

## Planning Committee

### AGENDA

**6 February 2015**

**10.00am**

- |  | Page   |
|--|--------|
| 1. <b>To receive apologies for absence and introductions</b>   |        |
| 2. <b>To receive declarations of interest</b>  |        |
| 3. <b>To receive and confirm the minutes of the previous meeting held on 9 January 2015 (herewith)</b> | 3 – 14 |
| 4. <b>Points of information arising from the minutes</b>   |        |
| 5. <b>To note whether any items have been proposed as matters of urgent business</b>                   |        |

### MATTERS FOR DECISION

- |  |         |
|--|---------|
| 6. <b>Chairman's Announcements and Introduction to Public Speaking</b><br>Please note that public speaking is in operation in accordance with the Authority's Code of Conduct for Planning Committee. Those who wish to speak are requested to come up to the public speaking desk at the beginning of the presentation of the relevant application    |         |
| 7. <b>Request to defer applications included in this agenda and/or to vary the order of the Agenda</b><br>To consider any requests from ward members, officers or applicants to defer an application included in this agenda, or to vary the order in which applications are considered to save unnecessary waiting by members of the public attending |         |
| 8. <b>To consider applications for planning permission including matters for consideration of enforcement of planning control:</b>   |         |
| <ul style="list-style-type: none"> <li>• BA/2014/0407/FUL Pound End Broad and Hoveton Marshes, Horning Road, Hoveton</li> </ul>  | 15 – 34 |
| <ul style="list-style-type: none"> <li>• BA/2014/0369/COND Silver Dawn, Woodlands Way, Horning –deferred from previous meeting.</li> </ul>   | 35 – 48 |

		Page
	• BA/2014/0411/FUL –3 Bayed Areas of Reedswamp Fronting Hill Common, Hickling	49 – 58
9.	<b>Halvergate Marshes Conservation Area Re-Appraisal</b> Report by Historic Environment Manager (herewith)	59 – 87
10.	<b>Duty to Cooperate: Formal Cooperation Through a Shared Non-Statutory Strategic Framework</b> Report by Planning Policy Officer (herewith)	88 – 106

#### MATTERS FOR INFORMATION

11.	<b>Enforcement Update</b> Report by Head of Development Management (herewith)	107 – 112
12.	<b>Decisions made by Officers under Delegated Powers</b> Report by Director of Planning and Resources (herewith)	113 – 114
13.	<b>Circular 28/83: Publication by Local Authorities of Information about the Handling of Planning Applications:</b>  (i) Development Control Statistics for quarter ending 30 September 2014 (corrected) (herewith)  (ii) Development Control Statistics for quarter ending 31 December 2014 (herewith)	115 – 118
14.	<b>Design Tour and Design Awards – Views of Members to be sought</b> Historic Environment Manager to report.	119 – 122
15.	<b>To note the date of the next meeting – Friday 6 March 2015 at 10.00am at Yare House, 62-64 Thorpe Road, Norwich</b>	

## **Broads Authority**

### **Planning Committee**

Minutes of the meeting held on 9 January 2015

Present:

Dr J M Gray – in the Chair

Mr M Barnard  
Miss S Blane  
Prof J Burgess  
Mr N Dixon  
Mr C Gould

Mr G W Jermany  
Dr J S Johnson  
Mr P Ollier  
Mr R Stevens

In Attendance:

Ms N Beal – Planning Policy Officer  
Mrs S A Beckett – Administrative Officer (Governance)  
Mr S Bell – for the Solicitor  
Ms A Long – Director of Planning and Resources  
Mrs A Macnab – Planning Officer  
Mr G Papworth – Planning Assistant  
Ms C Smith – Head of Planning

Members of the Public in attendance who spoke:

#### **BA/2014/0205/FUL St Olaves Marina, Beccles Road, St Olaves**

Mr Dennis Sewell	Chairman, Fritton and St Olaves Parish Council
Ms T Bromley	On behalf of Applicant
Mr W Kemp	Local District Member

#### **BA/2014/0347/FUL Compartment 25 13, Buttle Marshes, Off Blind Lane, Ludham**

Dr Dan Hoare	On behalf of Applicant
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### **7/1 Apologies for Absence and Welcome**

The Chairman welcomed everyone to the meeting particularly members of the public. He also welcomed George Papworth who had recently been appointed as Planning Assistant to replace Maria Hammond, who had been promoted to Planning Officer following the departure of Fergus Bootman.

