.

Public speaking will begin immediately after the Planning Officer's presentation, at which they will describe the proposal and site location, outline responses received, give policy guidance and make an overall assessment of the proposal with a recommendation to the committee. Representations will then be heard in the following order:

- Parish Councillors (5 minutes)
- Objectors (total of 5 minutes)
- Applicant/agent/supporters (total of 5 minutes)
- Ward or Division Councillors (5 minutes)

Any extensions to the time limit for all speakers is at the discretion of the Chair.

Any speaker who wishes to make a visual presentation to the committee, must notify the Governance team by 3pm on the previous day to see whether the necessary equipment can be made available, and the presentation is in an accessible format.

If there are several objectors, they should agree beforehand on sharing or delegating their time. This also applies to the applicant, agent and any supporters. The Chair will try to make sure points are not repeated. If there are exceptional circumstances of public interest, the Chair has discretion to increase the time allocated.

With the Chair's permission, members or officers will be allowed additional time to ask questions of the objector and the applicant, agent and supporters to seek clarification about the points raised **only**. This will be additional time to that allocated for public speaking..

Speakers are **not** allowed to question other speakers, members or officers. The Planning Officer will respond to comments and members' questions.

Deferral

If new evidence is brought to the committee that could significantly affect or influence a decision, it may be necessary to defer consideration of the application to a subsequent meeting to allow members and officers to make a full assessment of the case.

Appendix 2 - Protocol at Planning Committee site visits

Selection of site visits

Planning Committee site visits are one way to make sure members get sufficient information about a site and surrounding area to reach a decision on a particular application. The visits are used selectively as fact-finding exercises (similar to Planning Inspector site visits) to supplement officer reports and other information. They may not be appropriate where matters of fundamental planning policy are involved and there are no significant other material considerations. They are not formal committee meetings, and no decisions or recommendations are made at them.

The decision to hold a site visit is at the committee's discretion, and may be appropriate where:

- Officers recommend a visit because of specific aspects of the application;
- The issues are finely balanced and member assessment and judgement can only be concluded by a site inspection;
- The details are complex, or the impacts on neighbour amenity or the wider landscape are difficult to envisage other than by site assessment;
- It is beneficial in the interests of local decision-making to demonstrate that all aspects of a proposal have been considered on site.

Determination of the majority of applications will not involve a site visit.

Member attendance

All Planning Committee members are invited to attend site visits and are encouraged to do so wherever possible. Members are sent details of the visit in advance, including a site location map. Members who attend the site visit but not the committee meeting where the application will be considered are invited to send any comments to the Governance Officer before the committee meeting.

Dates and times

Site visits are normally held two weeks before a Planning Committee meeting, starting at 10am.

Other attendees

In addition to members, the following people are invited to the site visit in a consultative capacity:

- a representative from the Parish Council;
- the local District Council member;
- a representative from the Broads Society (as an observer).

The applicant's agent is notified of the proposed date and fact-finding nature of the visit, and permission is requested for access to the land..

Conduct at site visit

The procedure at a site visit is as follows:

- (i) The Chair welcomes those attending, reminding them that the site visit is for fact finding only; no decision will be made on site, and the application will be considered for determination at a future committee meeting. The aim of the visit is not to debate the issues, but to make sure all participants are satisfied that members have seen all the appropriate details of the site and its surroundings. The Chair will remind members of the points in the 'Notes for members' section below.
- (ii) Apologies are noted.
- (iii) The Planning Officer describes the application giving details of the site, the development proposed and any updated information. They will show and explain any relevant drawings, and pay particular attention to the context of the site in the Broads area.
- (iv) Comments from other officers are invited, where appropriate, including:
 - County Council (Highways) Officer;
 - Other Broads Authority officers, e.g. Ecologist.
- (v) Questions from Planning Committee members are invited.

Note: At the Chair's discretion the applicants, other invitees or third parties may be asked to provide factual information about the application, but will not be invited to 'put their case'. Representations in support of or objection to the application should be made in writing to the Authority.

- (vi) Attendees walk around the site as a group, if necessary. At each stop, the Chair will ask if everyone is satisfied that all appropriate factual matters have been seen.
- (vii) The Chair concludes and closes the visit by reminding attendees when the application will be heard by the Planning Committee (if known) and when public speaking will be in operation.

The Chair may ask whether anyone (other than the applicant) wishes to refer to any points that require clarification before the committee meeting.

A summary note of the site visit is taken on the day and included with the agenda papers for the relevant committee meeting. The note is also available on the public record of the application.

Notes for members:

- In view of the fact-finding nature of the site visit, members should be as impartial as possible before, during and after the visit.
- Participants should keep together as one group while moving around a site.
- Members should avoid discussing the application with applicants/agents or objectors before, during or after the site visit. If members wish to ask questions of any party, this should take place only when the whole group is present.
- Members should politely deflect any attempts at lobbying, by suggesting that comments be put in writing to the Authority or made during public speaking at the Planning Committee.
- Any member wishing to view a site outside an organised site visit should do so only from public vantage points, and should not enter into discussions with applicants/agents within the site.

Appendix 3 - Predetermination and bias - examples

Predetermination and bias may arise in a number of ways, including those set out below.

Connection with someone affected by a decision

This sort of bias particularly concerns administrative decision-making, where the Authority must take a decision that involves balancing the interests of people with opposing views. It is based on the belief that the decision-making body cannot make an unbiased decision, or a decision that objectively looks impartial, if a member serving on it is closely connected with one of the parties involved.

Improper involvement of someone with an interest in the outcome

This sort of bias involves someone who has, or appears to have, inappropriate influence in the decision being made by someone else. It is inappropriate because they have a vested interest in the decision.

Prior involvement

This sort of bias arises because someone is being asked to make a decision about a matter they have previously been involved with. This may be a problem, for example, if a member is hearing an appeal on a matter on which they have previously expressed a view. However, if the member is just required to reconsider a matter in the light of new evidence or representations, it is unlikely to be unlawful for them to participate.

Commenting before a decision is made

Once a lobby group or advisory body has commented on a matter or application, it is likely that a member involved with that body will still be able to take part in making a decision about it. However, if the member has made comments that suggest they have already made up their mind, they may not take part in the decision. If the member is merely seeking to lobby the meeting at which the decision is taking place, they are not prevented by the principles of predetermination or bias from doing so. There is no particular reason why the fact that members can do this, in the same way as the public, should lead to successful legal challenges.

Planning Committee

10 September 2021

Agenda item number 9

Enforcement update- September 2021

Report by Head of Planning

Summary

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

Recommendation

To note the report.

Committee date	Location	Infringement	Action taken and current situation
14 September 2018	Land at the Beauchamp Arms Public House, Ferry Road, Carleton St Peter	Unauthorised static caravans	<ul style="list-style-type: none"> • Authority given to serve an Enforcement Notice requiring the removal of unauthorised static caravans on land at the Beauchamp Arms Public House should there be a breach of planning control and it be necessary, reasonable and expedient to do so. • Site being monitored. • Planning Contravention Notices served 1 March 2019. • Site being monitored 14 August 2019.

Committee date	Location	Infringement	Action taken and current situation
			<ul style="list-style-type: none"> • Further caravan on-site 16 September 2019. • Site being monitored 3 July 2020. • Complaints received. Site to be visited on 29 October 2020. • Three static caravans located to rear of site appear to be in or in preparation for residential use. External works requiring planning permission (no application received) underway. Planning Contravention Notices served 13 November 2020. • Incomplete response to PCN received on 10 December. Landowner to be given additional response period. • Authority given to commence prosecution proceedings 5 February 2021 • Solicitor instructed 17 February 2021 • Hearing date in Norwich Magistrates Court 12 May 2021 • Summons issued 29 April 2021 • Adjournment requested by landowner on 4 May and refused by Court on 11 May • Adjournment granted at Hearing on 12 May. • Revised Hearing date of 9 June 2021 • Operator pleaded 'not guilty' at Hearing on 9 June. Trial scheduled for 20 September at Great Yarmouth Magistrates Court.
8 November 2019	Blackgate Farm, High Mill Road, Cobholm	Unauthorised operational development –	<ul style="list-style-type: none"> • Delegated Authority to Head of Planning to serve an Enforcement Notice, following liaison with the landowner at Blackgate Farm, to explain the situation and action.

Committee date	Location	Infringement	Action taken and current situation
		surfacing of site, installation of services and standing and use of 5 static caravan units for residential use for purposes of a private travellers' site.	<ul style="list-style-type: none"> • Correspondence with solicitor on behalf of landowner 20 November 2019. • Correspondence with planning agent 3 December 2019. • Enforcement Notice served 16 December 2019, taking effect on 27 January 2020 and compliance dates from 27 July 2020. • Appeal against Enforcement Notice submitted 26 January 2020 with a request for a Hearing. Awaiting start date for the appeal. 3 July 2020. • Appeal start date 17 August 2020. • Hearing scheduled 9 February 2021. • Hearing cancelled. Rescheduled to 20 July 2021. • Hearing completed and Inspector's decision awaited. • Appeal dismissed with minor variations to Enforcement Notice. Deadline for cessation of caravan use of 12 February 2022 and 12 August 2022 for non-traveller and traveller units respectively, plus 12 October 2022 to clear site of units and hardstanding. 12 August 2021
4 December 2020	Land to east of North End, Thorpe next Haddiscoe	Unauthorised change of use to mixed use of a leisure plot and storage.	<ul style="list-style-type: none"> • Authority given for the service of Enforcement Notices. • Section 330 Notices served 8 December 2020. • Enforcement Notice served 12 January 2021 with compliance date 12 February 2021. • Some clearance commenced. Three month compliance period • Site to be checked for progress.

Committee date	Location	Infringement	Action taken and current situation
			<ul style="list-style-type: none"> • Progress being monitored. May 2021 • Site not cleared by deadline. Operator given a further period • Negotiations underway • Further clearance, but incomplete. 25 August 2021
8 January 2021	Land east of Brograve Mill, Coast Road, Waxham	Unauthorised excavation of scrape	<ul style="list-style-type: none"> • Authority given for the service of Enforcement Notices. • Enforcement Notice served 29 January 2021 • Appeal against Enforcement Notice received 18 February 2021 • Documents submitted and Inspector's decision awaited
16 July 2021	Land off Damgate Lane, Acle	Change of use of land to stationing and use of caravan for residential purposes	<ul style="list-style-type: none"> • Authority given for the service of Enforcement Notices. • Letter to landowner and occupier advising of resolution and requiring cessation of use and removal of caravan by 31 August 2021. 3 August 2021. • Site visit after 1 September 2021.

Author: Cally Smith

Date of report: 27 August 2021

Planning Committee

10 September 2021

Agenda item number 10

Recreation Impact Avoidance and Mitigation Strategies- Norfolk and Suffolk Coast

Report by Planning Policy Officer

Summary

New development can impact on protected wildlife sites in many ways. One such way is through the impact of recreational activities. Evidence indicates that new development in Norfolk is likely to affect the integrity of protected sites in Norfolk. In parts of Suffolk, evidence also indicates that development is likely to affect the integrity of protected sites on the Suffolk coast. The payment of a tariff by applicants would enable the funding of measures to help mitigate impacts of recreational activities arising from development.

Recommendation

To note the report.

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1. Introduction

- 1.1. New development can impact protected wildlife sites in many ways. One such way is through the impact of recreational activities. Evidence indicates that new development in Norfolk is likely to affect the integrity of protected sites in Norfolk. In parts of Suffolk, evidence also indicates that development is likely to affect the integrity of protected sites on the Suffolk coast. The payment of a tariff by applicants would enable the funding of measures to help mitigate the impacts of recreational activities arising from development.
- 1.2. This report provides background and explains how the tariff approach is being used in some parts of Suffolk and is being investigated in Norfolk.

2. Habitats Regulation Assessments and European Protected Sites.

- 2.1. At the EU level, several directives have been particularly important for the creation of protected areas, including the Birds Directive and the Habitats Directive.
- 2.2. A protected area is a clearly defined geographical space that is recognised and dedicated to achieving the long-term conservation of nature, with its associated ecosystem services and cultural values, and which is managed through legal or other effective means to do so.
- 2.3. An internationally or European protected site is one of the following:
 - special area of conservation (SAC)
 - special protection area (SPA)
 - Ramsar wetland
 - potential SPA, possible SAC or proposed Ramsar wetland
- 2.4. Following the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 these sites now tend to be referred to collectively as 'the national site network'.
- 2.5. The Conservation of Habitats and Species Regulations 2017, as amended - commonly referred to as the Habitats Regulations - transpose the requirements of the EU Habitats and Birds Directives into UK law. Following Brexit, the European Union (Withdrawal) Act 2018 ensures that 'EU-derived domestic legislation, as it has effect in domestic law immediately before exit day, continues to have effect in domestic law on and after exit day'. The Regulations require a Habitats Regulations Assessment (HRA) to assess potential impacts from a Local Plan/project on European wildlife sites.
- 2.6. HRAs are completed on local plans and some projects, for example development proposed through planning applications. They assess if and how a scheme/policy will impact on European protected sites – i.e. will there be a 'Likely Significant Effect' (LSE). If there is an LSE, the applicant/local plan needs to mitigate.

- 2.7. The LSE could be a direct effect, such as actual development on a protected site. The LSE could also be an indirect effect, such as increased foul water load on a water recycling centre causing issues at sites downstream, or potential for cat predation on birds as a result of pet ownership in new properties, or occupiers of properties walking their dogs and scaring birds off nests.
- 2.8. Local planning authorities are the designated competent bodies and as such are responsible for ensuring that policies and proposals contained in their Local Plans and submitted as developer proposals through the planning process **do not** have an adverse effect on the integrity of European sites.

3. What is RAMS?

- 3.1. The additional growth brought forward through each Local Plan in the area has been linked to more people visiting the countryside in general. This will include visits to the protected sites and therefore there is the potential to cause more disturbance to wildlife and habitats and, consequently, to have an impact on the integrity and underlying features that are special to each site.
- 3.2. A Recreation Impacts Avoidance and Mitigation Strategy (RAMS)¹ seeks to first avoid and then mitigate any impacts from recreation. There are many ways development can impact on a protected site, but RAMS is a response to **recreation** impact. Examples of recreation impact include people walking dogs which scare ground nesting birds or people trampling habitat or getting too close and scaring seals or birds.
- 3.3. The RAMS approach relates to recreation impact. There are other ways development can impact on protected sites (see 2.7 for examples). Even with the RAMS in place, these other pathways need to be assessed and could result in additional mitigation approaches.

4. Norfolk RAMS – yet to be agreed

- 4.1. Work has been underway, under the auspices of the Norfolk Strategic Planning Framework, for some time on this topic. Firstly, in 2015/16, [surveys](#) were undertaken at key European protected sites in Norfolk to gauge typical numbers of people visiting the site and understand what they did and where they had come from. This work then informed the most recent work, undertaken by Place Services, which identified the need for a RAMS scheme. The Place Services work is completed.
- 4.2. Recreational pressures from growth and its impact on designated Habitats Sites is a cross boundary issue. Growth that is planned across the county has the potential to have significant adverse impacts on the designated European Protected Sites. The

¹ Suffolk use the term 'Recreational Disturbance Avoidance and Mitigation Strategy' but they mean the same thing and RAMS is used in this report.

evidence shows that all residential development in Norfolk is likely to have a significant effect on the integrity of protected sites.

- 4.3. The mitigation proposed is a two-part strategic strategy, of which **both elements** need to be applied across the COUNTY for it to work.
- 4.4. Firstly, the requirement for the provision of well-designed open space/green infrastructure. This is referred to as Enhanced Green Infrastructure and often also more commonly referred to as Suitable Alternative Natural Greenspace (SANGS). The purpose of SANGS is to provide an alternative space for recreational activities – ideally closer to new development and communities – to reduce the visitor pressure on protected sites. Local Plan policies often encourage SANGS and this evidence enhances this requirement.
- 4.5. Secondly, the provision of a mitigation package that could include signage, education and physical on-site measures. This could be delivered working with landowners and other organisations that promote access (which may be on a seasonal basis) depending on the qualifying feature of each site.
- 4.6. This scheme, when finally agreed, will cover all of Norfolk, with all Norfolk Local Planning Authorities applying it.
- 4.7. The following schemes in Norfolk are part of the Norfolk RAMS scheme and will need to pay the tariff:
 - new dwellings of 1+units (but excludes replacement dwellings and extensions),
 - Housing in multiple Occupancy (HMO),
 - student accommodation,
 - residential care homes and residential institutions,
 - tourist accommodation including caravan sites, camping and glamping, and
 - Gypsies, travellers and travelling show people plots.
- 4.8. Residential moorings are also included, as well as tourist accommodation on recommended rate of 'per six bed-space ratio' of the tariff.
- 4.9. The tariff, at the time of writing, is around £185. This will be index linked and increase with inflation.
- 4.10. It is envisaged that the scheme will be agreed over the coming months.

5. Suffolk Coastal RAMS – in place and being collected

- 5.1. Similar to Norfolk, recreation impact arising from new development has been identified as an issue in relation to the protected sites on the Suffolk Coast. However, slightly different to Norfolk, not all Suffolk Local Planning Authorities are involved in this scheme and the scheme only covers part of Suffolk – the protected sites in the coastal

area. The Broads Authority was not initially part of this scheme. However, it became apparent that part of the Broads falls within the zones drawn for this scheme. It is therefore logical that schemes that fall in the Broads that are within the relevant zones should contribute. Indeed, at the time of writing, two individual dwellings that have been permitted in the zones have contributed to the Suffolk Coastal RAMS scheme.

- 5.2. The requirements of Suffolk Coast RAMS apply to all new residential developments where there is a net increase in dwelling numbers. This includes, for example, the conversion of houses into smaller flats, or the change of use of other buildings to dwellings. It also includes new tourist accommodation. It excludes replacement dwellings and extensions to existing dwellings (where there is no net gain in dwelling numbers). Certain restricted development types may be excluded from the Suffolk Coast RAMS. These include nursing homes, where the residents will be those in need of daily nursing care and therefore unable to undertake outdoor recreation. Residential annexes are also excluded, as they do not result in independent dwellings.
- 5.3. The tariff, at the time of writing, for the area in which the Broads falls is £321.22.
- 5.4. The Suffolk Coast scheme is more advanced than the Norfolk scheme, and there are some documents that provide further details:
 - More information: [Habitat mitigation \(RAMS\) » East Suffolk Council](#)
 - FAQs: [Suffolk-Coast-Recreational-Disturbance-Avoidance-Mitigation-Strategy-FAQ.pdf \(eastsuffolk.gov.uk\)](#)
 - East Suffolk adopted SPD: <https://www.eastsuffolk.gov.uk/assets/Planning/Planning-Policy-and-Local-Plans/Supplementary-documents/Recreational-Disturbance-Avoidance/Suffolk-Coast-RAMS-SPD-final-May-2021.pdf>
- 5.5. The pooled funding will be spent in a similar way to Norfolk.

6. Collecting and spending the tariffs

- 6.1. The Suffolk Coastal tariff is collected when an application is being considered.
- 6.2. In Suffolk the monies collected will be transferred into a central pot to be spent collectively across the Suffolk Coast RAMS project area. The detailed governance for this is still being finalised.
- 6.3. For Norfolk, the exact details are to be worked out but may be very similar to the approach taken in Suffolk.

7. Does an applicant have to pay the tariff?

- 7.1. Applicants could theoretically provide mitigation themselves; however, they would need to satisfy the Local Planning Authority and Natural England that their proposed

measures would fully mitigate the impact of the development and address the localised and in combination effects and ensure no adverse impact on the European site.

- 7.2. They would have to undertake a detailed HRA and appropriate assessment covering their proposal (each proposal) and agree the mitigation required both locally and in-combination with statutory bodies and the LPA (as the responsible body). This has the potential to be more expensive than the proposed RAMS tariff and introduce significant delays into the planning application process. Many applicants will not have the resource or knowledge/expertise to carry this work out.

8. Next steps

- 8.1. For the Suffolk Coastal RAMS, the tariff is being collected. We meet with East Suffolk colleagues on a quarterly basis.
- 8.2. For the Norfolk RAMS, following agreement at the Norfolk Member Forum, Local Planning Authorities will then need to endorse the approach individually. Once the scheme is endorsed, the tariff will start to be collected. When endorsed, the governance arrangements will be formulated and put in place. The pooled money will then be spent where it is needed in order to mitigate the recreation impacts of growth on the protected European sites in Norfolk.