Apologies were received from: Mrs J Brociek-Coulton, Mrs L Hemsall, Mr J Timewell and Mr Peter Warner.

## **7/2 Declarations of Interest**

The Chairman declared a general interest on behalf of all members in relation to Application BA/2014/0347/FUL as this was a Broads Authority application. Members indicated that they had no other declarations of pecuniary interests other than those already registered and those set out in Appendix 1.

## **7/3 Minutes: 5 December 2014**

The minutes of the meeting held on 5 December 2014 were agreed as a correct record and signed by the Chairman.

## **7/4 Points of Information Arising from the Minutes**

### **Minute 6/8(2) BA/2014/0307/COND Silver Dawn, Woodlands Way, Horning**

The Chairman reported that this was likely to be brought to the next Committee meeting on 6 February 2015.

## **7/5 To note whether any items have been proposed as matters of urgent business**

No items had been proposed as matters of urgent business. The Chairman reported that he had received notification relating to the referendum on the Acle Neighbourhood Plan and this would be reported under minute 7/10.

## **7/6 Chairman's Announcements and Introduction to Public Speaking**

### **(1) Training/Briefing for Members:**

The Chairman reminded members that training would be provided on conservation and navigation issues following the next meeting of the Planning Committee on 6 February 2015.

### **(2) Dates for Members to note: Re Minute 6/8(3) Planning Committee Site Visit on 16 January 2015**

The site visit to view the proposals relating to the Hoveton Great Broad canoe trail BA2014/0407/FUL would take place on 16 January 2015, details of which were available for members.

### **(3) Electronic Agendas and Reports**

The Chairman reported that this would be the last meeting when members would be receiving their agendas in paper format. The agenda and reports for the Planning Committee would be in electronic format as from 6 February 2015.

**(4) Public Speaking**

The Chairman reminded everyone that the scheme for public speaking was in operation for consideration of planning applications, details of which were contained in the revised Code of Conduct for members and officers. The Chairman also asked if any member of the public intended to record or film the proceedings and if so whether there was any member of public who did not wish to be filmed.

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

No requests for deferral had been received.

**7/8 Applications for Planning Permission**

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

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

- (1) BA/2014/ 0205/FUL St Olaves Marina, Beccles Road, St Olaves**  
Proposed Mooring Pontoons along the River Waveney frontage to St Olaves Marina Ltd  
Applicant: Mr David Bromley

Having declared an interest as a member of the NBSA and the Navigation Committee which had provided detailed comments and objections on the application, Mr Ollier withdrew from the meeting for this item.

The Head of Planning provided a detailed presentation of the amended application for the installation of mooring pontoons and three fishing platforms along the River Waveney frontage to St Olaves Marina Ltd. She provided the history of the application, referring to the changes in the site since an application had been approved in 1997 together with a Section 106 Agreement. She reminded members that a previously amended application had been deferred from the 10 October Planning Committee in order to seek clarification on mooring rights particularly relating to the St Olaves' residents on the eastern side of the river, to clarify discrepancies on the measurements of the river width and seek advice from the Navigation Committee.

Since consideration of the application at the October Planning Committee meeting and in light of comments and objections received from the Navigation Committee and residents (detailed in the report),

the applicant had amended the application for a third time to address the concerns particularly in relation to navigation.