9. Financial implications

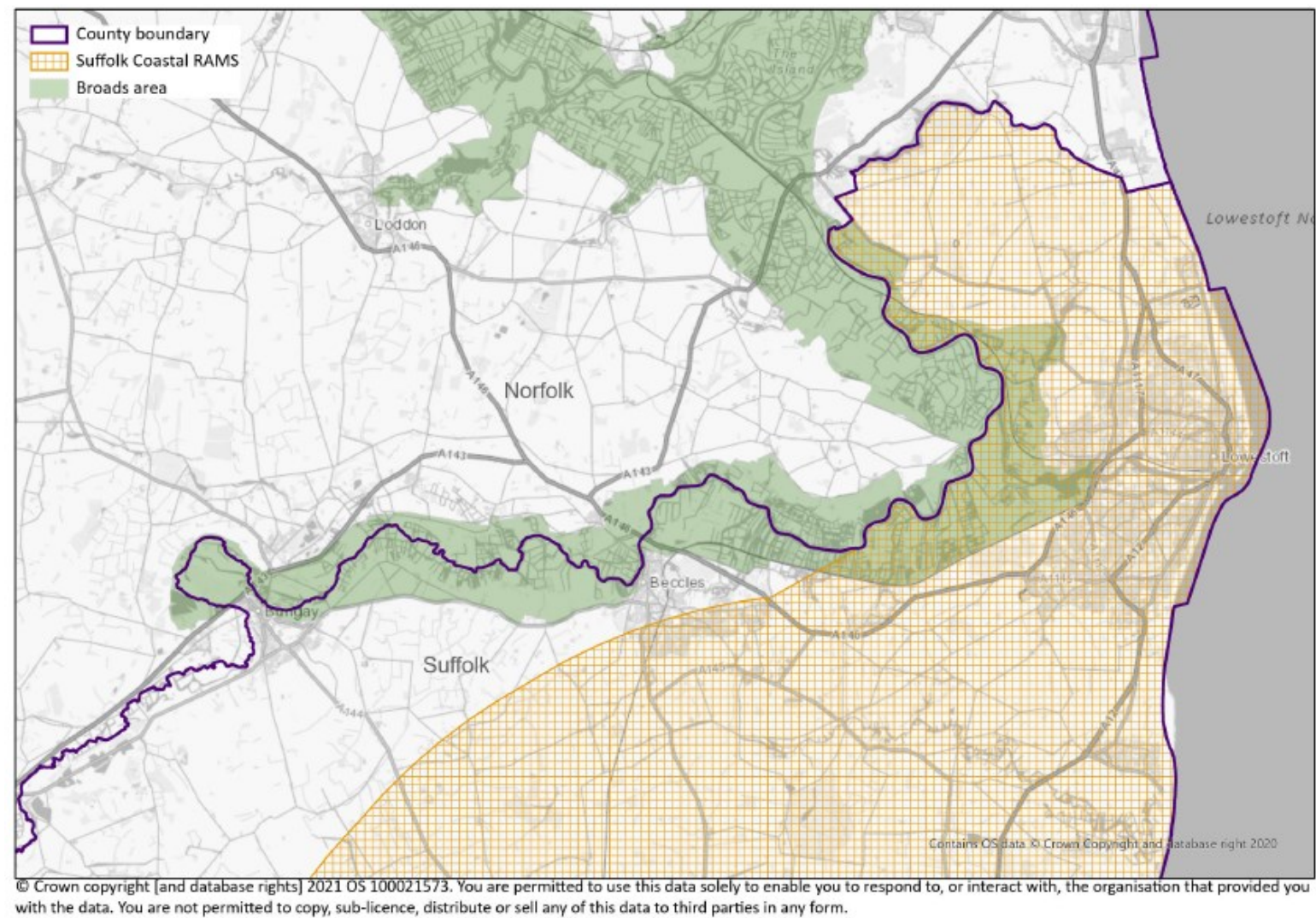
- 9.1. The schemes are designed to be funded from developer contributions.

Author: Natalie Beal

Date of report: 26 August 2021

Appendix 1 – Extent of Suffolk Coastal RAMS

Appendix 1 – Extent of Suffolk Coastal RAMS



Planning Committee

10 September 2021

Agenda item number 11

Local Plan Issues and Options bite size pieces- September 2021

Report by Planning Policy Officer

Summary

The review of the Local Plan is underway. This report introduces some sections to the emerging draft Issues and Options stage of the Local Plan. This covers climate change, Indices of Multiple Deprivation Topic Paper and policies covering areas for change. It also covers policy context, existing policies and duty to cooperate.

Recommendation

Members' thoughts and comments on the draft sections are requested.

1. Introduction

- 1.1. The review of the Local Plan is underway. Members will recall the [report](#) to a recent Planning Committee updating them on this review.
- 1.2. The first version of the reviewed Local Plan is an Issues and Options consultation. As well as publicising that we are reviewing the Local Plan, this stage identifies some issues and related options and seeks comments. Responses will inform the subsequent stages of the Local Plan.

2. Issues and options

- 2.1. The six bite size pieces are listed below. They can be found as appendices to this report, and members' thoughts on these reports/draft sections of the issues and options are welcomed.
 - i. Policy context
 - ii. Indices of Multiple Deprivation Topic Paper
 - iii. Climate change
 - iv. Existing policies
 - v. Policies covering areas for change

vi. Duty to cooperate

Author: Natalie Beal

Date of report: 27 August 2021

Appendix 1 – [Policy Context](#)

Appendix 2 – [Indices of Multiple Deprivation Topic Paper](#)

Appendix 3 – [Climate Change](#)

Appendix 4 - [Existing Policies](#)

Appendix 5 – [Policies covering areas for change](#)

Appendix 6 – [Duty to Cooperate](#)



**Local Plan for the Broads - Review
Issues and options bitesize pieces
September 2021**

Policy Context

1.1. [National Planning Policy Framework \(NPPF\) \(2021\)](#)

The National Planning Policy Framework sets out the Government's planning policies for England and how these should be applied. It provides a framework within which locally-prepared plans for housing and other development can be produced.

The NPPF is a comprehensive document which covers a range of issues. The key ones for the purposes of this report setting out the broad context of plan making is as set out below.

Paragraph 11 sets out 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) all plans should promote a sustainable pattern of development that seeks to: meet the development needs of their area; align growth and infrastructure; improve the environment; mitigate climate change (including by making effective use of land in urban areas) and adapt to its effects;
 - b) strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, 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.

Note for Planning Committee: The following notes are provided as a brief summary interpretation of the policy extracts from the NPPF. It is provided to assist members, but will not be included in the consultation document for the Issues and Options.

Paragraph 11 sets out the presumption in favour of sustainable development and requires all LPAs to produce a local plan which promotes sustainable development and meets the objectives in criteria a). Criteria b) requires that strategic policies are put in place to enable the LPA to meet its own needs and the needs of neighbouring areas where these cannot be met there. Criteria b), however, is subject to exemptions which, in effect, allow for a restriction on development in some areas (at (i)) and enable an LPA to make an 'on balance' judgement where the adverse impact of development outweigh the benefits (at (ii)).

There are two footnotes which need to be read with paragraph 11.

Footnotes:

6 As established through statements of common ground (see paragraph 27).

7 The policies referred to are those in this Framework (rather than those in development plans) relating to: habitats sites (and those sites listed in paragraph 180) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 67); and areas at risk of flooding or coastal change.

Footnote 6 identifies the need for LPAs to cooperate around meeting cross-boundary needs and/or where an LPA cannot meet its own need. The Statement of Common Ground is identified as the mechanism by which agreement on how those needs will be met is set out.

Footnote 7 identifies those areas which are accorded protection in the NPPF and where development may be restricted. The Broads area is included within this list.

Paragraph 176 is contained within the section on conserving and enhancing the natural environment in the NPPF. It states:

176. Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas, and should be given great weight in National Parks and the Broads⁵⁹. The scale and extent of development within all these designated areas should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas.

Paragraph 176 in essence explains why the restriction in Footnote 7 in respect of National Parks, AONBs and the Broads applies. It says (in effect) that these areas have been identified as being of particular importance for their landscape and scenic beauty and should be accorded protection from development which damages this. A similar consideration applies in respect of wildlife and cultural heritage, and this also should be given great weight in the National Parks and Broads. It does not prevent development, but requires that its scale and extent should be restricted.

Guidance and background on the National Parks and Broads is provided in a Circular and attention is drawn to this in Footnote 59:

Footnote:

59 English National Parks and the Broads: UK Government Vision and Circular 2010 provides further guidance and information about their statutory purposes, management and other matters.

Paragraph 177 goes on to say:

177. When considering applications for development within National Parks, the Broads and Areas of Outstanding Natural Beauty, permission should be refused for major development⁶⁰ other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest. Consideration of such applications should include an assessment of:
a) the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;

- b) the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and
- c) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.

The effect of this is that the National Parks, the Broads area and AONBs are identified as areas where major development is not considered to be appropriate other than in exceptional circumstances and where such development within the protected area is considered to be in the public interest.

It is worth noting that 'major development' is not defined and footnote 60 makes it clear that this determination is a matter for the LPA:

Footnote:

60 For the purposes of paragraphs 176 and 177, whether a proposal is 'major development' is a matter for the decision maker, taking into account its nature, scale and setting, and whether it could have a significant adverse impact on the purposes for which the area has been designated or defined.

These are the main sections of the NPPF which set out the national policy context relevant to the preparation of the Local Plan.

1.2. [National Planning Policy Guidance](#) (NPPG) (ongoing)

This guidance is intended to assist practitioners. Ultimately the interpretation of legislation is for the Courts but this guidance is an indication of the Secretary of State's views. Planning practice guidance will be updated as needed. The guidance covers the following topics (as at June 2021).

- | | | |
|---|---|--|
| • Advertisements | • Fees for planning applications | • Land affected by contamination |
| • Air quality | • First Homes | • Land stability |
| • Appeals | • Flexible options for planning permissions | • Lawful development certificates |
| • Appropriate assessment | • Flood risk and coastal change | • Light pollution |
| • Before submitting an application | • Green Belt | • Making an application |
| • Brownfield land registers | • Hazardous substances | • Minerals |
| • Build to rent | • Healthy and safe communities | • Natural environment |
| • Climate change | • Historic environment | • Neighbourhood planning |
| • Community Infrastructure Levy | • Housing and economic land availability assessment | • Noise |
| • Consultation and pre-decision matters | • Housing and economic needs assessment | • Open space, sports and recreation facilities, public rights of way and local green space |
| • Crown development | • Housing needs of different groups | • Permission in principle |
| • Design: process and tools | • Housing for older and disabled people | • Plan-making |
| • Determining a planning application | • Housing: optional technical standards | • Planning obligations |
| • Effective use of land | • Housing supply and delivery | • Renewable and low carbon energy |
| • Enforcement and post-permission matters | | • Rural housing |
| • Environmental Impact Assessment | | • Self-build and custom housebuilding |

- Strategic environmental assessment and sustainability appraisal
- Town centres and retail
- Transport evidence bases in plan making and decision taking
- Travel Plans, Transport Assessments and Statements
- Tree Preservation Orders and trees in conservation areas
- Use of planning conditions
- Viability
- Waste
- Water supply, wastewater and water quality
- When is permission required?

1.3. [UK Marine Policy Statement \(2011\)](#)

Marine Policy Statement (MPS) is the framework for preparing Marine Plans and taking decisions affecting the marine environment. The Marine and Coastal Access Act 2009 requires all public authorities taking authorisation or enforcement decisions that affect or might affect the UK marine area to do so in accordance with the MPS unless relevant considerations indicate otherwise.

1.4. [East Inshore and Offshore Marine Plans \(2014\)](#)

The East Inshore Marine Plan area includes the coastline stretching from Flamborough Head to Felixstowe, extending from mean high water out to 12 nautical miles, including inland areas such as the Broads and other waters subject to tidal influence, and covers an area of 6,000 square kilometres. The East Offshore Marine Plan area covers the marine area from 12 nautical miles out to the maritime borders with the Netherlands, Belgium and France, a total of approximately 49,000 square kilometres of sea.

Vision for East Marine Plan Areas in 2034: By 2034 sustainable, effective and efficient use of the East Inshore and East Offshore Marine Plan Areas has been achieved, leading to economic development while protecting and enhancing the marine and coastal environment, offering local communities new jobs, improved health and well-being. As a result of an integrated approach that respects other sectors and interests, the East marine plan areas are providing a significant contribution, particularly through offshore wind, to the energy generated in the United Kingdom and to targets on climate change.

1.5. [National Parks Circular \(2010\)](#)

Whilst the National Parks and the Broads are established under two separate Acts of Parliament, the similarities between them are such that this circular has been produced to apply equally to them all. It sets out in relation to the Parks:

- a vision for the English National Parks and the Broads for 2030;
- the key outcomes the Government is seeking over the next five years to ensure early progress towards the vision and suggested actions for achieving those outcomes;
- the key statutory duties of the National Park authorities ('NPAs') and the Broads Authority (together 'the Authorities') and how they should be taken forward;
- policy on governance of the Authorities;
- the contributions needed from others.

Vision for the English National Parks and the Broads:

By 2030 English National Parks and the Broads will be places where:

- There are thriving, living, working landscapes notable for their natural beauty and cultural heritage. They inspire visitors and local communities to live within environmental limits and to tackle climate change. The wide-range of services they provide (from clean water to sustainable food) are in good condition and valued by society.

- Sustainable development can be seen in action. The communities of the Parks take an active part in decisions about their future. They are known for having been pivotal in the transformation to a low carbon society and sustainable living. Renewable energy, sustainable agriculture, low carbon transport and travel and healthy, prosperous communities have long been the norm.
- Wildlife flourishes and habitats are maintained, restored and expanded and linked effectively to other ecological networks. Woodland cover has increased and all woodlands are sustainably managed, with the right trees in the right places. Landscapes and habitats are managed to create resilience and enable adaptation.
Everyone can discover the rich variety of England's natural and historic environment, and have the chance to value them as places for escape, adventure, enjoyment, inspiration and reflection, and a source of national pride and identity. They will be recognised as fundamental to our prosperity and well-being.

1.6. [The Broads Plan 2017](#)

The Broads Plan is the key strategic management plan for the Broads. It sets out a vision, aims and objectives for the Broads and coordinates and integrates a wide range of strategies, plans and policies relevant to the area with the purposes and duties set out in the Broads Acts.

Three fundamental principles help guide the development and implementation of the Broads Plan. The first is based on the definition of the Precautionary Approach in the Rio Declaration on Environment and Development, 1992. The second recognises the need for integrated, long-term management, and the third underlines the importance of informed partnership working.

Principle 1

Where there are likely threats of serious or irreversible damage to the environment, as a precaution, cost-effective measures are taken to prevent environmental degradation in the absence of full scientific certainty of the outcome of such threats. Such precautionary action is based on assessment of the costs and benefits of action, taking into account both the proportionality between the costs and benefits and the degree of certainty in their calculation, and transparency in decision making. Gaps in knowledge are addressed by research and, where feasible, precautionary measures taken while such knowledge is outstanding.

Principle 2

We seek to understand and respect the complexity and biological limits of our ecosystems, and conserve their structures to maintain their health and productivity. Management is at a local scale, while recognizing the direct or indirect effects on wider, interconnected ecosystems and the public goods and services they provide. We manage for long-term, multiple benefits, not just for short-term or single interest gains.

Principle 3

We plan and work in partnership to make the best use of shared knowledge and resources and to avoid duplication of effort. People are involved from an early stage, and throughout, in decisions that may interest or affect them. Decisions are supported with robust evidence, including scientific and local knowledge, innovation and best practice.

The Broads Authority is required to review the Broads Plan at least every five years. The current Broads Plan (2017) will be updated at the same time as the Broads Local Plan review.

1.7. Current Broads Planning Policy Documents

[Local Plan for the Broads Authority](#) – adopted in 2019.

[Flood Risk SPD](#) – adopted in 2020 and elaborates on flood risk policies

[Topic based guides](#) – various topic-based guides that help to implement policies of the Local Plan.

1.8. Neighbouring Local Planning Authorities' Planning Policy Documents

The Broads Authority is the Local Planning Authority for the Broads Executive Area. Parts of the Broads area cover Norwich City, Broadland, South Norfolk, North Norfolk, Great Yarmouth Borough and Waveney District Council areas. These districts are the Local Planning Authorities for the remainder of their areas. The Broads are in Norfolk and Suffolk and the County Councils have produced minerals and waste planning policy documents.

As the Broads Local Plan is developed, it is important to be aware of the proposals and policies of the districts and counties.

1.9. Norfolk Strategic Planning Framework (NSPF) (2021) (link needed)

Norfolk Local Planning Authorities have produced a Norfolk Strategic Planning Framework (NSPF) to ensure that planning is undertaken strategically and the requirements of the Duty to Cooperate are met. The NSPF also meets the requirement to produce a Statement of Common Ground. All Local Planning Authorities in Norfolk have worked together to produce this work. The Framework identifies cross boundary and strategic issues and seek ways to recommend to the Authorities on how to address these issues in a coordinated manner.

1.10. Neighbourhood Plans

At the time of writing, the following Neighbourhood Plans were adopted or in preparation (as at June 2021):

Adopted Neighbourhood Plans

- [Acle](#)
- [Brundall](#)
- [Salhouse](#)
- [Strumpshaw](#)
- [Wroxham](#)

Neighbourhood Plans in progress

- [Barnby](#)
- [Beccles](#)
- [Bungay](#)
- [Carlton Colville](#)
- [Filby](#)
- [Fleggburgh](#)
- [Hemsby](#)
- [Horstead with Stanninghall](#)

- [Lound with Ashby, Herringfleet and Somerleyton](#)
- [Mettingham, Barsham and Shipmeadow and Ringsfield and Weston](#)
- [Oulton](#)
- [Oulton Broad](#)
- [Reedham](#)
- [Rollesby Neighbourhood Plan](#)
- [Thorpe St Andrew](#)
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Broads Local Plan
Deprivation Topic Paper
September 2021

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1. Introduction

This Topic Paper discusses the issue of Deprivation as it relates to the Broads Authority Executive Area.

2. The Broads and Lower Layer Super Output Areas (LSOAs)

LSOAs (Lower-layer Super Output Areas) are small areas designed to be of a similar population size, with an average of approximately 1,500 residents or 650 households. There are 32,844 Lower-layer Super Output Areas (LSOAs) in England. They were produced by the Office for National Statistics for the reporting of small area statistics.

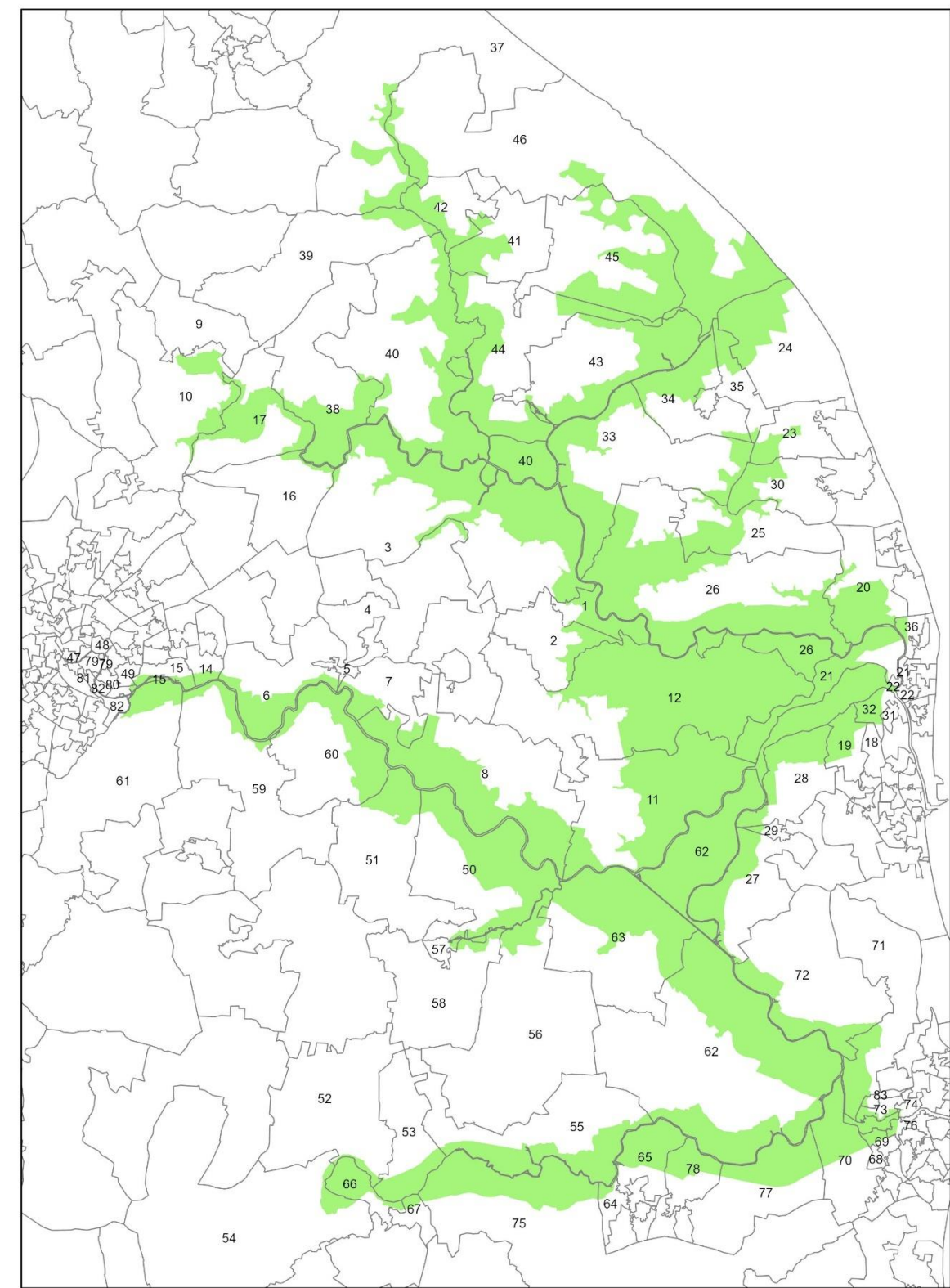
For each measure, the LSOA with a **rank** of 1 is the most deprived and the LSOA with a rank of 32,844 is the least deprived. The following map and tables (Figure 1) shows the LSOAs that are part or all within the Broads Authority Executive area.

3. Indices of Multiple Deprivation - Maps

Maps later in the document show the parts of the LSOAs in the Broads and the 2019 Indices of Deprivation (dark blue is lowest and light blue is highest) as well as comparisons to the 2015 Indices (using a traffic light system showing the least deprived as green and most deprived as red).

It is important to note that whilst looking at the maps, not all of the population of the LSOA are entirely within the Broads. Because LSOAs span the boundary of the Broads Authority Executive Area, an assessment was made to ascertain the likely proportion of population of a particular LSOA in the Broads. The summary is displayed in the table on the following page. The maps later in the document only show LSOAs which are likely to have a population in the Broads part of the LSOA. Those assessed as having 0% population in the Broads are white (and so too is Breydon Water).

Figure 1: LSOAs which are all or part in the Broads Authority Executive Area.



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Table 1: This table gives the LSOA reference number for each map reference as well as the estimated percentage of the population of each LSOA within the Broads.