The proposals now before members would provide 116m of floating pontoon (Instead of 164m) and installation of 48m of piled frontage to the south of the pontoon, including 22m of visitor/ demasting moorings at the southern end of the piled frontage. The proposal also proposed beam restrictions along the pontoon with 81 m of moorings being restricted to boats of up to 3.6m beam with the remainder providing moorings for boats up to 4.5 m beam. The Head of Planning drew attention to the Officer's sketch at Appendix 2 of the report illustrating the measurements of the proposal in relation to the river width explaining that allowance also needed to take account of the 1 metre step/gap from the river bank to the pontoon. The reduction of the river width and navigable water space would therefore range between 11% and 22% which was within the informal maxim river width of 25% navigable space as indicated in the guidance within Broads Byelaw 62.

Since the writing of the report further consultations had been received from Fritton and St Olaves Parish Council, the Local District member for the Lothingland ward, as well as residents from St Olaves on the opposite bank of the river to the application site. In addition a letter from the Crown Estate had been received advising that as they owned the river bed and had control over the water above this, the applicant would require their permission but they had not received any approach from the applicant to discuss terms of occupation. The Crown Estate had granted licenses for quay heading and stagings for some properties on the opposite bank and therefore would expect the land to be used as such. This would then indicate a potential further reduction in navigable waterspace.

With regard to Mooring rights, letters had been received from two properties advising the Authority of the history of mooring. Although it was recognised that some properties had been granted Crown Estate licenses and it was accepted that mooring did take place and could do so for up to 28 days within the year, there was no evidence from the deeds or records that planning permission had been granted or sufficient evidence provided to confirm continued and established use for mooring.

In providing a detailed assessment particularly relating to Policy DP16, the Head of Planning acknowledged that there would be an impact on navigation, but it could be difficult to justify a refusal on these grounds given that the 25% guidance used by the Rangers, although a material consideration, was not set out specifically in planning policy. However, the concerns of the Navigation Committee, the NSBA and the local residents were acknowledged.

In assessing the other main issues for consideration concerning criteria (b) within Policy DP16 of the development plan namely the impact on

ecology and impact on protected landscape of the Broads as well as the NPPF, the Head of Planning considered that there would be an adverse impact. Although the pontoon would not have a negative impact on ecology, the introduction of piling would do so as it would remove the soft bank with reedbed, and also remove the transition buffer area from marina/boatyard industrial to the softer more natural rural landscape.

With regard to criterion (h) to provide new visitor short stay moorings at not less than 10% of total new moorings, there was not a strong case for provision of visitor moorings in the area proposed. Although there was a need for demasting, however, this was preferred to be nearer to the bridge and not in this particular location. The applicant had indicated that he would pay for visitor moorings but that the Authority would need to pay for the demasting moorings.

In conclusion, the Head of Planning considered that the application as amended could not be recommended for approval on the basis that the proposals would have an adverse impact on the ecology and landscape of the area and was contrary to Policy DP16 particularly criteria (b) and (h).

Mr Sewell, on behalf of Fritton with St Olaves Parish Council reiterated the objections from the Parish Councils of Haddiscoe and St Olaves. He emphasised that this application had caused more concerns and objections than any other he had been associated with. There were serious concerns relating to the disruption and impact on navigation and the deteriorating effect on wildlife and landscape. Although acknowledging that there was no specific right to moor for the residents, the width of the river and the tidal flows made manoeuvring of boats in this location more problematic especially for novices. It was not a stretch of river where additional permanent moorings should be contemplated. In addition the loss of 50m of natural reed bed would be contrary to Broads Policies and totally inappropriate. He urged the Committee to reject the application.

The Chairman checked that none of the objectors present wished to speak.

Ms Bromley, on behalf of the applicant commented that the boatyard/application site was part of a small family run business which had moved to the site in the late 1990s. The family were still developing the site, including implementing the 1997 permissions, as and when finances allowed. She explained that they had attempted to comply with all that had been requested by the planning officers including reducing the stretch of river bank for moorings as well as beam width. The small area of green belt at the base of the site would remain. The proposed pontoons would link in with those belonging to the adjacent Johnsons boatyard, which had been granted permission in 2014. The boatyard would therefore be able to offer more berths. She

explained that the Authority's Senior Waterways and Recreation Officer had previously asked the boatyard to provide a demasting area for which the Authority would pay as there were funds within the 2014 budget as part of the Authority's Mooring Strategy. She considered that most boats using the Broads would be within the beam width suggested and the yard would continue to comply with restrictions imposed. She considered that congestion in this stretch of the river occurred nearer to the public house and bridge. Mooring on the proposed pontoons would be parallel.

Mr Kemp the Local District member commented that he was pleased to support the Officer's recommendation. The impact on the environment was unacceptable and he was not convinced that the public purse should fund the proposed demasting area. He commended the report and the officer's recommendation.

With regards to the Authority's Mooring Strategy, it was clarified that as part of that, provision of demasting points at four quadrants of the river particularly by bridges were well documented Broads Authority aspirations. However, the exact location was important and the proposed location within the application was not considered appropriate. The Navigation Committee at its meeting on 11 December 2014 had been further appraised of the proposed amendments and was still concerned about the impact of navigation in this area and did not support the location for demasting.

Members were satisfied that the measurements of the river width based on GIS measurements and those taken by the applicants consultants were satisfactory for the consideration of the application.

Members gave attention to the issue of public permanent moorings and Byelaw 62.2(b) and considered that the latter was more related to temporary moorings. They recognised that this was largely custom and practice and not set out in a specific planning policy, a matter which could be addressed when considering the review of the Local Plan. However, Members expressed considerable concerns relating to the navigation aspects as expressed by the Navigation Committee particularly with regards to the river width, the tidal flows and circumstances in this location and the impact on navigation safety. Although the proposed reduction in navigable river width was under 25%, this did not take account of any mooring that took place on the opposite side of the river. They considered that the Authority would be derelict in its duties if it did not take these matters into account. Although only a guideline, the terms of the byelaw would not be satisfied. They considered that the application was contrary to criterion (a) of Policy DP16 and should be refused on grounds of navigational safety.

Members fully concurred with the assessment that the amended proposal would have a detrimental environmental impact on the



ecology and the landscape of the area and therefore would be contrary to criteria (b) and (h) of Policy DP16.

Dr Johnson proposed, seconded by Mr Dixon and it was

RESOLVED unanimously

that the application be refused on the basis:

- (i) that with the introduction of an engineered river edge in the form of quay heading and the resulting loss of natural reeded river bank habitat, the application would have an adverse impact on protected species and protected habitats as well as the landscape character of the protected landscape of the Broads. As such the development is contrary to criterion 'b' of Policy DP16 of the adopted Broads DM DPD in respect of ecological and landscape impacts;
- (ii) that the application does not provide new visitor moorings or, in lieu of visitor moorings, demasting moorings, as required by criterion 'h' of Policy DP 16. As such the development cannot be considered to accord with criterion 'h' of Policy DP1; and
- (iii) the proposal would also result in the reduction in width of the river as a result of the pontoon and its use and would consequently have a negative impact on navigation. As such the development is contrary to criterion (a) of Policy DP16 of the adopted Broads DM DPD in respect of navigation impacts.

(2) **BA/2014/0347/FUL Compartment 25 13, Buttle Marshes, Off Blind Lane, Ludham**

To extend the existing Scrape by excavating some of the lower areas along two edges of the Compartment and to renovate an existing access track to the site

Applicant: The Broads Authority

The Planning Officer provided a detailed presentation on the proposal to extend the existing scrape on Buttles Marsh, owned by the Authority on land formerly used for agriculture and then created as fen and water habitats as part of the Bittern Two project. The proposed U-shaped scrape would cover an area of 1.09ha. The excavated material of approximately 2000m<sup>3</sup> would then be used to raise the existing track which ran parallel to the public footpath. Although the site would be very raw while landscaping was being carried out, it was anticipated that it would not take long before natural vegetation would be re-established. Once the new track was established, it was anticipated that it would only be used by those managing the site. No further correspondence had been received since the report had been written.