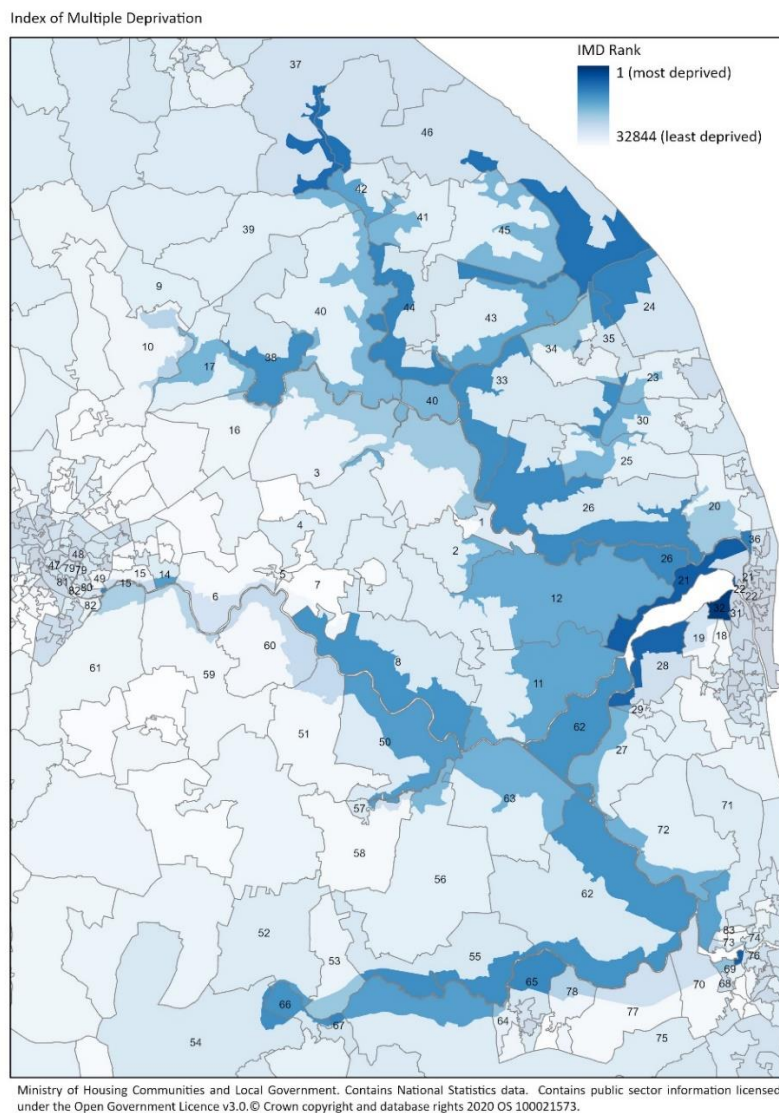
Ref	LSOA11CD	% of LSOA population in the Broads.	Ref	LSOA11CD	% of LSOA population in the Broads.	Ref	LSOA11CD	% of LSOA population in the Broads.	Ref	LSOA11CD	% of LSOA population in the Broads.
1	E01026497	0.90%	22	E01026597	0.00%	43	E01026783	17.85%	64	E01030224	44.90%
2	E01026498	0.00%	23	E01026605	0.40%	44	E01026784	28.28%	65	E01030225	12.49%
3	E01026504	5.00%	24	E01026606	13.22%	45	E01026785	3.16%	66	E01030230	25.85%
4	E01026505	0.00%	25	E01026608	13.13%	46	E01026786	1.73%	67	E01030231	1.35%
5	E01026508	0.00%	26	E01026609	38.60%	47	E01026823	0.00%	68	E01030234	0.00%
6	E01026509	2.82%	27	E01026613	9.00%	48	E01026848	0.00%	69	E01030235	6.32%
7	E01026510	12.60%	28	E01026614	14.75%	49	E01026849	19.12%	70	E01030237	0.58%
8	E01026511	9.61%	29	E01026616	0.00%	50	E01026879	22.40%	71	E01030259	30.97%
9	E01026516	0.00%	30	E01026629	28.38%	51	E01026880	12.95%	72	E01030260	4.11%
10	E01026517	11.93%	31	E01026634	0.00%	52	E01026892	3.59%	73	E01030269	50.68%
11	E01026538	8.77%	32	E01026635	3.56%	53	E01026893	52.11%	74	E01030270	12.94%
12	E01026539	4.84%	33	E01026636	16.65%	54	E01026894	5.27%	75	E01030286	19.20%
14	E01026575	2.95%	34	E01026637	13.30%	55	E01026898	18.69%	76	E01030289	34.64%
15	E01026577	19.48%	35	E01026638	0.40%	56	E01026899	4.66%	77	E01030293	0.00%
16	E01026579	1.07%	36	E01026640	11.60%	57	E01026911	5.70%	78	E01030294	0.55%
17	E01026580	29.24%	37	E01026740	23.41%	58	E01026912	4.07%	79	E01033438	0.00%
18	E01026581	2.53%	38	E01026744	34.01%	59	E01026929	12.76%	80	E01033439	0.27%
19	E01026582	3.52%	39	E01026767	23.67%	60	E01026930	3.48%	81	E01033440	0.00%
20	E01026593	24.95%	40	E01026769	33.52%	61	E01026937	5.40%	82	E01033441	1.96%
21	E01026596	3.97%	41	E01026774	4.98%	62	E01026943	7.54%	83	E01030268	0.71%
			42	E01026776	20.13%	63	E01026944	6.69%			

4. Index of Multiple Deprivation

The **Index of Multiple Deprivation (IMD)** is an overall relative measure of deprivation constructed by combining seven domains of deprivation according to their respective weights, as described below. These Domains are also discussed in this document separately.

- Income Deprivation (22.5%)
- Employment Deprivation (22.5%)
- Education, Skills and Training Deprivation (13.5%)
- Health Deprivation and Disability (13.5%)
- Crime (9.3%)
- Barriers to Housing and Services (9.3%)
- Living Environment Deprivation (9.3%)

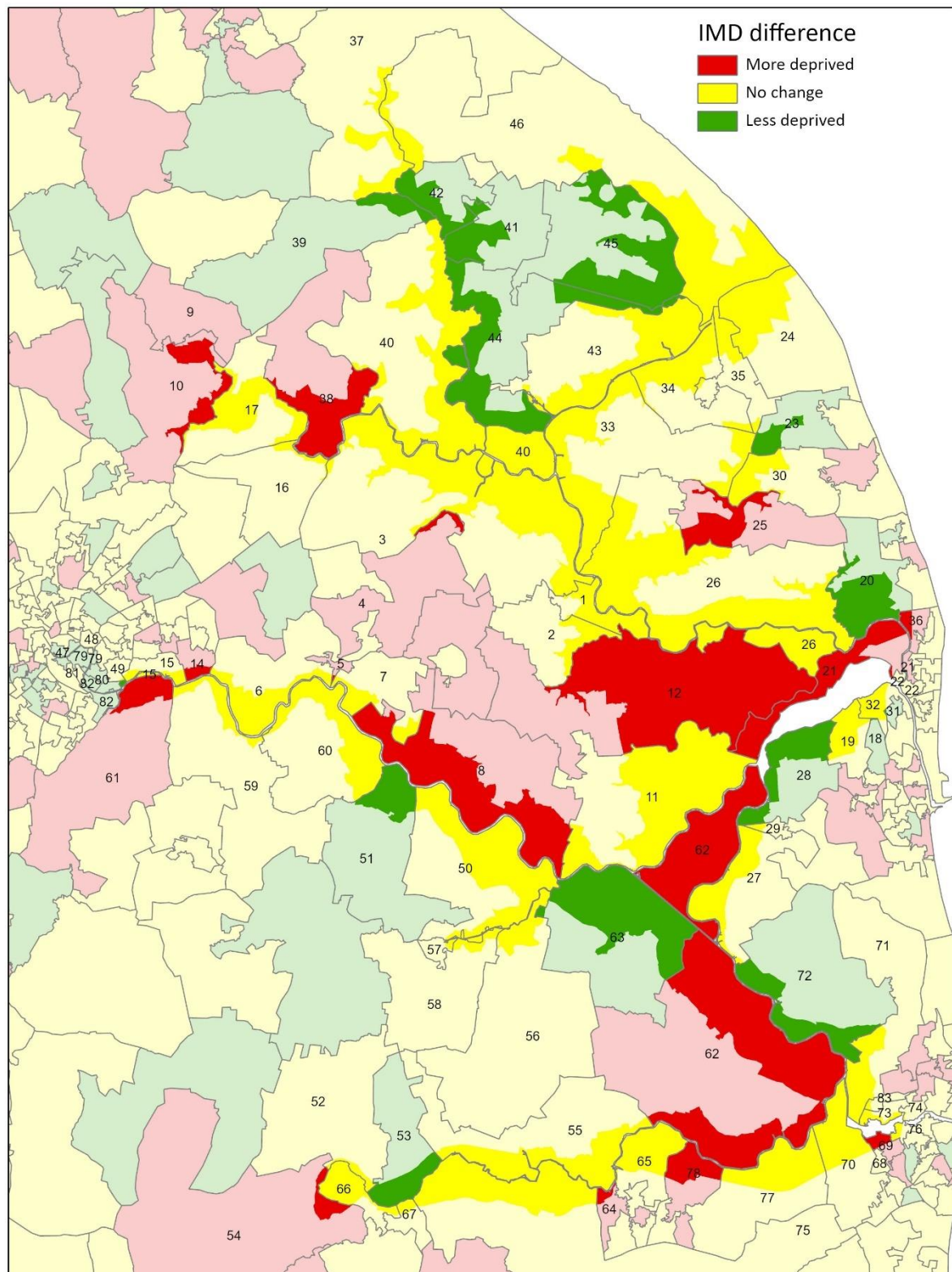
The following map shows the 2019 Indices of Multiple Deprivation.



There is an area of dark blue (most deprived) near to Great Yarmouth.

The following map compares the 2015 and 2019 data. Generally, the results are mixed. Perhaps for the most of the area, there is no change, but as can be seen, some areas have improved, but some areas have got worse.

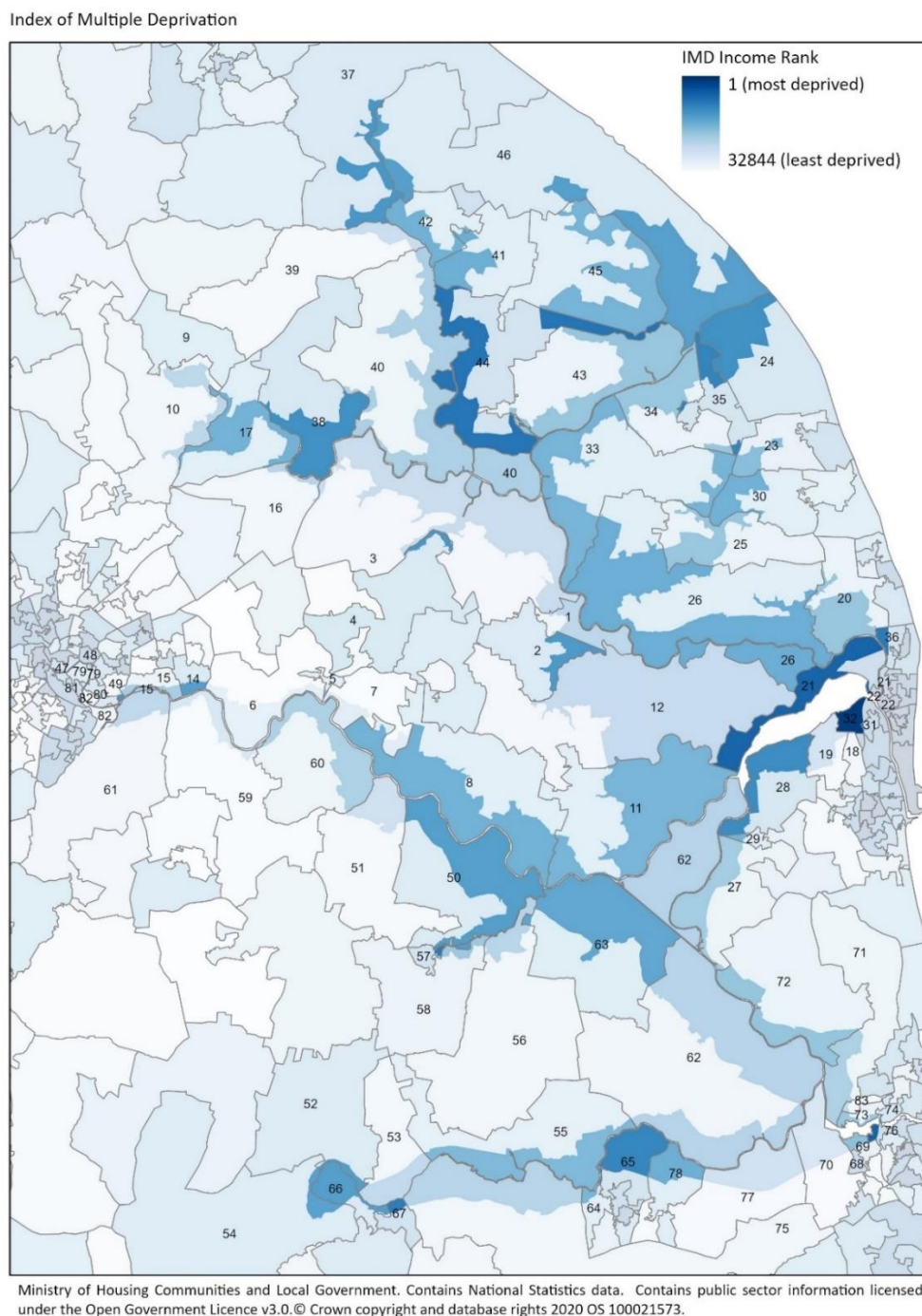
Index of Multiple Deprivation - 2019 vs. 2015 decile comparison



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5. The Income Deprivation Domain

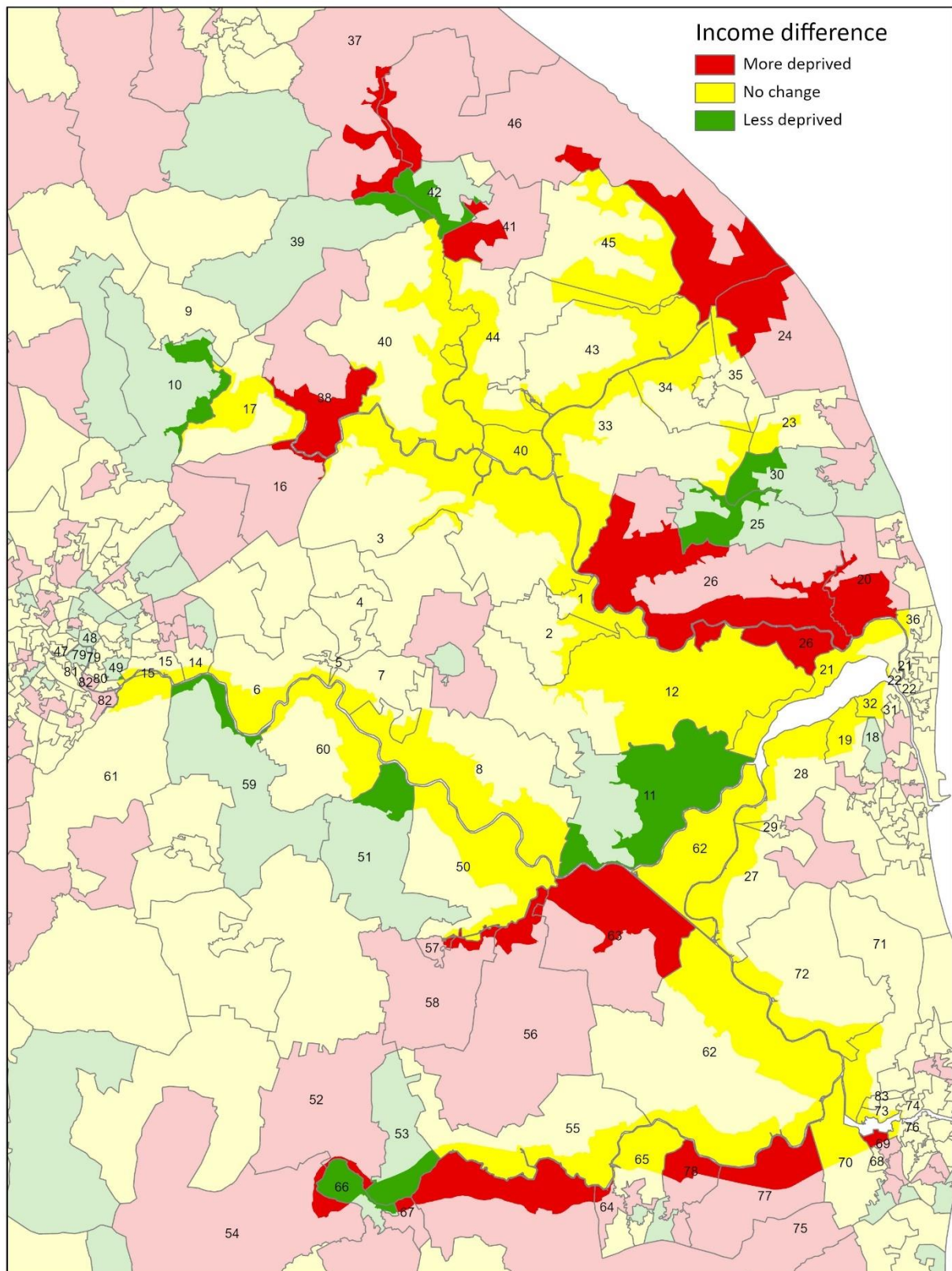
The **Income Deprivation** Domain measures the proportion of the population experiencing deprivation relating to low income. The definition of low income used includes both those people that are out-of-work, and those that are in work but who have low earnings (and who satisfy the respective means tests). The following map shows the 2019 Income Rank.



Generally, the shades of blue are lighter around the Broads, although there are some pockets of darker blue, particularly the LSOA near to/in Great Yarmouth being the darkest blue for the area.

The following map compares the 2015 and 2019 data. This again shows a mixture of change. It seems most of the area has not changed in relation to this domain.

Index of Multiple Deprivation - 2019 vs. 2015 decile comparison

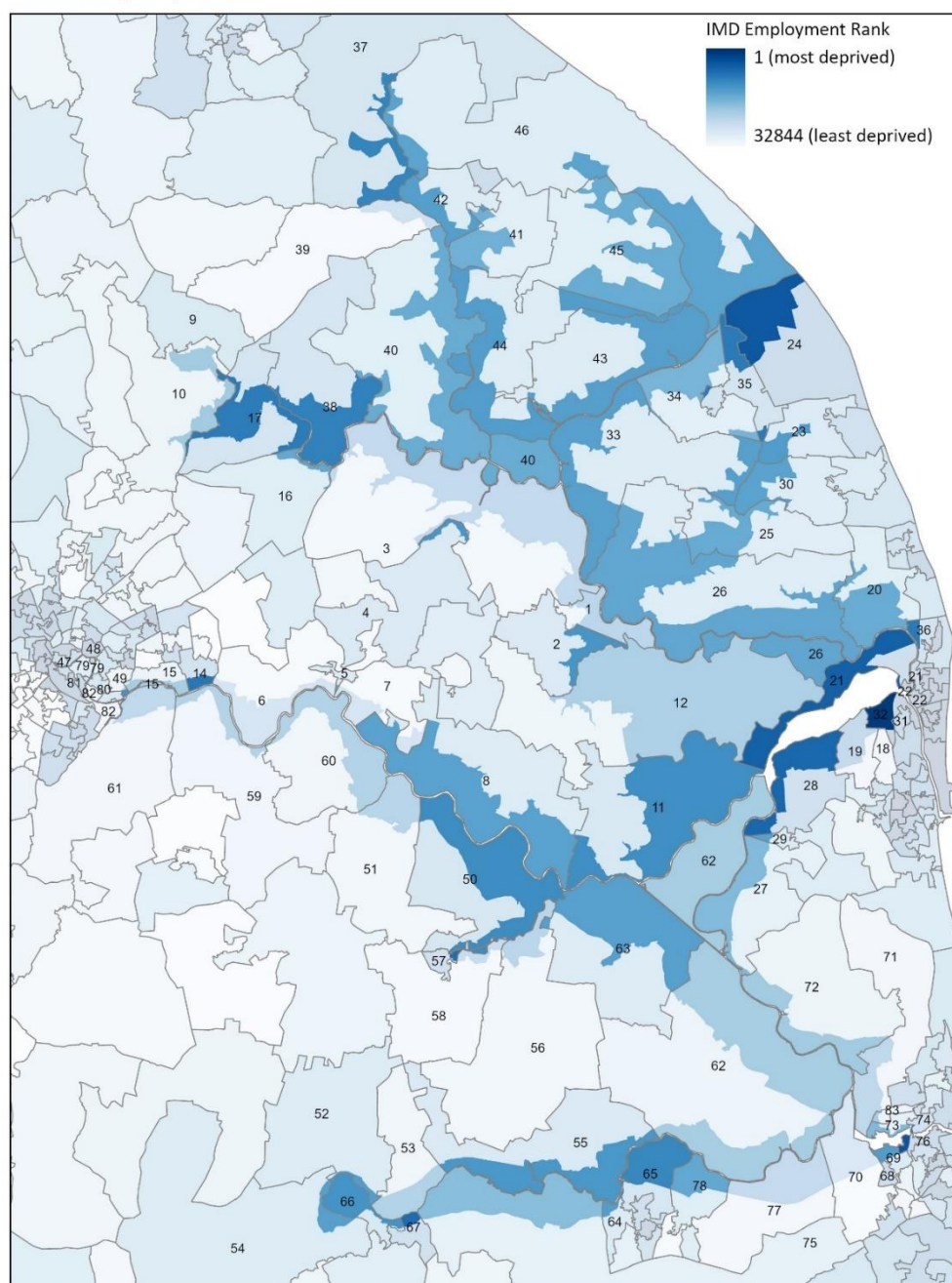


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6. The Employment Deprivation Domain

The **Employment Deprivation** Domain measures the proportion of the working-age population in an area involuntarily excluded from the labour market. This includes people who would like to work but are unable to do so due to unemployment, sickness or disability, or caring responsibilities.

Index of Multiple Deprivation

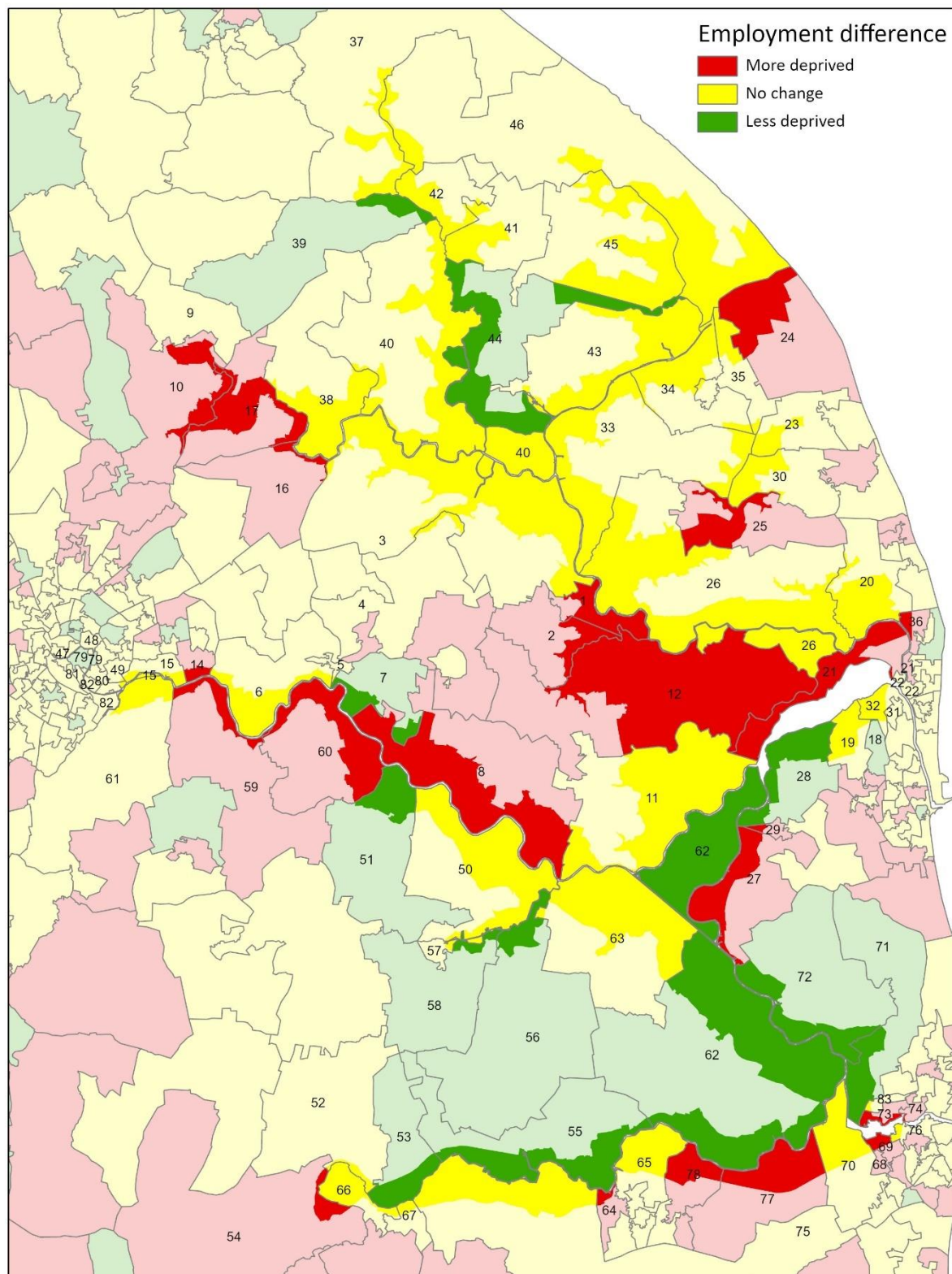


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Generally, the colouring is towards the dark end of the spectrum. Again, the LSOA near to Great Yarmouth stands out as being the darkest blue and therefore the most deprived for this domain.

The following map compares the 2015 and 2019 data. A mixture is evident again with the majority of the area having no change.

Index of Multiple Deprivation - 2019 vs. 2015 decile comparison

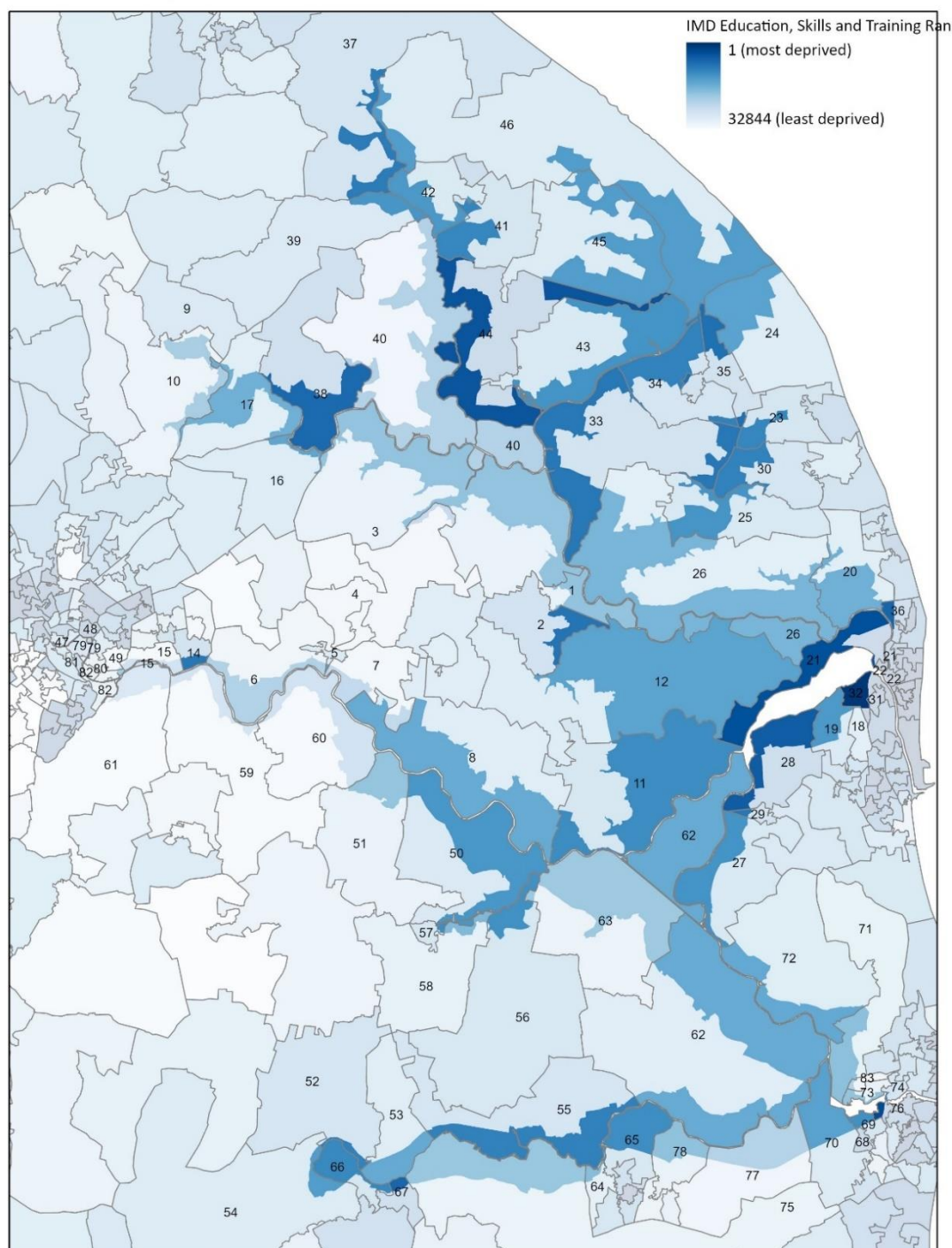


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7. The Education, Skills and Training Deprivation Domain

The **Education, Skills and Training Deprivation** Domain measures the lack of attainment and skills in the local population. The indicators fall into two sub-domains: one relating to children and young people and one relating to adult skills.

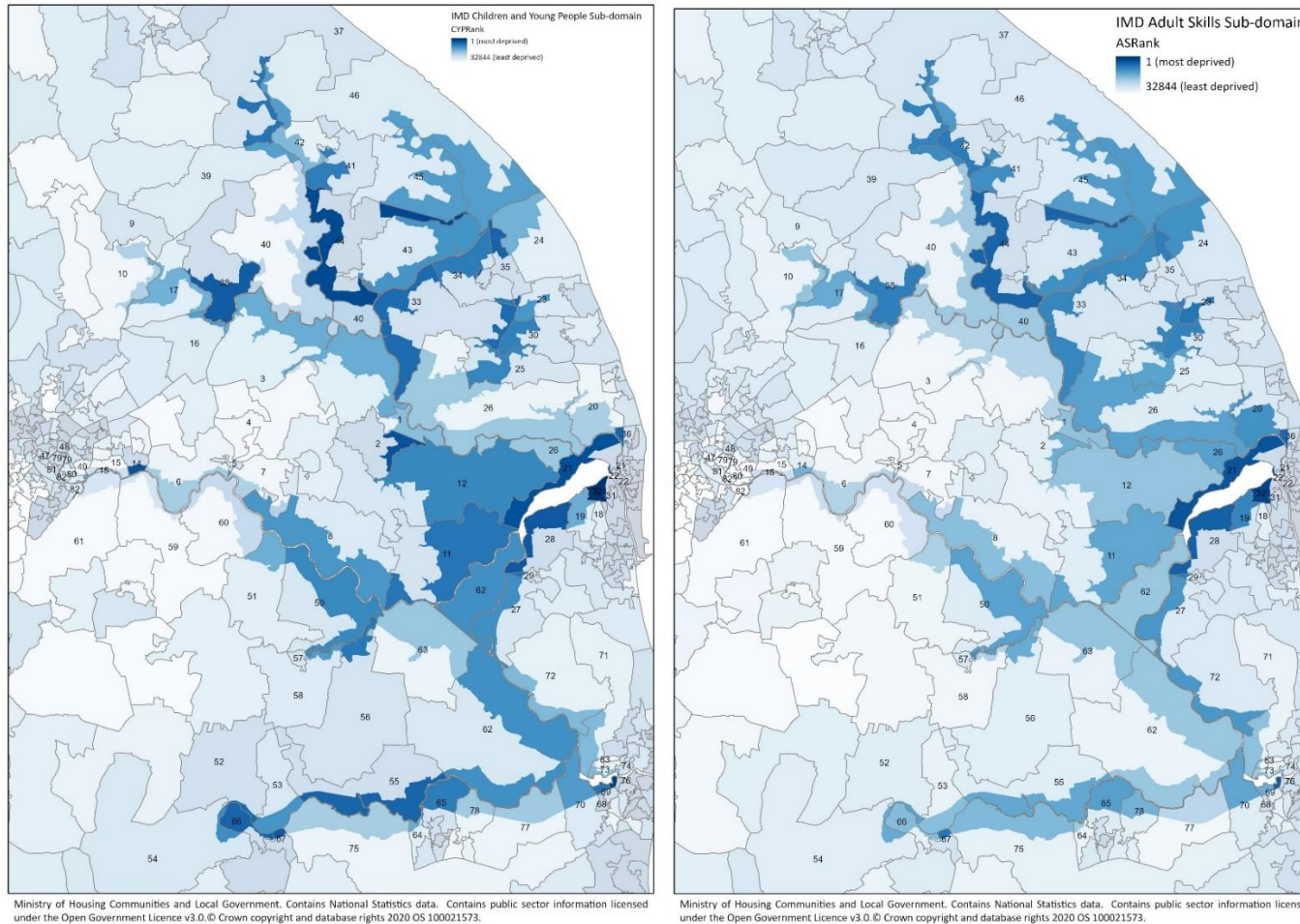
Index of Multiple Deprivation



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Generally towards the darker blue of the colouring. The LSOA nearer to Great Yarmouth is again the darkest blue, so most deprived in relation to this domain.

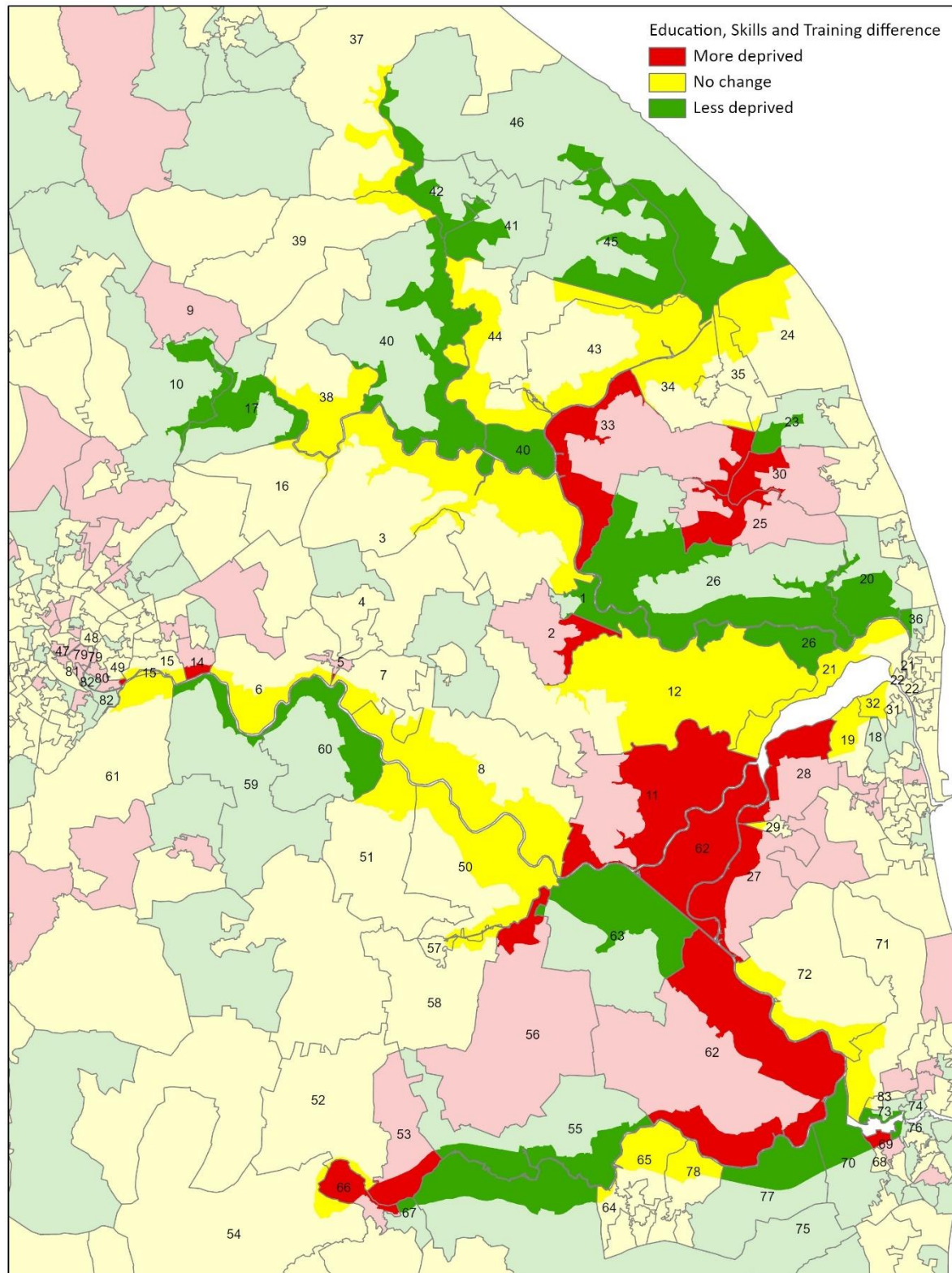
The education, skills and training domain is made up for two sub-domains. The map on the left shows the children and young people sub-domain and on the right, the adult skills sub-domain.



The children and young people map is generally medium blue suggesting the area is towards the more deprived in relation to qualifications attainment of children. There are some areas of particularly dark blue. Whereas for adults, the map is lighter blue in general so towards the least deprived. The LSOA near to Great Yarmouth again is the darkest blue.

The following map compares the 2015 and 2019 data. The area seems mixed, but in fairly equal proportions in terms of got worse, better or stayed the same.

Index of Multiple Deprivation - 2019 vs. 2015 decile comparison

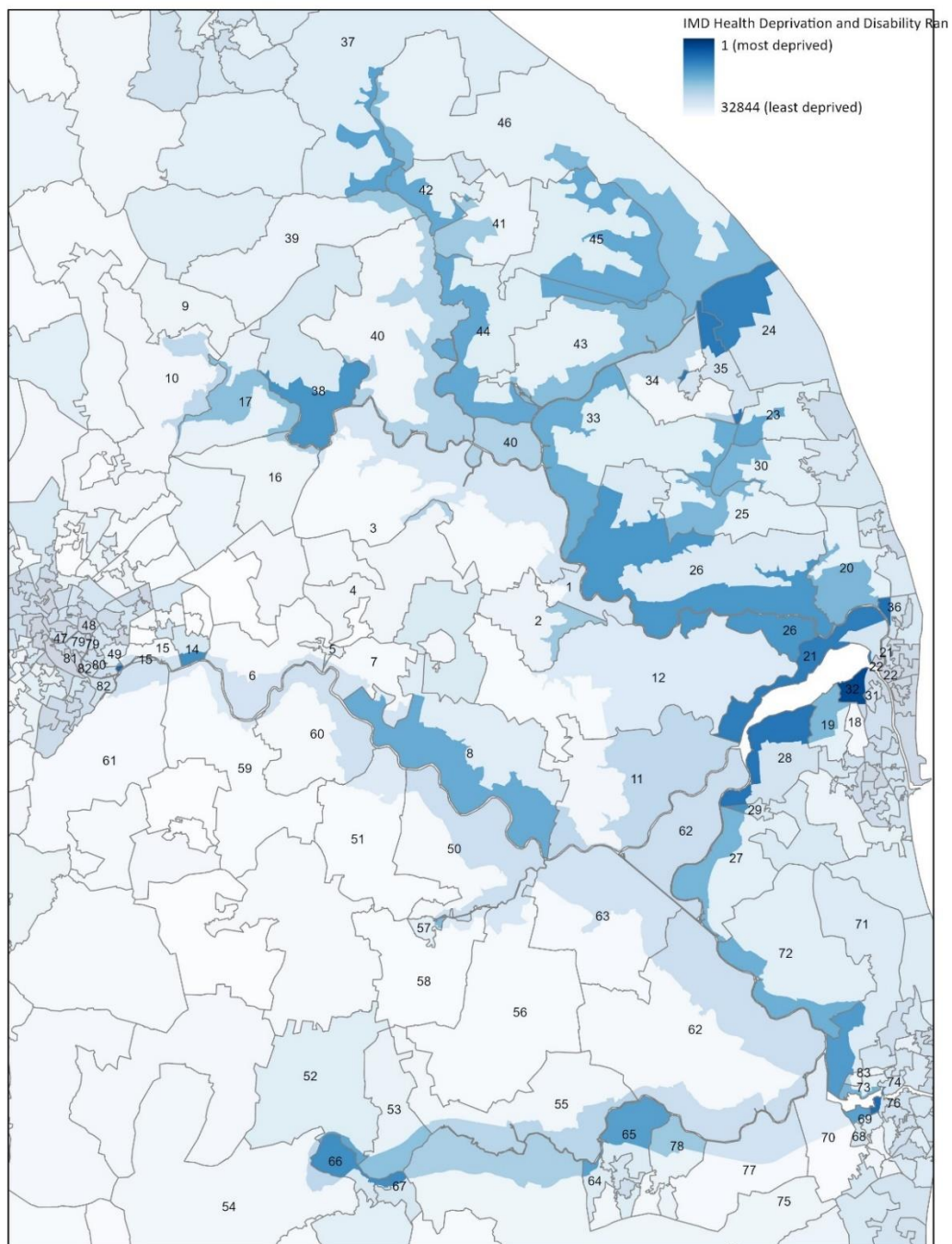


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8. The Health Deprivation and Disability Domain

The **Health Deprivation and Disability** Domain measures the risk of premature death and the impairment of quality of life through poor physical or mental health. The domain measures morbidity, disability and premature mortality but not aspects of behaviour or environment that may be predictive of future health deprivation.

Index of Multiple Deprivation

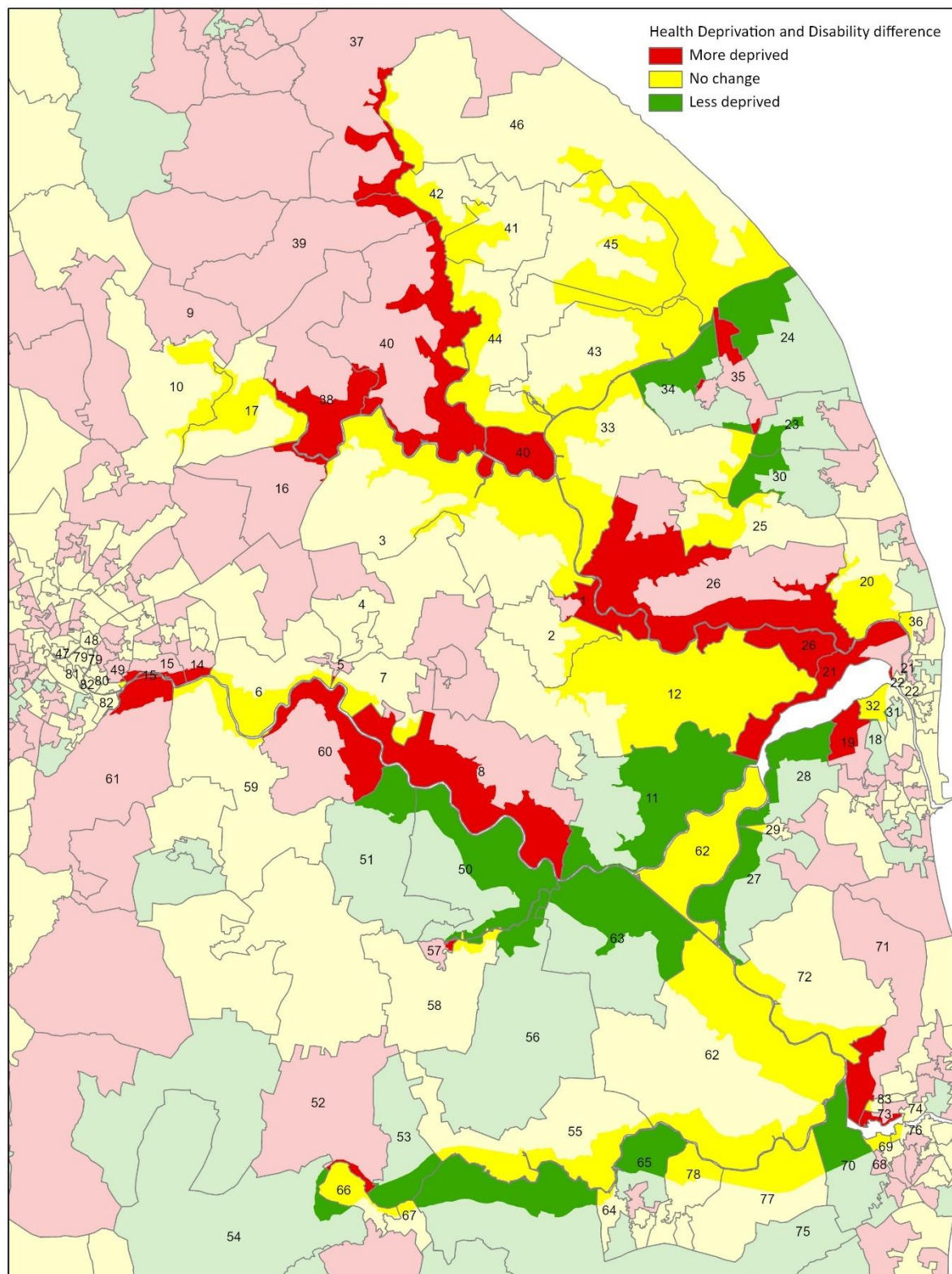


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The map is lighter in shading generally in terms of this domain. There are a few areas that are darker. Again, the LSOA near to Great Yarmouth stands out as being darkest.