Having provided a detailed assessment of the proposals, taking account of the main issues in relation to principle, ecology, landscape and flood risk, the Planning Officer concluded that the scheme was designed to enhance the ecological and biodiversity value of the area in line with the wider Broads Authority land management and conservation objectives. Therefore, it was considered to be in accordance with the Authority's development plan and the NPPF and was recommended for approval.

Members concurred with the officer's assessment and welcomed the proposal.

It was RESOLVED unanimously

- (i) that the application be approved subject to the conditions as set out within the report; and
- (ii) that the proposal is considered to be acceptable in accordance with Planning Policy and in particular Policies CS1, CS4 and CS20 of the adopted Core Strategy and Policies DP1, DP2, and DP29 of the Development Management Policies DPD (2011) as well as paragraphs 109, 115, Part 10 of the NPPF.

## **7/9 Enforcement of Planning Control: Enforcement Items for Consideration**

### **Potter Heigham, Plot 51, North East Riverbank**

The Committee considered a report concerning the unauthorised installation of decking at a riverside property Plot 51 known as Bathurst on the North East Riverbank at Potter Heigham. The matter had been investigated following the receipt of a complaint. Despite a considerable amount of correspondence, the owner of the plot insisted that it was not necessary to seek planning approval for the installation of the decking and had sought the backing of the Thurne Bungalow Tenants Association. Although it was accepted that some decking would be appropriate, the matter in question was the extent of that decking which covered almost the whole plot down to the riverside and also extended slightly beyond the river bank. This was not considered appropriate as it would alter the landscape character of the area and therefore would be contrary to policy and also could set an undesirable precedent. The Authority's officers had suggested that a proposal for a smaller area would be acceptable.

Although recognising that there was a breach of planning control and planning permission was required, Members considered that it would be premature to authorise enforcement action at this stage. It was considered important to establish whether the decking covered the whole plot and the boundary and ownership in relation to adjacent plots. It would also be helpful to have a more detailed examination of the other plots, the degree of decking being used and provide members with a complete survey of the character of the area. The photographic survey carried out in 2014 by the Rangers would be helpful.

RESOLVED

that the authorisation of enforcement action be deferred in order to gain additional information as to the boundary of the plot in question and the nature of decking within other parts of the area.

## **7/10 Neighbourhood Plans**

### **(1) Acle Neighbourhood Plan**

The Chairman reported that he had received an email from Lana Hemsall, the Local District member for Acle, informing the Authority that the Acle Neighbourhood Plan referendum had taken place on 8 January 2015 and making of the plan was supported with 299 voting Yes and 53 voting No.

Members noted that the results indicated that support for a neighbourhood plan was more than 50 % of those who voted in the referendum and therefore the Planning Committee was satisfied that the Neighbourhood Plan should be adopted and therefore form part of the Authority's Development Plan..

RESOLVED

that a report be prepared for the Broads Authority recommending that the Acle Neighbourhood Plan be adopted and included as part of the Authority's Development Plan.

### **(2) Oulton Neighbourhood Plan: Designating Oulton as a Neighbourhood Area**

The Committee received a report from the Planning Policy Officer on the proposal to designate the parish of Oulton as a Neighbourhood Area for a Neighbourhood Plan following a six week consultation period. The report briefly summarised the comments received. It was noted that 67% of those who responded to the consultation were in favour of the designation and 33% were opposed. It was noted that the area which the parish council wished to designate was made up of the civil parish of Oulton plus a small unparished area. The proposed area also included some properties partly outside the parish boundary relating to the Parkhill Estate. It was noted that the area fell outside the Broads Authority Executive Area although part of Oulton came within the area and therefore under the Neighbourhood Planning (general) Regulations (2012), the Authority was required to approve it. Waveney District supported the application including the Parkhill Estate section, subject to the Authority's approval.