The following map compares the 2015 and 2019 data. As with other maps, this shows a mixture. It seems fairly equal proportion of areas have got worse, better or not changed.

Index of Multiple Deprivation - 2019 vs. 2015 decile comparison

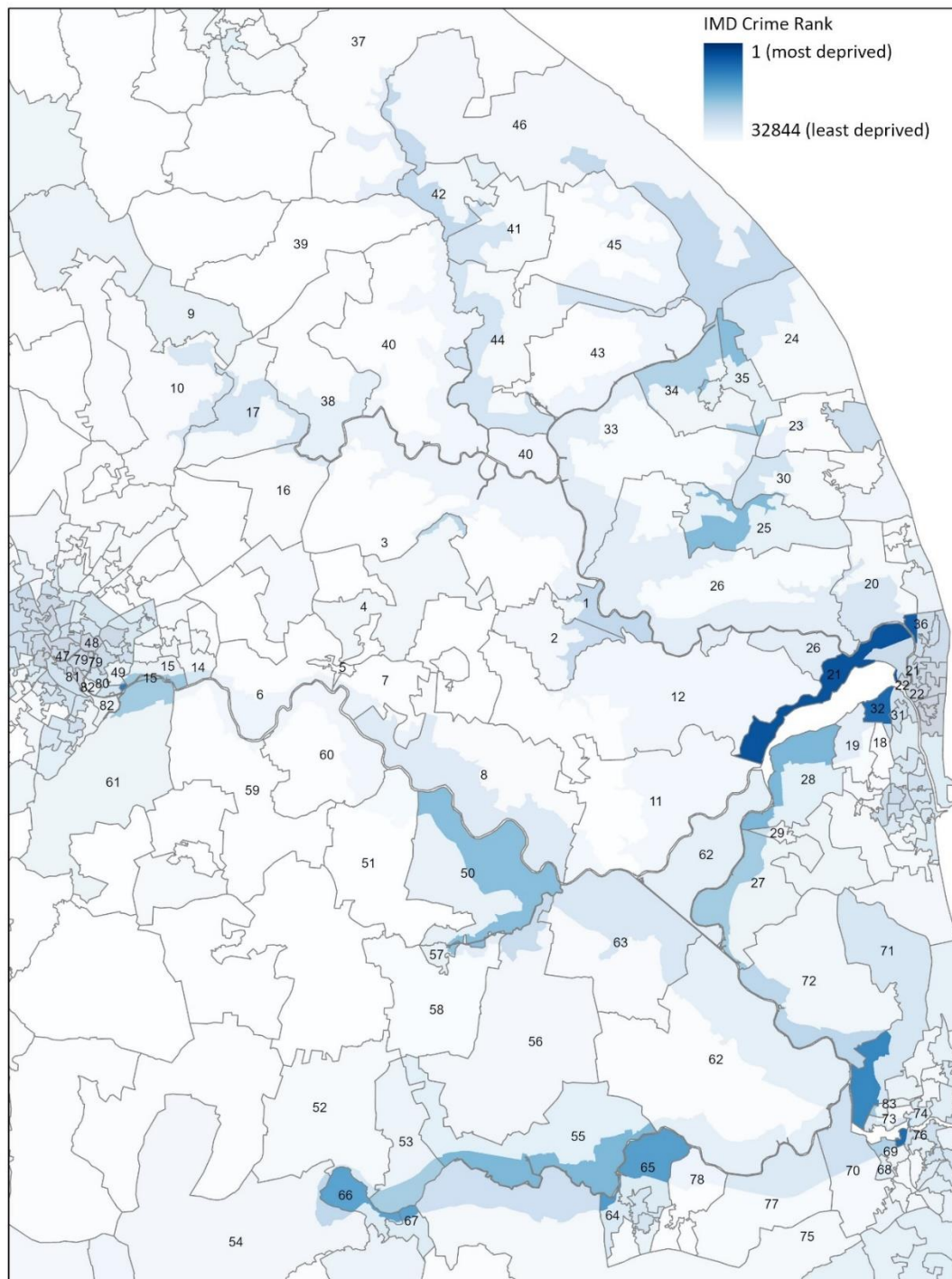


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9. The Crime Domain

The **Crime** Domain measures the risk of personal and material victimisation at local level.

Index of Multiple Deprivation

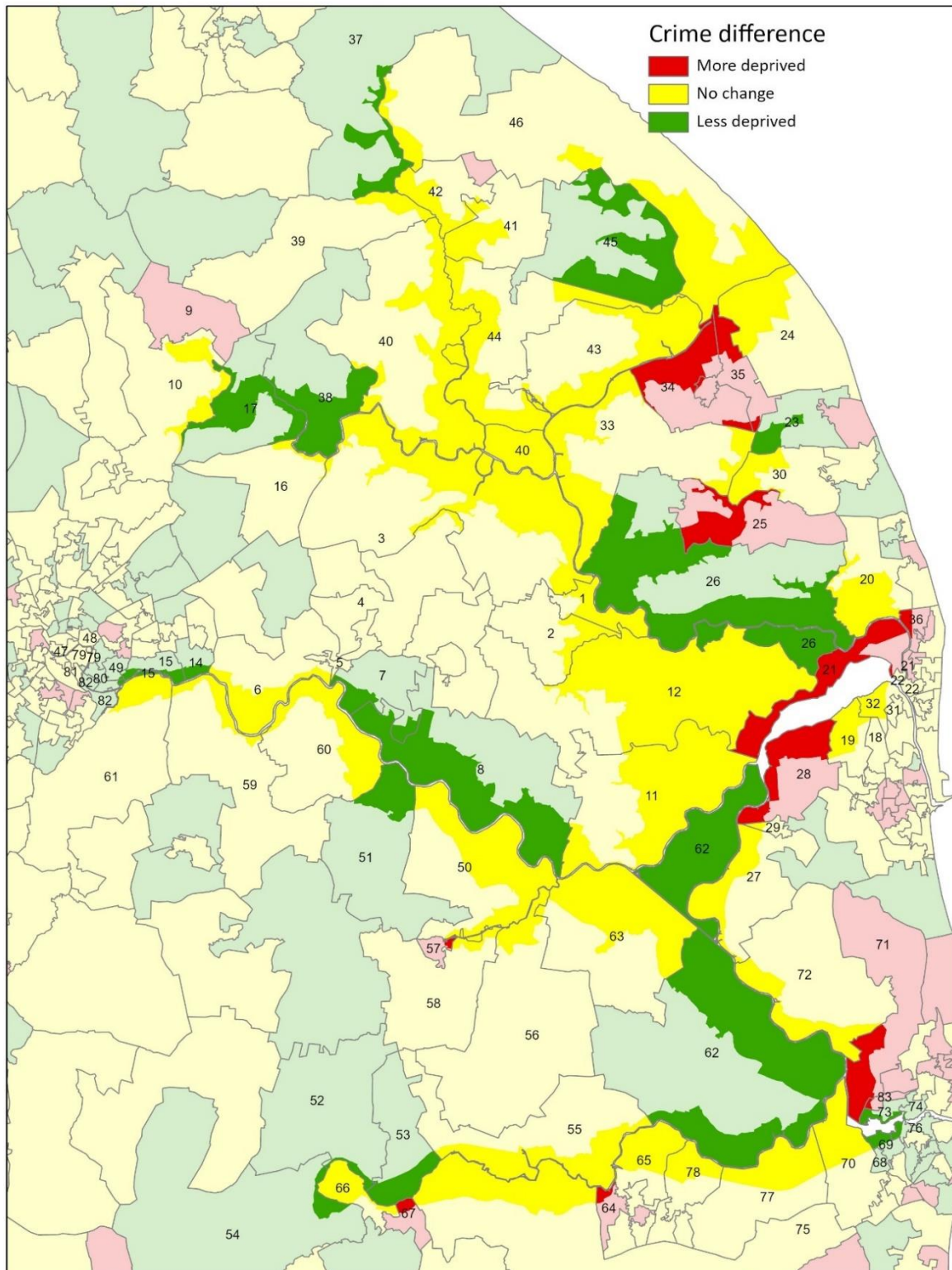


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The Broads is a very light shade of blue. There are a few pockets of darker blue, showing more deprived. The LSOA north/west of Breydon Water (number 21) is the most deprived in the area.

The following map compares the 2015 and 2019 data.

Index of Multiple Deprivation - 2019 vs. 2015 decile comparison



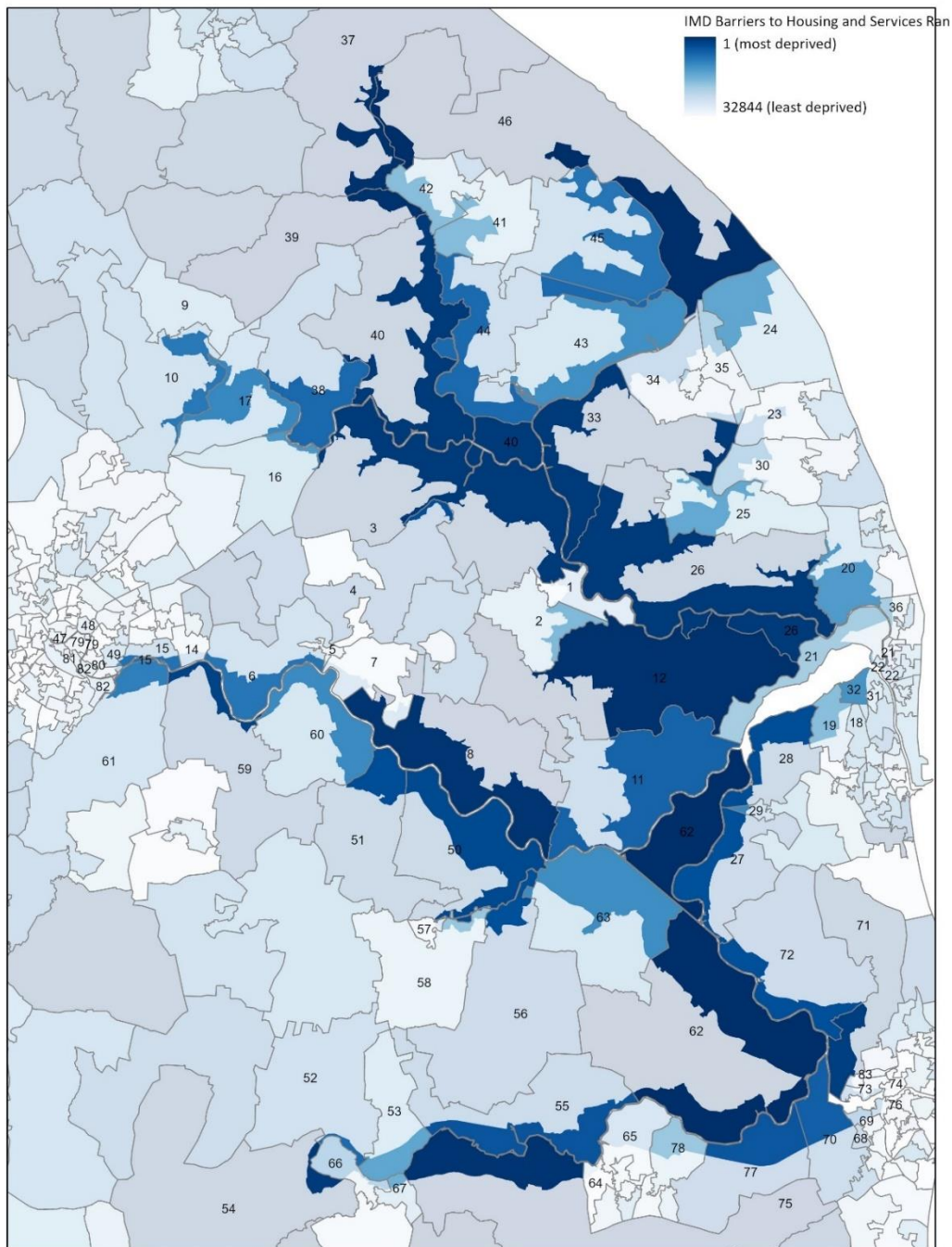
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This comparison shows that most of the area has either got better or stayed the same with only a few areas getting worse.

10. The Barriers to Housing and Services Domain

The **Barriers to Housing and Services** Domain measures the physical and financial accessibility of housing and local services. The indicators fall into two sub-domains: 'geographical barriers', which relate to the physical proximity of local services, and 'wider barriers' which includes issues relating to access to housing such as affordability.

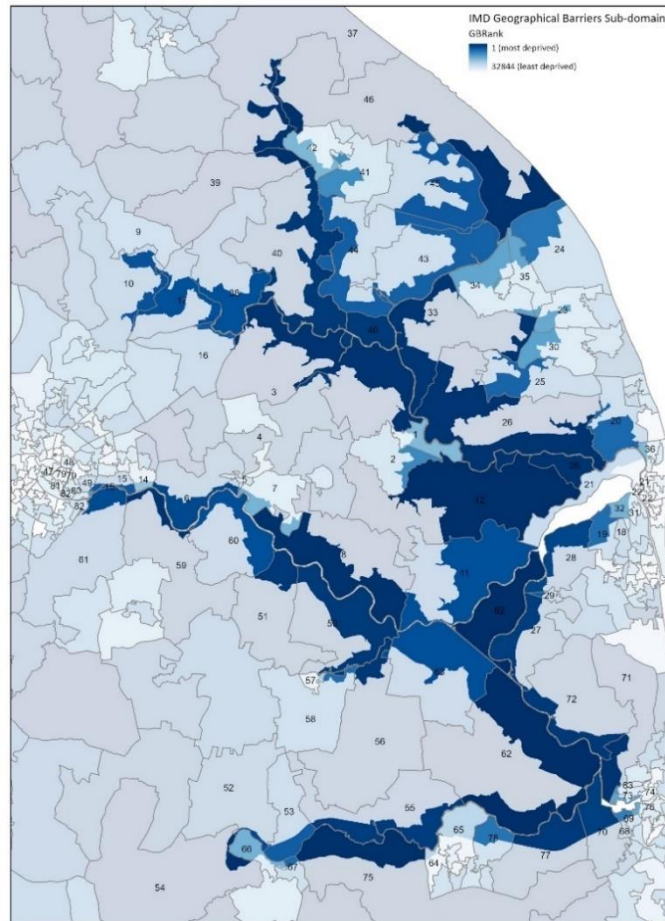
Index of Multiple Deprivation



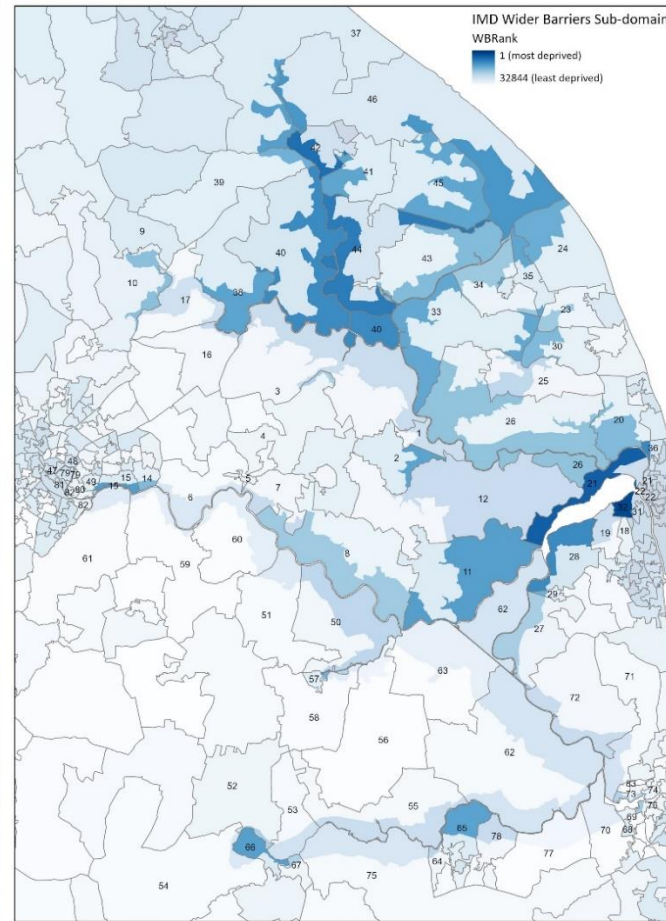
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The map shows that the vast majority of the area is dark blue, so most deprived in regards to this domain.

This domain has two sub domains. On the left is geographical barriers sub-domain and the right is wider barriers sub-domain.



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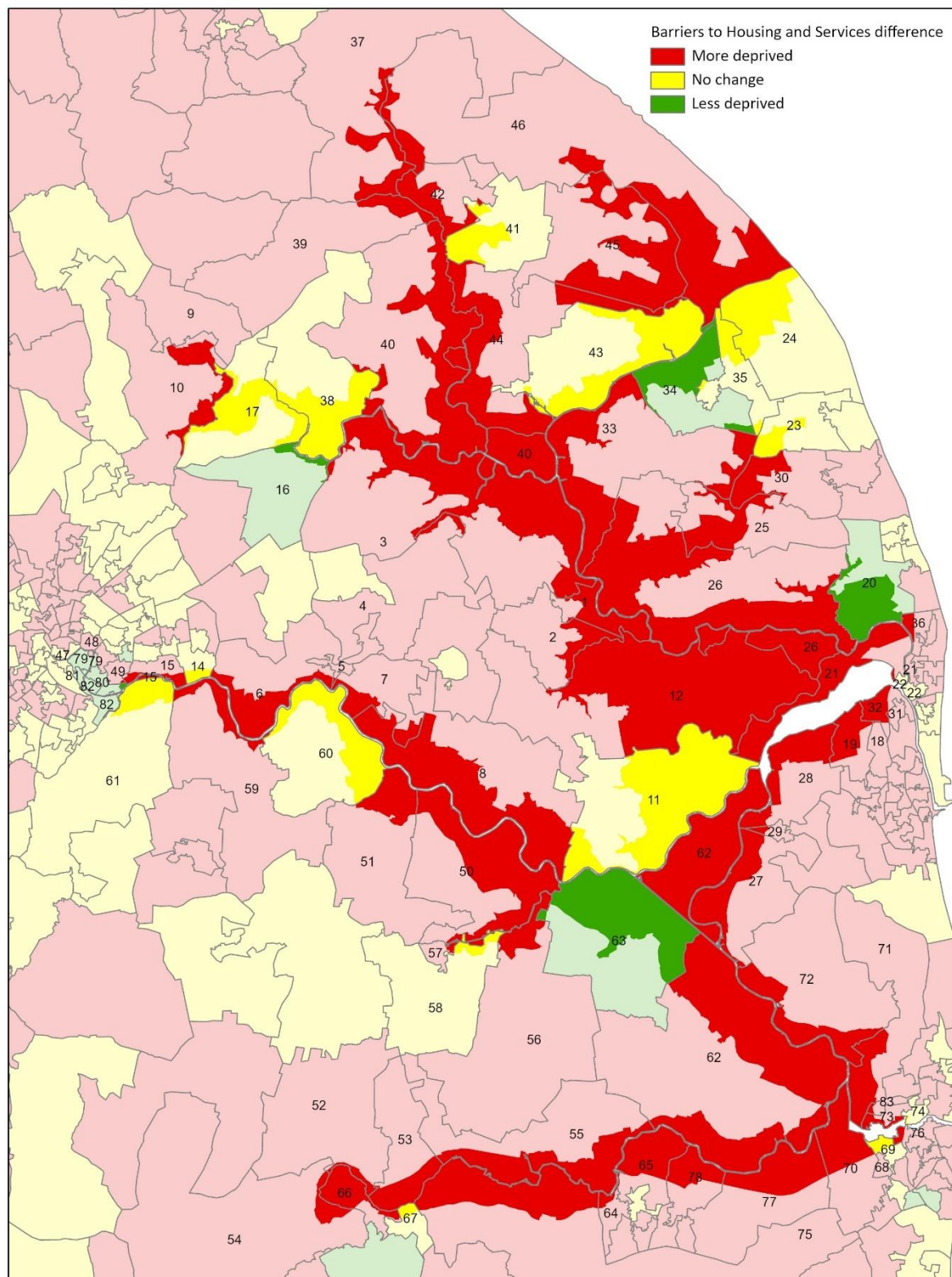


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The map on the left shows that the Broads is quite deprived in relation to geographical barriers. This could reflect the rural nature of the area with urban areas being lighter in colour. The map on the right shows wider barriers such as access to housing and affordability. The Broads is towards the light blue end of the spectrum showing that in general it is least deprived. Again, the LSOA near to Great Yarmouth is the most deprived.

The following map compares the 2015 and 2019 data. This map shows that most of the area has got more deprived.

Index of Multiple Deprivation - 2019 vs. 2015 decile comparison

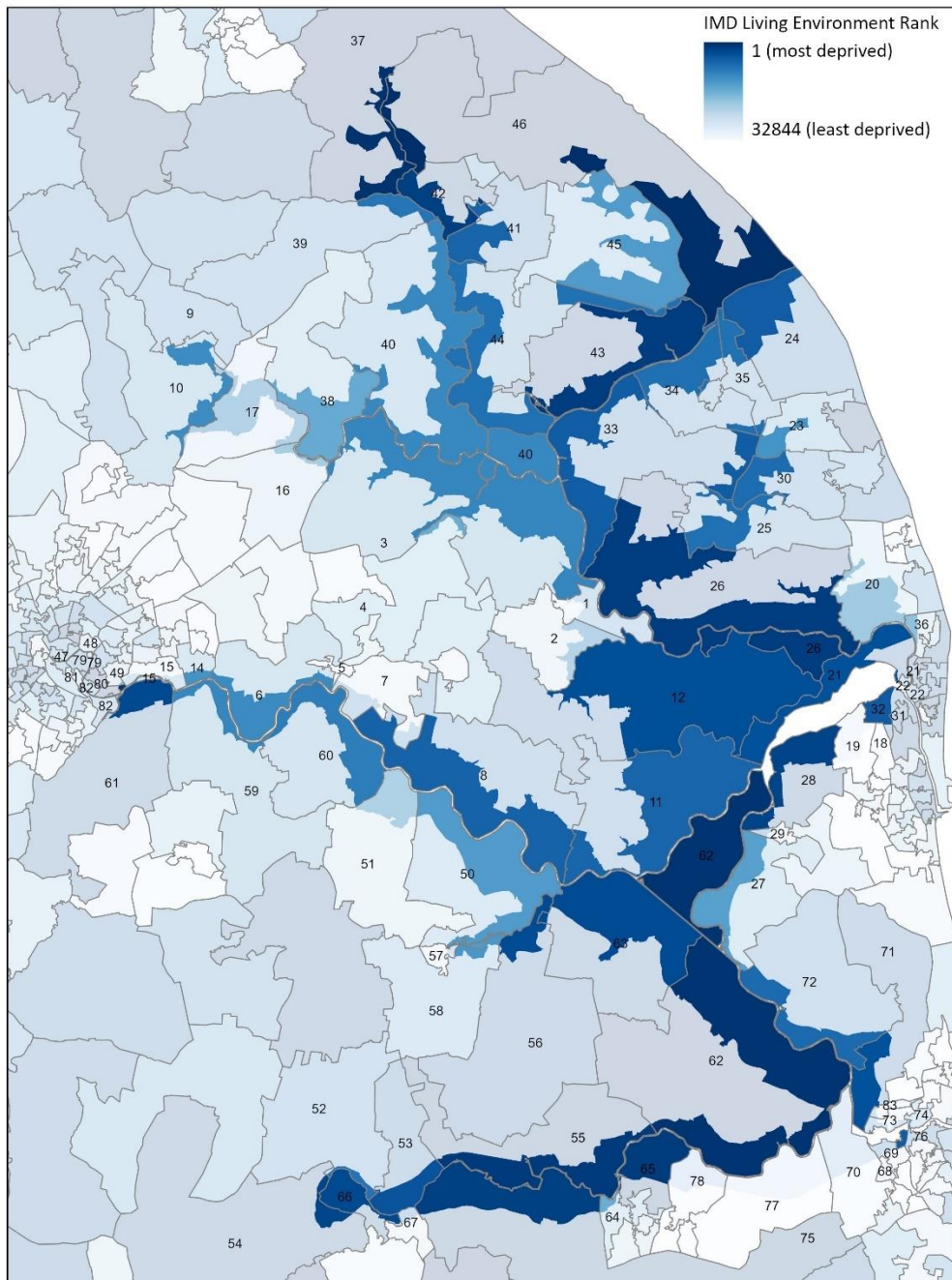


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11. The Living Environment Deprivation Domain

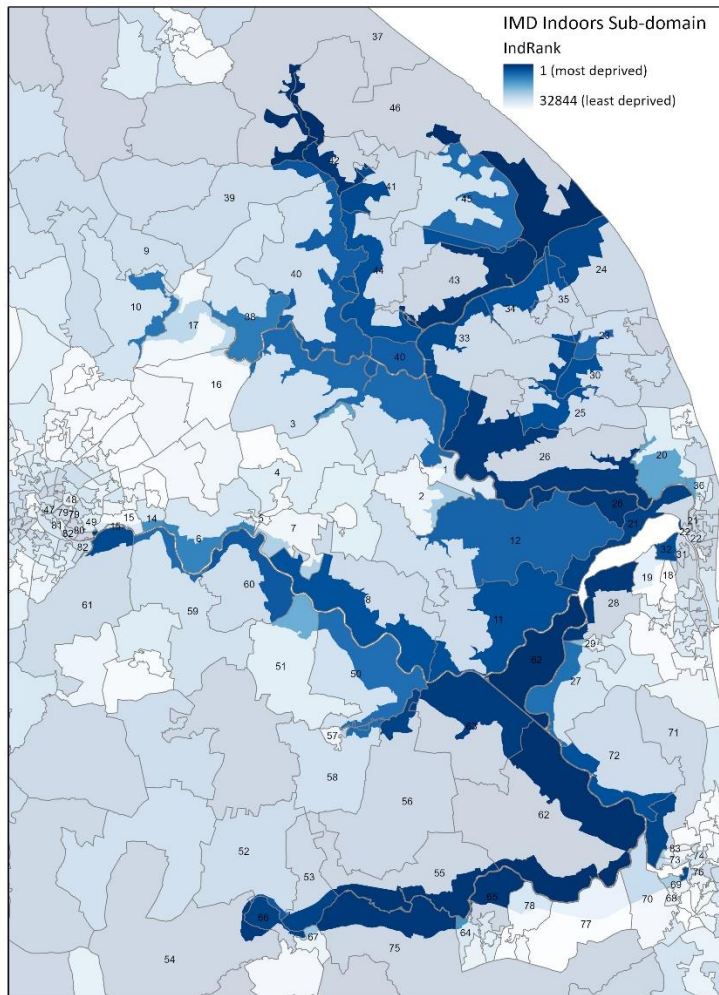
The **Living Environment Deprivation** Domain measures the quality of the local environment. The indicators fall into two sub-domains. The 'indoors' living environment measures the quality of housing; while the 'outdoors' living environment contains measures of air quality and road traffic accidents.

Index of Multiple Deprivation

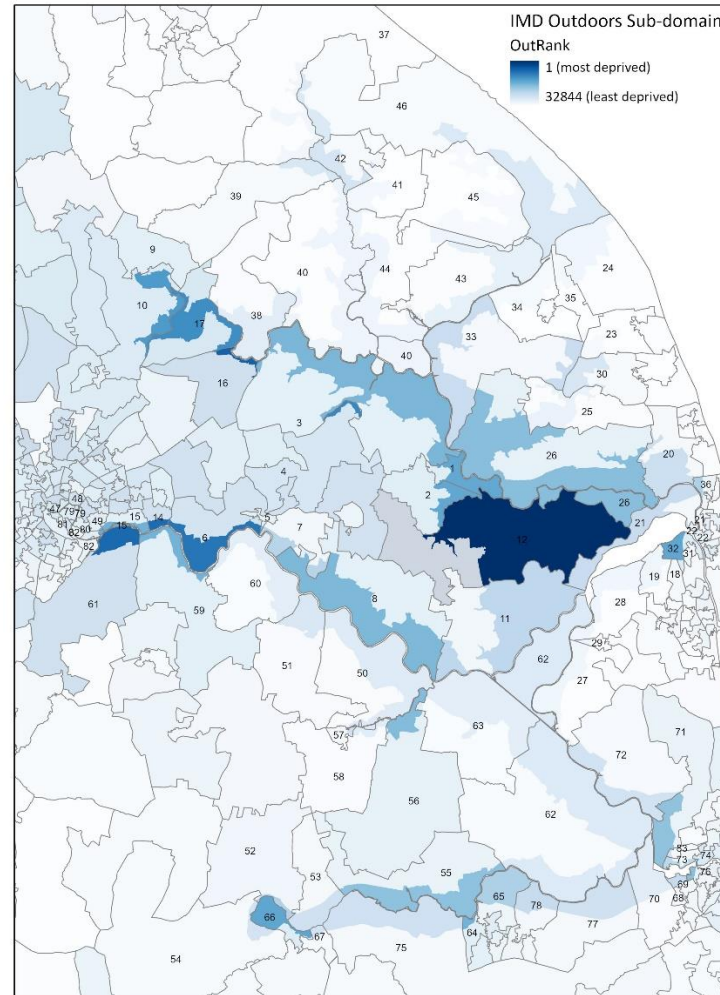


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The map is generally darker blue in shading. There are pockets of particularly dark blue around the Broads.



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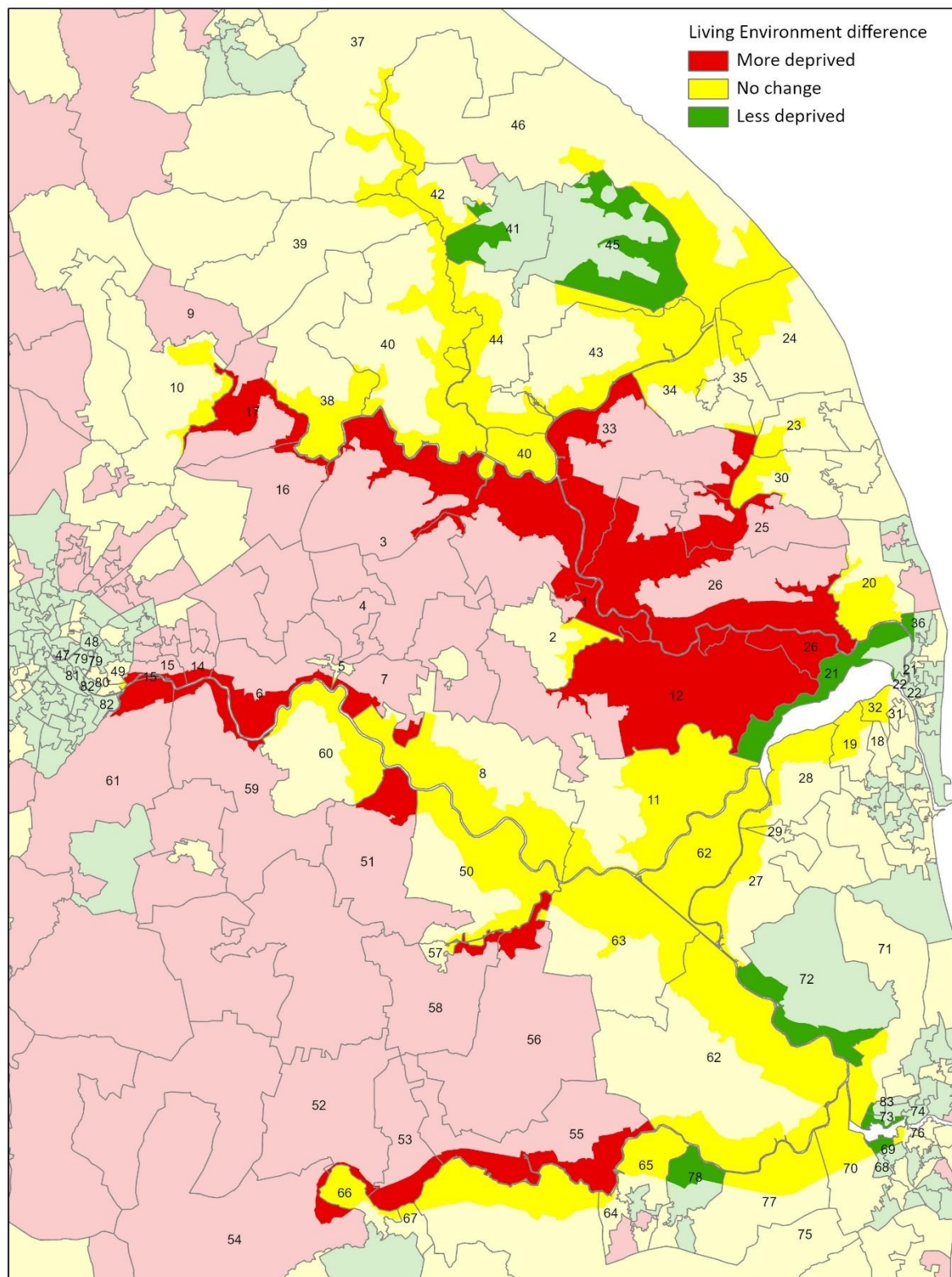


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The map on the left shows indoors subdomain. This seems to paint a picture that housing quality in the Broads overall is quite poor (notwithstanding pockets of light blue). Whereas the map on the right, which shows outdoors subdomain, shows the entire area of the Broads as being amongst the least deprived in the country.

The following map compares the 2015 and 2019 data. This shows that only a few LSOA's have improved with the most either getting worse or not changing.

Index of Multiple Deprivation - 2019 vs. 2015 decile comparison



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12. LSOA number 32

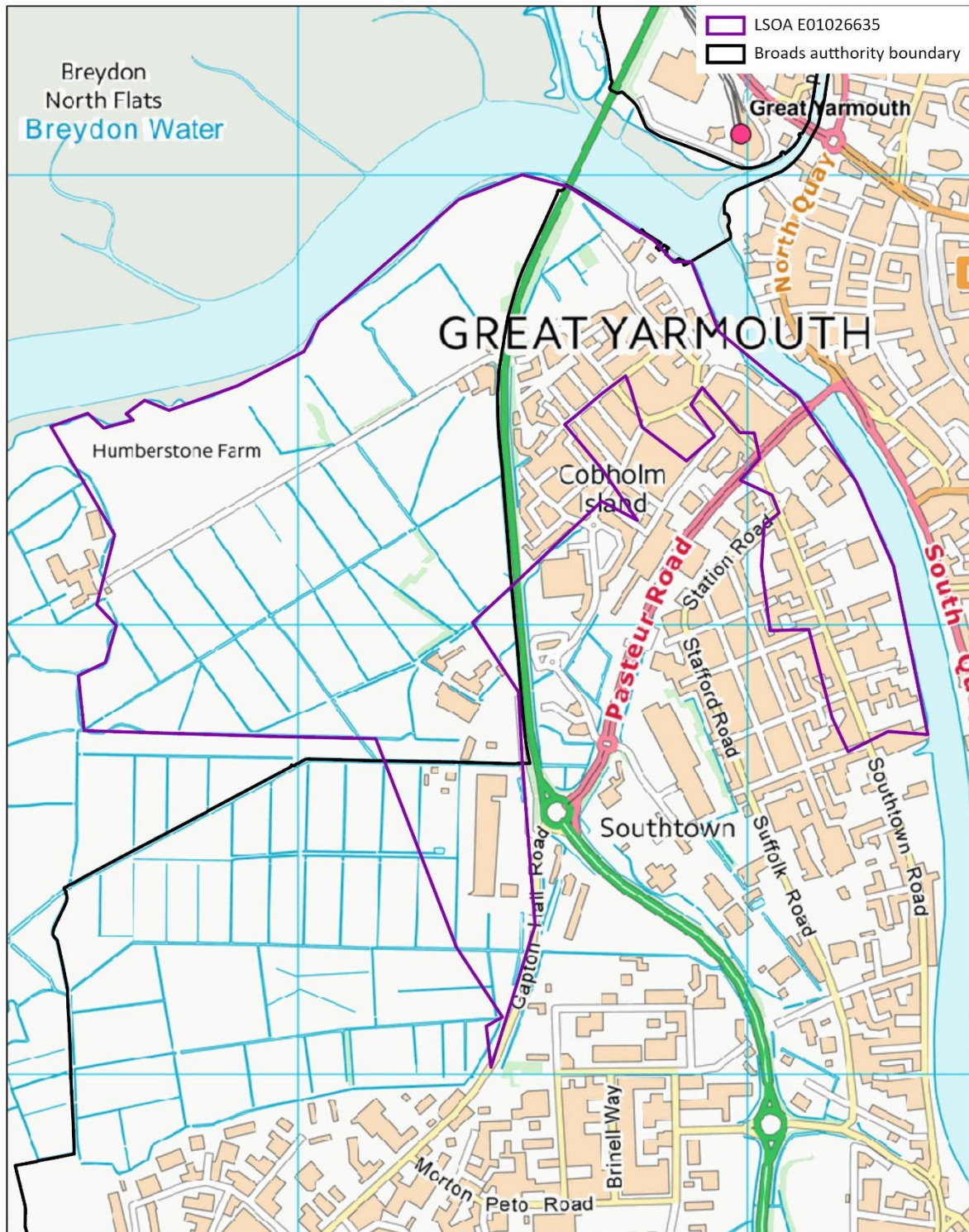
The maps tend to show that LSOA number 32 tends to be quite deprived under the majority of the domains. It's identification number is E01026635. The area is shown on the following maps. According to our calculations, only 3.56% of the population of this area is within the Broads.

We contacted Great Yarmouth Borough Council about this LSOA and how they, as the Local Authority for the area, seek to address issues relating to deprivation.

The [Neighbourhood Management structures](#) across the urban wards were designed as a way to address our more deprived urban statistics. The [Make it Happen](#) board covers Southtown, Cobholm, Halfway house and the Gapton traveller site. These structures were set up so that GYBC could support community activity, ideas and events which would help create a vibrant and cohesive place to live, as well as work alongside partners to get the best deal for local people. It is intended that the Make it Happen neighbourhood board will feed into the GYBC operational plan and the locality strategy. So resident's concerns and priorities inform future work not just led by GYBC but by the partners that make up the locality board. They are resourced by a Neighbourhood Manager who supports community groups and leads on partnership work to help residents get the best deal.

There have been some recent investments in this area:

- New £100K skate park in Cobholm (official opening on August 1st) funded by S106 and capital funds
- Business grants during Covid times to support Cobholm Community Centre who now run a Cobholm food bank from their building
- Community license (zero rent) for a community garden in Cobholm
- Hosting an Intern every summer for the last 9 years to work on engaging communities on flood resilience messaging – this work focussed on Cobholm especially.



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13. Conclusion

The results are mixed with the Broads Authority Executive Area being least deprived in relation to crime and health but is more deprived in relation to indoor living and

geographical barriers domains. The following table discusses the findings and indicates how the Local Plan can seek to address the domains.

Domain or Sub-domain	Action in the Local Plan
Income Deprivation Domain	The Local Plan will have an Economy section as well as a section on Tourism which relate to employment and could positively affect this domain.
Employment Deprivation Domain	
Children and Young People Sub-domain	The education authorities are not likely to require the Local Plan to enable schools or school extensions given the likely scale of growth in the Broads. But this will be confirmed as and when we understand the housing/residential moorings need for the Broads. It is important to note that the Broads Authority does have an education programme which seeks to enable children to experience the Broads and what it has to offer.
Adult Skills Sub-domain	The economy and employment sections of the Local Plan could be of relevance, but no specific actions relating to adult skills are proposed within the Local Plan. As an Authority, we employ apprentices and our Water Mills and Marshes scheme seeks to train and educate in traditional skills. We also have a team of volunteers who undertake a variety of roles from rangers, data analysis to land management.
Health Domain	There is not likely to be the need for specific health related facilities given the likely scale of growth in the Broads. But this will be confirmed as and when we understand the housing/residential moorings need for the Broads. There will continue to be a policy that seeks new development to enable a healthy lifestyle. Building for a Healthy Life guidance will be of importance. Any Norfolk-wide work relating to health under the auspices of the Norfolk Strategic Framework will also be addressed in the Local Plan.
Crime Domain	As the area is least deprived on this topic, other than general design policies, no specific action is required. That being said, we always consult Suffolk

Domain or Sub-domain	Action in the Local Plan
	and Norfolk Police on the Local Plan and will seek to address their concerns or comments.
Geographical Barriers Sub-domain	It is important to note that the rural parts of settlements tend to be in the Broads with the built up areas outside of the Broads. So therefore many facilities and services in the area are outside of the Broads. We will ensure, through our policies like development boundaries, site allocations and residential moorings policies, that new homes will be in areas with good access to services and facilities. The Local Plan will have a policy on pubs. There is likely to be no need for education or health facilities in the Local Plan. The Local Plan will seek to protect the retail areas within the Broads.
Wider Barriers Sub-domain	The Local Plan will address housing need and residential moorings need and have a policy on affordable housing.
Indoors Sub-domain	The Local Plan will have policies that enable improvements or changes to dwellings which could positively affect this domain.
Outdoors Sub-domain	No specific action required as the area is amongst the least deprived under this domain.

In most cases LSOAs are part in the Broads and part outside of the Broads, so in planning terms, it will be for other Local Planning Authorities to consider actions to benefit the communities in the LSOAs as well as the Broads Authority through the actions stated in the table above.

It is also important to note that the Broads Authority does not exercise functions which Councils do, such as community, education and housing functions. So there is a role for the District and County Councils in addressing deprivation. Furthermore, other partners have a responsibility for and expertise in addressing other domains such as CCGs and NHS England in relation to health or the Local Enterprise Partnership in relation to employment. Addressing deprivation needs a collaborative approach.

Appendix 1: The estimated population of the Broads in each LSOA

LSOA11CD	OA11CD	District	Dwelling Count within BA (calculated using GIS in June 2021)	Total Dwelling Count OA (calculated using GIS in June 2021)	% within BA (2021)	Total OA population from Census 2011	2021 Population in the Broads part of the OA (Calculated by applying BA Av Household Size of 1.74 to dwelling count within BA)	% of LSOA population in the Broads from Census 2011.
E01026497	E00134648	Broadland	0	152	0.00	297	0	0.90%
	E00134652	Broadland	0	137	0.00	249	0	
	E00134653	Broadland	6	163	3.68	320	10.44	
	E00134654	Broadland	0	139	0.00	295	0	
E01026498	E00134649	Broadland	0	246	0.00	289	0	0.00%
	E00134655	Broadland	0	106	0.00	212	0	
	E00134656	Broadland	0	179	0.00	295	0	
E01026504	E00134697	Broadland	11	182	6.04	431	19.14	5.00%
	E00134699	Broadland	2	147	1.36	350	3.48	
	E00134700	Broadland	3	156	1.92	352	5.22	
	E00134701	Broadland	28	174	16.09	399	48.72	
E01026505	E00134698	Broadland	0	181	0.00	414	0	0.00%
E01026508	E00134705	Broadland	0	138	0.00	340	0	0.00%
E01026509	E00134702	Broadland	6	146	4.11	308	10.44	2.82%
	E00134714	Broadland	0	132	0.00	275	0	
	E00134718	Broadland	10	176	5.68	404	17.4	
E01026510	E00134706	Broadland	81	267	30.34	450	140.94	12.60%
	E00134707	Broadland	9	146	6.16	270	15.66	
	E00134708	Broadland	0	176	0.00	324	0	
	E00134719	Broadland	2	113	1.77	226	3.48	
E01026511	E00134715	Broadland	26	94	27.66	229	45.24	9.61%
	E00134716	Broadland	0	101	0.00	228	0	
	E00134717	Broadland	18	125	14.40	276	31.32	
	E00134720	Broadland	9	101	8.91	227	15.66	
E01026516	E00134744	Broadland	0	135	0.00	311	0	0.00%
E01026517	E00134739	Broadland	58	125	46.40	232	100.92	11.93%
	E00134741	Broadland	11	109	10.09	252	19.14	
	E00134747	Broadland	1	174	0.57	404	1.74	
	E00134748	Broadland	4	151	2.65	191	6.96	
E01026538	E00134851	Broadland	17	192	8.85	361	29.58	8.77%
	E00134856	Broadland	59	173	34.10	409	102.66	
	E00134857	Broadland	0	159	0.00	339	0	
	E00134858	Broadland	3	241	1.24	459	5.22	
E01026539	E00134850	Broadland	2	201	1.00	436	3.48	4.84%
	E00134854	Broadland	1	125	0.80	291	1.74	
	E00134855	Broadland	26	137	18.98	316	45.24	
E01026575	E00135039	Broadland	9	202	4.46	286	15.66	2.95%
	E00169823	Broadland	0	108	0.00	244	0	
E01026577	E00135028	Broadland	8	204	3.92	363	13.92	19.48%
	E00135041	Broadland	0	139	0.00	285	0	
	E00135042	Broadland	111	267	41.57	415	193.14	
E01026579	E00135057	Broadland	1	62	1.61	163	1.74	1.07%
E01026580	E00135058	Broadland	41	66	62.12	134	71.34	29.24%
	E00135059	Broadland	56	113	49.56	231	97.44	
	E00135060	Broadland	3	134	2.24	230	5.22	
E01026581	E00135067	GYBC	4	127	3.15	275	6.96	2.53%
E01026582	E00135084	GYBC	6	121	4.96	297	10.44	3.52%
E01026593	E00135140	GYBC	39	81	48.15	272	67.86	24.95%
E01026596	E00135159	GYBC	7	165	4.24	307	12.18	3.97%
E01026597	E00135146	GYBC	0	154	0.00	175	0	0.00%
E01026605	E00135198	GYBC	1	141	0.71	436	1.74	0.40%
E01026606	E00135205	GYBC	61	121	50.41	247	106.14	13.22%
	E00135208	GYBC	0	155	0.00	289	0	
	E00135209	GYBC	0	133	0.00	267	0	
E01026608	E00135211	GYBC	1	202	0.50	308	1.74	13.13%
	E00135212	GYBC	59	178	33.15	407	102.66	

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	E00135214	GYBC	20	127	15.75	358	34.8	
	E00135215	GYBC	18	146	12.33	226	31.32	
E01026609	E00135216	GYBC	22	91	24.18	266	38.28	38.60%
	E00135217	GYBC	52	160	32.50	194	90.48	
	E00135218	GYBC	113	155	72.90	383	196.62	
E01026613	E00135240	GYBC	0	109	0.00	330	0	9.00%
	E00135251	GYBC	12	151	7.95	260	20.88	
	E00135252	GYBC	31	120	25.83	242	53.94	
E01026614	E00135243	GYBC	0	128	0.00	249	0	14.75%
	E00135248	GYBC	12	222	5.41	352	20.88	
	E00135250	GYBC	51	147	34.69	283	88.74	
	E00169839	GYBC	35	291	12.03	272	60.9	
E01026616	E00135247	GYBC	0	146	0.00	304	0	0.00%
E01026629	E00135319	GYBC	46	129	35.66	282	80.04	28.38%
E01026634	E00135340	GYBC	0	131	0.00	365	0	0.00%
E01026635	E00135337	GYBC	0	164	0.00	302	0	3.56%
	E00135347	GYBC	0	138	0.00	336	0	
	E00169836	GYBC	17	179	9.50	192	29.58	
E01026636	E00135364	GYBC	88	244	36.07	554	153.12	16.65%
	E00135365	GYBC	0	130	0.00	391	0	
	E00135366	GYBC	8	167	4.79	295	13.92	
	E00135367	GYBC	26	146	17.81	336	45.24	
	E00135368	GYBC	59	95	62.11	315	102.66	
E01026637	E00135353	GYBC	0	151	0.00	260	0	13.30%
	E00135355	GYBC	61	138	44.20	332	106.14	
	E00135360	GYBC	0	343	0.00	206	0	
E01026638	E00135357	GYBC	0	116	0.00	164	0	0.40%
	E00135358	GYBC	1	118	0.85	274	1.74	
E01026640	E00135371	GYBC	0	128	0.00	212	0	11.60%
	E00135376	GYBC	26	110	23.64	178	45.24	
E01026740	E00135938	North Norfolk	66	168	39.29	243	114.84	23.41%
	E00135944	North Norfolk	1	148	0.68	255	1.74	
E01026744	E00135969	North Norfolk	56	88	63.64	249	97.44	34.01%
	E00135970	North Norfolk	5	136	3.68	319	8.7	
	E00135974	North Norfolk	111	192	57.81	312	193.14	
E01026767	E00136099	North Norfolk	57	123	46.34	172	99.18	23.67%
	E00136100	North Norfolk	0	116	0.00	247	0	
E01026769	E00136103	North Norfolk	67	223	30.04	250	116.58	33.52%
	E00136104	North Norfolk	93	181	51.38	254	161.82	
	E00136106	North Norfolk	0	136	0.00	255	0	
	E00136107	North Norfolk	101	210	48.10	467	175.74	
	E00136108	North Norfolk	26	144	18.06	264	45.24	
E01026774	E00136140	North Norfolk	10	258	3.88	271	17.4	4.98%
	E00136149	North Norfolk	6	155	3.87	288	10.44	
E01026776	E00136142	North Norfolk	27	79	34.18	307	46.98	20.13%
	E00136147	North Norfolk	43	283	15.19	298	74.82	
E01026783	E00136203	North Norfolk	16	122	13.11	336	27.84	17.85%
	E00136204	North Norfolk	39	166	23.49	321	67.86	
	E00136206	North Norfolk	3	99	3.03	297	5.22	
	E00136207	North Norfolk	73	209	34.93	323	127.02	
E01026784	E00136195	North Norfolk	15	122	12.30	156	26.1	28.28%
	E00136202	North Norfolk	50	139	35.97	244	87	
E01026785	E00136198	North Norfolk	6	174	3.45	348	10.44	3.16%
	E00136199	North Norfolk	6	165	3.64	312	10.44	
E01026786	E00136209	North Norfolk	3	127	2.36	256	5.22	1.73%
	E00136210	North Norfolk	0	133	0.00	214	0	
	E00136211	North Norfolk	1	184	0.54	360	1.74	
	E00136214	North Norfolk	7	86	8.14	278	12.18	

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E01026823	E00136395	Norwich	0	267	0.00	317	0	0.00%
	E00136412	Norwich	0	227	0.00	374	0	
	E00136423	Norwich	0	185	0.00	204	0	
	E00136424	Norwich	0	206	0.00	313	0	
	E00173827	Norwich	0	251	0.00	215	0	
E01026848	E00136563	Norwich	0	82	0.00	167	0	0.00%
	E00136565	Norwich	0	158	0.00	226	0	
	E00136567	Norwich	0	140	0.00	142	0	
E01026849	E00136559	Norwich	40	170	23.53	364	69.6	19.12%
E01026879	E00136717	South Norfolk	6	184	3.26	284	10.44	22.40%
	E00136719	South Norfolk	71	185	38.38	314	123.54	
E01026880	E00136718	South Norfolk	16	120	13.33	215	27.84	12.95%
E01026892	E00136785	South Norfolk	4	93	4.30	194	6.96	3.59%
E01026893	E00136781	South Norfolk	4	154	2.60	407	6.96	52.11%
	E00136784	South Norfolk	167	248	67.34	164	290.58	
E01026894	E00136792	South Norfolk	6	126	4.76	198	10.44	5.27%
E01026898	E00136815	South Norfolk	22	68	32.35	192	38.28	18.69%
	E00136816	South Norfolk	31	193	16.06	225	53.94	
	E00136817	South Norfolk	27	184	14.67	157	46.98	
	E00136818	South Norfolk	1	140	0.71	180	1.74	
E01026899	E00136821	South Norfolk	10	106	9.43	373	17.4	4.66%
E01026911	E00136884	South Norfolk	16	167	9.58	488	27.84	5.70%
E01026912	E00136882	South Norfolk	10	157	6.37	291	17.4	4.07%
	E00136886	South Norfolk	4	201	1.99	308	6.96	
E01026929	E00136976	South Norfolk	31	166	18.67	297	53.94	12.76%
	E00136977	South Norfolk	5	85	5.88	194	8.7	
E01026930	E00136979	South Norfolk	12	185	6.49	296	20.88	3.48%
	E00136981	South Norfolk	5	143	3.50	135	8.7	
	E00136982	South Norfolk	1	94	1.06	397	1.74	
	E00136983	South Norfolk	6	73	8.22	372	10.44	
E01026937	E00137016	South Norfolk	15	217	6.91	304	26.1	5.40%
	E00137017	South Norfolk	0	217	0.00	179	0	
E01026943	E00137043	South Norfolk	0	60	0.00	279	0	7.54%
	E00137044	South Norfolk	14	133	10.53	324	24.36	
	E00137045	South Norfolk	16	126	12.70	301	27.84	
	E00137046	South Norfolk	30	175	17.14	301	52.2	
	E00137052	South Norfolk	1	51	1.96	202	1.74	
E01026944	E00137047	South Norfolk	9	53	16.98	198	15.66	6.69%
	E00137048	South Norfolk	23	126	18.25	372	40.02	
	E00137050	South Norfolk	3	198	1.52	340	5.22	
E01030224	E00154146	East Suffolk	32	131	24.43	124	55.68	44.90%
E01030225	E00154141	East Suffolk	53	180	29.44	183	92.22	12.49%
	E00154142	East Suffolk	0	121	0.00	460	0	
	E00154143	East Suffolk	22	129	17.05	402	38.28	
E01030230	E00154182	East Suffolk	51	176	28.98	298	88.74	25.85%
	E00154191	East Suffolk	49	136	36.03	375	85.26	
E01030231	E00154190	East Suffolk	3	150	2.00	274	5.22	1.35%
	E00154195	East Suffolk	0	140	0.00	112	0	
E01030234	E00154199	East Suffolk	0	125	0.00	298	0	0.00%
E01030235	E00154208	East Suffolk	15	145	10.34	413	26.1	6.32%
E01030237	E00173910	East Suffolk	1	124	0.81	302	1.74	0.58%
E01030259	E00154344	East Suffolk	21	73	28.77	118	36.54	30.97%
E01030260	E00154345	East Suffolk	5	105	4.76	253	8.7	4.11%
	E00154346	East Suffolk	9	102	8.82	219	15.66	
	E00173915	East Suffolk	0	44	0.00	121	0	
E01030268	E00154374	East Suffolk	1	133	0.75	245	1.74	0.71%
E01030269	E00154390	East Suffolk	69	125	55.20	279	120.06	50.68%
	E00154392	East Suffolk	133	133	100.00	232	231.42	

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	E00154401	East Suffolk	31	132	23.48	289	53.94	
E01030270	E00154388	East Suffolk	5	168	2.98	265	8.7	12.94%
	E00154391	East Suffolk	42	134	31.34	367	73.08	
E01030286	E00154479	East Suffolk	16	97	16.49	364	27.84	19.20%
	E00154480	East Suffolk	42	89	47.19	298	73.08	
	E00154486	East Suffolk	31	64	48.44	145	53.94	
E01030289	E00154492	East Suffolk	48	148	32.43	211	83.52	34.64%
	E00154499	East Suffolk	37	191	19.37	216	64.38	
E01030293	E00154516	East Suffolk	0	178	0.00	322	0	0.00%
	E00154518	East Suffolk	0	194	0.00	327	0	
E01030294	E00154530	East Suffolk	1	126	0.79	317	1.74	0.55%
E01033438	E00136547	Norwich	0	122	0.00	302	0	0.00%
	E00136548	Norwich	0	262	0.00	271	0	
	E00136550	Norwich	0	144	0.00	154	0	
	E00136551	Norwich	0	298	0.00	252	0	
	E00136566	Norwich	0	143	0.00	213	0	
	E00136572	Norwich	0	379	0.00	259	0	
E01033439	E00136543	Norwich	1	553	0.18	298	1.74	0.27%
	E00136549	Norwich	0	305	0.00	357	0	
E01033440	E00173858	Norwich	0	626	0.00	352	0	0.00%
E01033441	E00173851	Norwich	0	130	0.00	211	0	1.96%
	E00173852	Norwich	6	241	2.49	140	10.44	
	E00173853	Norwich	0	133	0.00	258	0	
	E00173854	Norwich	0	157	0.00	330	0	
	E00173860	Norwich	13	142	9.15	449	22.62	
	E00173861	Norwich	0	131	0.00	295	0	
			3729	31131		56474	6488.46	

* The total population in this table is different to that of the 2011 Census. This is a reflection that we are applying the average household density across the Broads to each number of dwellings in the BA part of an OA. However, the table gives an indication of where the population of the Broads lives, which is the purpose of the exercise.



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Climate Change

1. Introduction

The story of the Broads is inherently linked to our changing climate. The easterly, low-lying and coastal nature of the Broads landscape makes it particularly vulnerable to the predicted impacts of climate change and sea level rise, including coastal and river flooding.

At the same time, our wetland landscape has been steadily sequestering carbon since the end of the last ice age, and now stores the equivalent of an estimated 50,000,000 tonnes of CO₂. In context, that is more CO₂ than was released by all coal-burning power plants in the UK in the last year.

We need to plan now for the changes ahead, such as wetter winters, drier and hotter summers, and more frequent extreme events like storms and heavy rainfall, to lessen negative impacts and make the best use of positive opportunities of the emerging green economy.

2. Adaptation – climate change checklist

One of the approaches to adapting to climate change, set out in the current Local Plan, is the requirement for applicants for some types of development to fill out a [climate change checklist](#) to show how they have considered and addressed the risks that climate change poses to their proposed development. We intend to roll forward the climate change checklist approach, with some amendments such as making the questions clearer.

Do you have any thoughts on this approach and the climate change checklist itself?

3. Energy design of new buildings

A key area where the local plan can influence the impact of new development on climate change, is through influencing energy usage. There is potential to require the energy impact of development to be delivered beyond building regulation standards. The Government has consulted recently on the future homes standard for dwellings and other buildings.

Note for Planning Committee: You have previously seen an earlier 'bite-size' piece on potential changes to national policies and standards which is relevant to this topic. This was contained in the papers to the [July Planning Committee](#). In the final document these will be cross-referred.

4. Electric Vehicle Charging Points

With the Government proposing the banning of sales of new vehicles with internal combustion engines by 2030, it seems prudent to consider the needs of electric vehicles.

The Local Plan for the Broads could require electric vehicle charging points to be provided with certain new builds.

Note for Planning Committee: You have previously seen an earlier 'bite-size' piece on potential changes to national policies and standards which is relevant to this topic. This was contained in the papers to the [July Planning Committee](#). In the final document these will be cross-referred.

5. Source of heating

Some properties in the Broads are heated by oil. The Department for Business, Energy and Industrial Strategy (BEIS) estimates that whilst domestic gas heating produces 3,900 tCO₂e per year, Oil heating produced almost four times that at 15,300tCO₂e. The Committee on Climate Change Sixth Carbon Budget Report¹ recommended that for a Balanced Pathway to Net-Zero, new boilers not on the gas grid – e.g. oil-fired boilers - should be low-carbon by 2028. For properties on the gas grid, the target date is 2033. In part this is due to gas boilers having a lower CO₂ footprint per kilowatt hour of heat produced.

The new Local Plan could set out a preferred hierarchy in respect of energy. A similar approach is already taken in adopted policy DM2 in respect of waste water treatment, which requires development to be connected to a foul sewer unless this is proven not to be feasible. The next option in the hierarchy is package treatment works and then septic tanks is the least favourable option. So, there could be scope for a similar hierarchy approach, but for source of heating.

A similar hierarchy could be as follows:

- Heat pump and underfloor heating, powered by on-site solar and batteries;
- Heat pump and underfloor heating, powered by the electricity grid;
- Gas heating, but with the overall heating system “heat pump” ready (larger radiators etc) and the gas boiler “hydrogen ready”;
- Oil Heating, but with the overall heating system “heat pump” ready (larger radiators etc);
- Gas Heating with no adaptation of the system; and
- Oil Heating with no adaptation of the system

There could also be benefits in requiring new developments, including extensions, to be heat pump ready (noting the hierarchy set out above). This will reduce costs and resource consumption in the long term, and make it more affordable to then switch to a low carbon heating system such as a heat pump when gas and oil boilers cease to be available.

Do you have any thoughts on the approach of a heating hierarchy as set out above?

Do you have any comments on the potential hierarchy as set out above?

What about developments being heat pump ready?

¹ <https://www.theccc.org.uk/publication/sixth-carbon-budget> page 110-112.

6. Construction methods and materials used

Different materials have different embodied carbon, this makes some building materials more sustainable than others. There is this useful [database](#) that sets out the embodied carbon of building materials². There is potential to require applicants to set out a schedule of materials used and the embodied carbon, and state how they have chosen materials with less impact/embodied carbon. We would need to consider and balance any issues with design of new build.

Do you have any thoughts on the approach of requiring applicants to choose materials that have less embodied carbon?

7. Additions to other policies

The following topic areas could be incorporated into existing policies.

- Encouraging retrofit over re-build – the re-use and improvements to buildings could be included in DM40 and DM48.
- Greywater recycling – this could be referenced stronger in our policy on water quality (DM2) and SuDS (DM6)
- Design – how sun hits building, orientation, make most of heat from the sun could be referenced stronger in the design policy (DM43)

Do you have any thoughts on these topic areas and how they could be included in the Local Plan? Are there other related topics that could be included?

8. Other climate change related issues/policies

If you have any other ideas to mitigate or adapt to climate changes, please let us know. Please include evidence and also references if the approaches you suggest have been used elsewhere.

Do you have any other thoughts on how to address climate change in the Local Plan?

² The figures are “Cradle to Gate” so does not include transport to the consumer, and the eventual disposal of the material.



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Our existing policies

This stage of the Local Plan process is not the stage for consulting on the proposed policies of the new Local Plan themselves; that will be the next stage when we have drafted these new proposed policies. But we want to ask you what you think of the policies that are currently adopted.

If you would like to propose some changes to the [Local Plan](#), let us know please. It would be good if you told us what changes to which policies you would like to see and why. We cannot guarantee that we will make the change, but we would like to hear your thoughts on what the current policies say. To help us, please provide any evidence to justify your proposed amendment. The following is a list of the adopted policies in the Local Plan, with the page number given first.

24 SP1: DCLG/PINS Model Policy
24 DM1: Major Development in the Broads
27 DM2: Water Quality and Foul Drainage
29 DM3: Boat wash down facilities
30 DM4: Water Efficiency
31 SP2: Strategic Flood Risk Policy
31 DM5: Development and Flood Risk
35 DM6: Surface water run-off
40 DM7: Open Space on land, play, sports fields and allotments
42 DM8: Green Infrastructure
45 SP3: Climate Change
46 DM9: Climate Smart Checklist
48 SP4: Soils
49 DM10: Peat soils
52 SP5: Historic Environment
53 DM11: Heritage Assets
56 DM12: Re-use of Historic Buildings
59 SP6: Biodiversity
59 DM13: Natural Environment
64 DM14: Energy demand and performance
65 DM15: Renewable Energy
67 SP7: landscape Character
67 DM16: Development and Landscape
68 DM17: Land Raising
69 DM18: Excavated material
70 DM19: Utilities Infrastructure Development
71 DM20: Protection and enhancement of settlement fringe landscape character
73 DM21: Amenity
74 DM22: Light pollution and dark skies
75 SP8: Getting to the Broads
76 SP9: Recreational Access around the Broads
77 DM23: Transport, highways and access
79 DM24: Recreation Facilities Parking Areas
81 SP10: A prosperous local economy
81 SP11: Waterside sites
82 DM25: New Employment Development
83 DM26: Protecting General Employment
85 DM27: Business and Farm Diversification
86 DM28: Development on Waterside Sites
89 SP12: Sustainable Tourism
90 DM29: Sustainable Tourism and Recreation Development
92 DM30: Holiday Accommodation – New Provision and Retention

94 SP13: Navigable Water Space
 95 DM31: Access to the Water
 96 DM32: Riverbank stabilisation
 97 SP14: Mooring Provision
 97 DM33: Moorings, mooring basins and marinas.
 101 SP15: Residential development
 106 DM34: Affordable Housing
 110 DM35: Residential Development within Defined Development Boundaries
 113 DM36: Gypsy, Traveller and Travelling Show People
 115 DM37: New Residential Moorings
 119 DM38: Permanent and Temporary Dwellings for Rural Enterprise Workers
 121 DM39: Residential Ancillary Accommodation
 123 DM40: Replacement Dwellings
 124 DM41: Elderly and Specialist Needs Housing
 125 DM42: Custom/self-build
 127 DM43: Design
 131 SP16: New Community Facilities
 131 DM44: Visitor and Community Facilities and Services
 134 DM45: Designing Places for Healthy Lives
 135 DM46: Safety by the Water
 137 DM47: Planning Obligations and Developer Contributions
 139 DM48: Conversion of Buildings
 140 DM49: Advertisements and Signs
 141 DM50: Leisure plots and mooring plots
 142 DM51: Retail development in the Broads.
 144 ACL1: Acle Cemetery Extension
 146 ACL2: Acle Playing Field Extension
 147 BEC1: Former Loaves and Fishes, Beccles
 147 BEC2: Beccles Residential Moorings (H. E. Hipperson's Boatyard)
 148 BRU1: Riverside chalets and mooring plots
 150BRU2: Riverside Estate Boatyards, etc., including land adjacent to railway line
 150 BRU3: Mooring Plots
 151 BRU4: Brundall Marina
 152 BRU5: Land east of the Yare public house
 152 BRU6: Brundall Gardens
 153 CAN1: Cantley Sugar Factory
 155 CHE1: Greenway Marine Residential Moorings
 156 DIL1: Dilham Marina (Tyler's Cut Moorings)
 157 DIT1: Maltings Meadow Sports Ground, Ditchingham
 158 DIT2: Ditchingham Maltings Open Space, Habitat Area and Alma Beck
 159 FLE1: Broadland Sports Club
 160 GTY1: Marina Quays (Port of Yarmouth Marina)
 161 HOR1: Car Parking
 162 HOR2: Horning Open Space (public and private)
 162 HOR3: Waterside plots
 163 HOR4: Horning Sailing Club
 164 HOR5: Crabbett's Marsh
 165 HOR6: Horning - Boatyards, etc. at Ferry Rd. & Ferry View Rd.
 166 HOR7: Woodbastwick Fen moorings
 167 HOR8: Land on the Corner of Ferry Road, Horning
 168 HOR9: Horning Residential Moorings (Ropes Hill)
 170 HOV1: Green Infrastructure
 171 HOV2: Station Road car park
 171 HOV3: Brownfield land off Station Road, Hoveton
 173 HOV4: BeWILDerwood Adventure Park
 175 HOV5: Hoveton Town Centre
 178 LOD1: Loddon Marina Residential Moorings.
 179 NOR1: Utilities Site
 182 NOR2: Riverside walk and cycle path
 182 ORM1: Ormesby waterworks
 183 OUL1: Boathouse Lane Leisure Plots
 184 OUL2: Oulton Broad - Former Pegasus/Hamptons Site
 185 OUL3 - Oulton Broad District Shopping Centre
 188 POT1: Bridge Area
 189 POT2: Waterside plots

190 POT3: Green Bank Zones
190 SOL1: Riverside area moorings
191 SOM1: Somerleyton Marina residential moorings
193 STA1: Land at Stalham Staithe (Richardson's Boatyard)
194 STO1 Land adjacent to Tiedam, Stokesby
195 TSA1: Cary's Meadow
196 TSA2: Thorpe Island
198 TSA3: Griffin Lane – boatyards and industrial area
199 TSA4: Bungalow Lane – mooring plots and boatyards
200 TSA5: River Green Open Space
200 THU1: Tourism development at Hedera House, Thurne
202 WHI1: Whitlingham Country Park
203 SSTRI: Trinity Broads
204 SSUT: Upper Thurne
205 SSCOAST: The Coast
206 SSROADS: Main road network
207 SSMILLS: Drainage Mills
209 SSPUBS: Waterside Pubs Network
211 SSSTATIONS: Railway stations/halts
211 SSTRACKS: Former rail trackways
213 SSLGS: Local Green Space
213 SSSTAITHES: Staithes
214 SSA47: Changes to the Acle Straight (A47T)

Do you have any comments on the current policies in the Local Plan? If so, please let us know your thoughts.



**Local Plan for the Broads - Review
Issues and options bitesize pieces
September 2021**

Sites allocated for change

There are some sites in the current Local Plan that have policies promoting change. These sites may be redundant or seem to have greater potential than how they are used now. The policies identify the site, give an idea of what may be acceptable (subject to the detail and other policies in the Local Plan) and identify criteria that any scheme is required to address. The aim is to encourage landowners to bring forward suitable schemes through indicating that the Broads Authority would be supportive in principle of such development.

The following policies and sites are currently allocated in the Broads:

Site	Policy number	Description	Policy direction
Former Loaves and Fishes, Beccles	BEC1	Property is in a good location, was a pub, but now is used for storage.	Support reintroduction of pub, or other land uses subject to passing various tests.
Marina Quays, Great Yarmouth	GTU1	Derelict buildings, with riverside location.	Support for a use that reflects and respects its location and constraints. Note: This site now has planning permission for housing, moorings and residential moorings.
Brownfield land off Station Road, Hoveton	HOV3	Comprises a number of buildings and former uses. Some storage use and surface car parking. Part of site includes derelict building.	Potential support for retail and residential.
Area of former Bridge Hotel site, Potter Heigham	POT1	Hotel burnt down in 90s, used as a car park. Other uses	Seeking public realm improvements, recreation and

Site	Policy number	Description	Policy direction
		include sheds and café/restaurant.	tourism uses, potentially holiday accommodation, but in line with policies of the local plan particularly in relation to flood risk. Policy applies to a wider area than just the former hotel site.

Do you think we should carry on this approach of identifying land for change?

Are there any other approaches to consider?

Are there any other sites in the Broads that you think could benefit from this approach?



**Local Plan for the Broads - Review
Issues and Options bitesize pieces
September 2021**

Duty to Cooperate

The Duty To Cooperate was created in the Localism Act 2011, and amends the Planning and Compulsory Purchase Act 2004. It places a legal duty on Local Planning Authorities, County Councils in England and public bodies to engage constructively, actively and on an ongoing basis to maximise the effectiveness of Local and Marine Plan preparation in the context of strategic cross boundary matters.

The Duty To Cooperate is not a duty to agree. However, Local Planning Authorities should make every effort to secure the necessary cooperation on strategic cross boundary matters before they submit their Local Plans for examination.

Local Planning Authorities must demonstrate how they have complied with the duty at the independent examination of their Local Plans. If a Local Planning Authority cannot demonstrate that it has complied with the duty then the Local Plan will not be able to proceed further in examination.

The Localism Act states that relevant bodies must '*...engage constructively, actively and on an ongoing basis...*'. The Broads Authority meet this duty in the following ways (please note this list is not exhaustive but gives a flavour of the activity):

- Commission joint evidence base, for example the Norfolk Recreational Impact Study and the Norfolk Older Persons Strategy.
- Regular officer level meetings. For example, the Norfolk Strategic Planning Officers Group (attended by the Environment Agency), the Suffolk Planning Policy and Development Management Officers Group.
- Quarterly meetings with Great Yarmouth Borough Council and Waveney District Council.
- Production of the Norfolk Strategic Planning Framework/Statement of Common Ground.
- Quarterly Norfolk Duty to Cooperate Member Group meetings.
- A member from each of the Authority's constituent districts sits on the Broads Authority Planning Committee.
- Individual meetings with Planning Policy Teams of the Authority's constituent districts.

The Authority therefore considers that it engages constructively and on an ongoing basis with relevant authorities. As the Local Plan progresses through the next stages of production, draft statements covering how the Authority has met the requirements of the Duty To Cooperate will be produced.

Planning White Paper

The 2020 Planning White Paper suggested that the Duty To Cooperate could be removed *‘although further consideration will be given to the way in which strategic cross-boundary issues, such as major infrastructure or strategic sites, can be adequately planned for, including the scale at which plans are best prepared in areas with significant strategic challenges’*. These changes are not in place yet, so we will continue with cooperating and producing the necessary statements until the requirement changes.

Q: Do you have any thoughts on the Authority’s approach to Duty to Cooperate?

Planning Committee

10 September 2021

Agenda item number 12

Consultation responses- September 2021

Report by Planning Policy Officer

Summary

This report informs the Committee of the officer's proposed response to planning policy consultations received recently, and invites members' comments and guidance.

Recommendation

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

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 comments, guidance and endorsement are invited.

Author: Natalie Beal

Date of report: 25 August 2021

Appendix 1 – Planning Policy consultations received

Fleggburgh Parish council

Document: Fleggburgh Neighbourhood Plan <https://www.great-yarmouth.gov.uk/planning-consultations>

Due date: 15 October 2021

Status: Regulation 16 consultation

Proposed level: Planning Committee endorsed

Notes

The Neighbourhood Plan will be a document that sets out planning policies for the parish, which together with the Local Plans, carry significant weight in determining planning applications. It is a community document, written by local people who know and love the area.

This the final consultation stage before the plan is submitted to an Examiner for assessment.

Proposed response

Summary of response

The Fleggburgh Neighbourhood Plan is welcomed. There is however an objection to the wording relating to habitat loss. There are also some other comments on the plan which, if addressed, would help the plan be clearer.

Proposed comments:

Basic Conditions Statement

Section 3 – based on the 2019 NPPF. Think it might be prudent to update this against the 2021 NPPF prior to submission. Not sure if it could be argued that the Basic Conditions have not been met if this is not done?

Neighbourhood Plan

Objection

- Policy 3
 - The first sentence of last para says ‘Where habitat loss is required as part of development this will need to be compensated with planting of native species that are of a greater ecological value, where possible’.
 - It is not clear what kind of habitat loss on what kind of habitat sites.
 - It is a very general and permissive statement that could have significantly negative consequences. It is saying that development can result in habitat loss. This is contrary to national and local policy (SP6 and DM13) and potentially Acts of Parliament.

- This also seems to be contrary to objective C of the Neighbourhood Plan.
- Further, the 'where possible' part of that part of the policy weakens any message – it effectively says that habitat can be lost as a result of development, and does not need to mitigate.
- As such, there is an objection.
- If the site/habitat is a European protected site (tending to be called National Site Network now, but also called SPAs and SACs) then what is written is contrary to National Policy and would have Habitat Regulation Assessment issues.
- If this relates to SSSI or National Nature Reserves, then it is contrary to DM13 as it is too permissive; DM13 talks about exceptional circumstances with specific criteria.
- And again, in relation to National Nature Reserves and section 41 priority habitats identified under the Natural Environment and Rural Communities (NERC) Act 2006, DM13 again refers to exceptional circumstances in the policy.
- Then finally, in relation to section 41 priority species, and legally protected sites, DM13 talks of mitigation measures and other criteria to be demonstrated.
- So, the NP policy as written is first of all not clear as to what habitats it applies to and secondly is too permissive when compared to National and local policy.
- As such, this does not meet
 - Basic Condition a) as the wording seems contrary to NPPF paragraphs 8c, 174a, 180a and d,
 - Basic Condition d) as it is contrary to policies SP6 and DM13 of the Local Plan for the Broads (and may be contrary to equivalent policies in the Great Yarmouth Local Plan) and
 - Basic Condition f) as the type of sites could be SACs and SPAs which are European Protected Sites (National Site Network and addressed in HRAs).
- With government assurances that the Environment Bill will pass into law by the end of this year, BNG will become mandatory for most developments in England. I recommend that this Plan need to be made compliant: rather than the wording 'where habitat loss is required....' Integrate the following terms: avoiding damage to habitat, then if that's not an option, mitigation by reducing the impact where possible and, finally, if there is loss of habitat it must be compensated for. Add: **in accordance to assessment processes for National Site Network**. Add: applications are expected to protect **and enhance** natural features.

General comments

- This document would benefit from a check against the new NPPF. Some references to the NPPF are listed here and these may need checking:
 - footnote 1 refers to 2019 NPPF.
 - Also check para 45 reference to the NPPF.
- Section 25 – you might want to refer to our adopted policy that requires offsite contributions for schemes of 6-9 dwellings.
- Para 28 – Local Planning Authorities – plural rather than singular
- Para 29 – maybe refer to the National Design Code that has been released.

- Non-designated Heritage Assets:
 - Should they specify a minimum number of the criteria that they list that a property would need to meet to be considered a NDHA?
 - Rollesby Broad – change the wording to the Broads, rather than Broad. Otherwise it makes it sounds like just Rollesby Broad has special archaeological interest.

Areas that are not clear and would benefit from greater clarity

- Policy 5
 - Could benefit from an and rather than a ,. ‘Proposals will be supported where it can be demonstrated they are sited, **and** designed to be of a form and scale that avoids or mitigates any harm to the key views identified in **Figure 7**.
 - Policy 5 says this: ‘Proposals that are outside of the Broads Authority Area and outside of the development limits, but which are sited on Grade 1 agricultural land that is currently in farming use will not be supported, unless the community benefits of such significantly and demonstrably outweigh the harm of losing the land in the long term, such as affordable housing’. This is very confusing and I am not sure what the message is here. So, development in the Broads Authority area will be supported? Does this part only relate to land on grade 1 agricultural land? What other things could be developed? You give an example of affordable housing outside of development boundaries; of course, there is local policy (GYBC Local Plan Core Strategy CS4) relating to rural exception sites and their need to be adjacent to the existing settlement. Also, the Local Plans that relate to the area have policies on community facilities and where residential dwellings can go. I am very confused by this policy and what it means in practice.
- Para 83 – my previous comment still applies: Norfolk CC Historic Environment Strategy and Advice Team issue *archaeological* advice. All other aspects of advice / consultation responses on planning applications affecting the historic environment are provided by the Historic Environment Officers at the Local Planning Authorities (BA or GYBC).

Typos/grammatical errors

- Para 70 – typo - folloding
- Policy 10d - **Taking** all reasonable opportunities to promote and enhance the use of public transport, such as improved waiting facilities, **will need to be taken**.

Norfolk County Council and Great Yarmouth Borough Council

Document: Great Yarmouth Local Cycling and Walking Infrastructure Plan

https://norfolk.citizenspace.com/community-services/greatyarmouthlcwip/supporting_documents/Great%20Yarmouth%20LCWIP%20Summary%20July%202021.pdf

Due date: 08 September 2021. Note that the response has been submitted, but if there are any comments as a result of Committee, we can get in touch.

Status: Summary document

Proposed level: Planning Committee endorsed

Notes

Norfolk County Council is working in partnership with Great Yarmouth Borough Council to create a Local Cycling and Walking Infrastructure Plan for Great Yarmouth and Gorleston. The objective of the planning process is to identify and prioritise improvements which can be made to the Active Travel (cycling & walking) network within the region over the short, medium and long term. The purpose of this summary document is to share information about the active travel network improvement schemes which have been identified during the planning processes and to enable elected members, residents and stakeholders to review and share their feedback. The summary also sets out the reasons for improving the active travel network for Great Yarmouth and Gorleston and includes details on how the infrastructure plan has been developed, as well as how the new schemes will be designed and delivered.

Proposed response

Summary of response

Generally, the document should consider some Broads Authority documents, but other than that, comments are minor.

Proposed comments:

Section 5 – you do not mention any of the Broads Authority's documents. The Local Plan for the Broads and Integrated Access Strategy are key documents and need to be considered.

Figure 8, 9, 11, 12, 13, 14, 15, 17, 18, 19 – what are the colours? There is no legend.

Figure 10, 20 legend is difficult to read.

Page 26, no figure number and no legend

Figure 23 – cyclists welcome shelter. It is a shame that no such examples are shown in the document. There is no mention of passive or CCTV surveillance for cycle parking.

Section 9 – it is not clear what this part of the document will actually result in?

Section 10 – is there anything that you need the Local Plan for the Broads to include/address? Is there anything you need the Broads Authority to do to help deliver this?

Planning Committee

10 September 2021

Agenda item number 13

Appeals to Secretary of State update- September 2021

Report by Senior Planning Officer

Summary

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

Recommendation

To note the report.

Application reference number	Applicant	Start date of appeal	Location	Nature of appeal/ description of development	Decision and dates
APP/E9505/C/20/3245609 BA/2017/0024/UNAUP2	Mr L Rooney	Appeal received by BA on 26 January 2020 Start date 17 August 2020	Blackgate Farm, High Mill Road, Cobholm Great Yarmouth	Appeal against Enforcement Notice	Committee decision 8 November 2019 Hearing held 20 July 2021 Appeal dismissed and the Enforcement

Application reference number	Applicant	Start date of appeal	Location	Nature of appeal/ description of development	Decision and dates
					Notice upheld with corrections and variations, which has the effect of allowing parts of grounds (c) & (g). 12 August 2021
APP/E9505/W/21/3267755 BA/2020/0138/FUL	Mr Keith Wheeler	Appeal received by BA on 27 January 2021 Start date 23 April 2021	39 Riverside Estate Brundall Norwich NR13 5PU	Appeal against conditions imposed on planning permission.	Delegated decision 14 August 2020. Appeal allowed 5 July 2021
APP/E9505/C/21/3269284 BA/2017/0035/UNAUP3	Mr Henry Harvey	Appeal received by BA on 18 February 2021 Start date 26 April 2021	Land East Of Brograve Mill Coast Road Waxham	Appeal against Enforcement Notice	Committee Decision 8 January 2021 LPA Statement submitted 7 June 2021
APP/E9505/C/21/ 3276150 BA/2020/0453/FUL	Mr & Mrs Thompson	Appeal received by BA on 31 May 2021 Awaiting Start Date	Ye Olde Saddlery The Street Neatishead	Appeal against refusal of planning permission: Change of use of	Delegated Decision 8 February 2021

Application reference number	Applicant	Start date of appeal	Location	Nature of appeal/ description of development	Decision and dates
				outbuilding to cafe (Class E(b)) & pizza takeaway (Sui Generis)	
APP/E9505/Z/21/3276574 BA/2021/0118/ADV	Morrisons Supermarket	Appeal received by BA on 7 June 2021 Awaiting start date	Morrisons Superstore, George Westwood Way, Beccles	Appeal against refusal of advertisement consent for a solar powered totem sign.	Delegated Decision 4 June 2021

Author: Cheryl Peel

Date of report: 25 August 2021

Background papers: BA appeal and application files

Planning Committee

10 September 2021

Agenda item number 14

Decisions made by officers under delegated powers

Report by Senior Planning Officer

Summary

This report sets out the delegated decisions made by officers on planning applications from 31 July 2021 to 27 August 2021 and Tree Preservation Orders confirmed within this period.

Recommendation

To note the report.

Decisions made by officers under delegated powers

Parish	Application	Site	Applicant	Proposal	Decision
Aldeby Parish Council	BA/2021/0239/FUL	Priory Cottage Marsh Lane Aldeby Norfolk NR34 0BH	Mr Gavin Church	Re-submission of application BA/2020/0279/FUL - Use of land for siting 4 No. Bell Tents and 4 No. washsheds with compostable toilets (retrospective)	Refuse
Barsham And Shipmeadow Parish Council	BA/2021/0210/CLEUD	2 Hill Cottages The Hill Shipmeadow Suffolk NR34 8HJ	Mr Andy Jay	Lawful Development Certificate for 10 years use of former agricultural land as a private garden (domestic curtilage).	CLUED Issued
Barton Turf And Irstead Parish Council	BA/2021/0245/HOUSEH	Marsh House Hall Road Barton Turf NR12 8AR	Mr and Mrs Wright and Skinner	Rear extension, new front porches, with minor internal and external alterations and related external works	Approve Subject to Conditions
Barton Turf And Irstead Parish Council	BA/2021/0225/LBC	Grove House Hall Road Irstead NR12 8XP	Mr and Mrs E Hutchinson	Replace front door	Approve Subject to Conditions

Parish	Application	Site	Applicant	Proposal	Decision
Beccles Town Council	BA/2021/0201/HOUSEH	Waveney Lodge 63 Northgate Beccles NR34 9AU	Mr and Mrs Knights	Demolition single and double storey extension & garage, replace double storey extension and construct single storey extension & boat shed	Approve Subject to Conditions
Brundall Parish Council	BA/2020/0276/HOUSEH	60 Riverside Estate Brundall Norwich Norfolk NR13 5PU	Mr Ronald Giles	Replace existing quay heading currently in wood to dark brown colour in corrugated plastic sheet piles with horizontal wooden walings	Approve Subject to Conditions
Hoveton Parish Council	BA/2021/0293/NONMAT	Bay Tree Lodge Meadow Drive Hoveton Norfolk NR12 8UN	Mrs S Huckle	Extension to decking, non-material amendment to permission BA/2021/0018/HOUSEH	Approve
Langley With Hardley Parish Council	BA/2021/0227/HOUSEH	The Old Post Office 22 Langley Street Langley Norfolk NR14 6AD	Mr Andrew Larkin	Replace septic tank with sewage treatment plant	Approve Subject to Conditions
Norton Subcourse Parish Council	BA/2021/0192/HOUSEH	Holly Tree Cottage Low Road Norton Subcourse NR14 6SA	Mr Ashley Bullard	Single storey front porch extension, demolition of existing garage and new cart-shed garage with home office over	Approve Subject to Conditions

Parish	Application	Site	Applicant	Proposal	Decision
Reedham Parish Council	BA/2021/0235/FUL	Land Adjacent To Reedham Old Hall 2 Church Road Reedham Norwich Norfolk NR13 3TZ	Dr Bernard Brett	Installation of ground source collector & 90 solar panels	Approve Subject to Conditions
Reedham Parish Council	BA/2021/0262/HOUSEH	4 Quay Terrace Reedham Norwich NR13 3TG	Mr Ian Catlow	Proposed rear extension in line with neighbouring property.	Approve Subject to Conditions
Reedham Parish Council	BA/2021/0254/COND	Cannells By The River 48 Riverside Reedham Norwich NR13 3TE	Mr Steven Crisp	Variation of Condition 4 of BA/2007/0283/CU to allow opening hours 08:00hrs to 22:00hrs Thursdays, Fridays and Saturdays.	Approve Subject to Conditions
Reedham Parish Council	BA/2021/0238/HOUSEH	Brit House 19 Station Road Reedham Norwich NR13 3TA	Dame Rosie Winterton	Replacement quay heading and introduction of length of new quay heading to shorten length of existing cut	Approve Subject to Conditions
Stokesby With Herringby Parish Council	BA/2021/0203/HOUSEH	Rose Cottage Mill Road Stokesby With Herringby Norfolk NR29 3EY	Mr Nigel Hall	Demolition of rear facing conservatory to allow the erection of a two storey extension on its footprint	Approve Subject to Conditions

Parish	Application	Site	Applicant	Proposal	Decision
Woodbastwick Parish Council	BA/2021/0223/FUL	The Vicarage Woodbastwick Road Ranworth Norwich Norfolk NR13 6HT	Mr Darley	Retrospective application for the change of the first floor of the Coach House for use as holiday let accommodation	Approve Subject to Conditions

Author: Cheryl Peel

Date of report: 31 August 2021