## RESOLVED

- (i) that the comments received during the consultation period be noted; and
- (ii) that the Authority agree to designate Oulton as a Neighbourhood Area as the first step in the process of preparing a Neighbourhood Plan.

### **7/11 Consultation Documents Update and Proposed Responses Brundall Neighbourhood Plan**

The Committee received a report from the Planning Policy Officer on the Pre-submission consultation Draft Brundall Neighbourhood Plan prepared by a Working Group representing a wide range of community interest groups within Brundall over the course of 2014 since the Authority's Planning Committee and Broadland District Council designated Brundall as a Neighbourhood Area in March 2014 for the purpose of producing a Neighbourhood Plan. The comments from the Authority were to provide Brundall with assistance to the working group. The next stage would be for the Brundall working group to amend the Plan to take account of comments prior to examination by an independent Inspector and a referendum.

Members endorsed the proposed comments. In addition they considered that the comments relating to the pressure on gardens should be strengthened emphasising the importance of retaining large gardens and green spaces to the character of the area and the Broads landscape in general and not to do so had the potential result of over development. With regard to the comments from the Senior Waterways and Recreation Officer concerning the potential for slipways, it was considered that examples of specific potential locations should be identified.

## RESOLVED

that the proposed consultation response together with the comments made be endorsed.

### **7/12 Enforcement Update**

The Committee received an updated report on enforcement matters already referred to Committee.

With reference to Thorpe Island the Head of Planning reported that further to receiving notice of the challenge to the Planning Inspector's decision on the appeal, this had been acknowledged and the Authority's paper work and evidence was being prepared. In tandem with that, the Authority was preparing to apply for an injunction relating to further breaches of planning control on this site.

It was emphasised that the challenge to the decision was not against the Authority but against the Planning Inspectorate/Secretary of State's decision. Members of the Committee had received letters from the landowner, Mr Wood and agent Lanpro raising a number of issues which had been discussed at the Inquiry and would be rehearsed in respect of the challenge. The matters were not ones for members of the Authority, but for consideration in the High Court.

The Solicitor confirmed that the Authority was awaiting a date for a hearing in the High Court and members would be informed accordingly.

With regard to the Section 73 planning application by the Landowner which sought to vary 19 of the 20 conditions imposed on the planning permission issued by the Planning Inspector, the Authority had not accepted and validated the application since many of the issues related to the legalities of the Inspector's decision.

RESOLVED

that the report be noted.

#### **7/13 Decisions Made by Officers under Delegated Powers**

The Committee received a schedule of decisions made by officers under delegated powers from 24 November 2014 to 15 December 2014..

RESOLVED

that the report be noted.

#### **7/14 Date of Next Meeting**

The next meeting of the Planning Committee would be held on Friday 6 February at 10.00am at Yare House, 62- 64 Thorpe Road, Norwich. The meeting would be followed by a training session for Members of the Committee on conservation and navigation considerations when dealing with Planning applications.

The meeting concluded at 12.30pm

CHAIRMAN

## Code of Conduct for Members

### Declaration of Interests

**Committee:**            **Planning Committee**

Date of meeting:    9 January 2015

<b>Name</b>	<b>Agenda/ Minute No(s)</b>	<b>Nature of Interest (Please describe the nature of the interest)</b>
All Members	7/8(2)	Application BA/2014/0347/FUL Compartment 25 13,Buttles Marshes, Off Blind Lane, Ludham As Members of the Broads Authority...
Mike Barnard	7/10	Member of Waveney Local Plan Working Group considering Oulton Neighbourhood Plan
Phil Ollier	7/8(1)	Member of NSBA Committee and BA Navigation Committee. Will Withdraw

**Reference**

BA/2014/0407/FUL

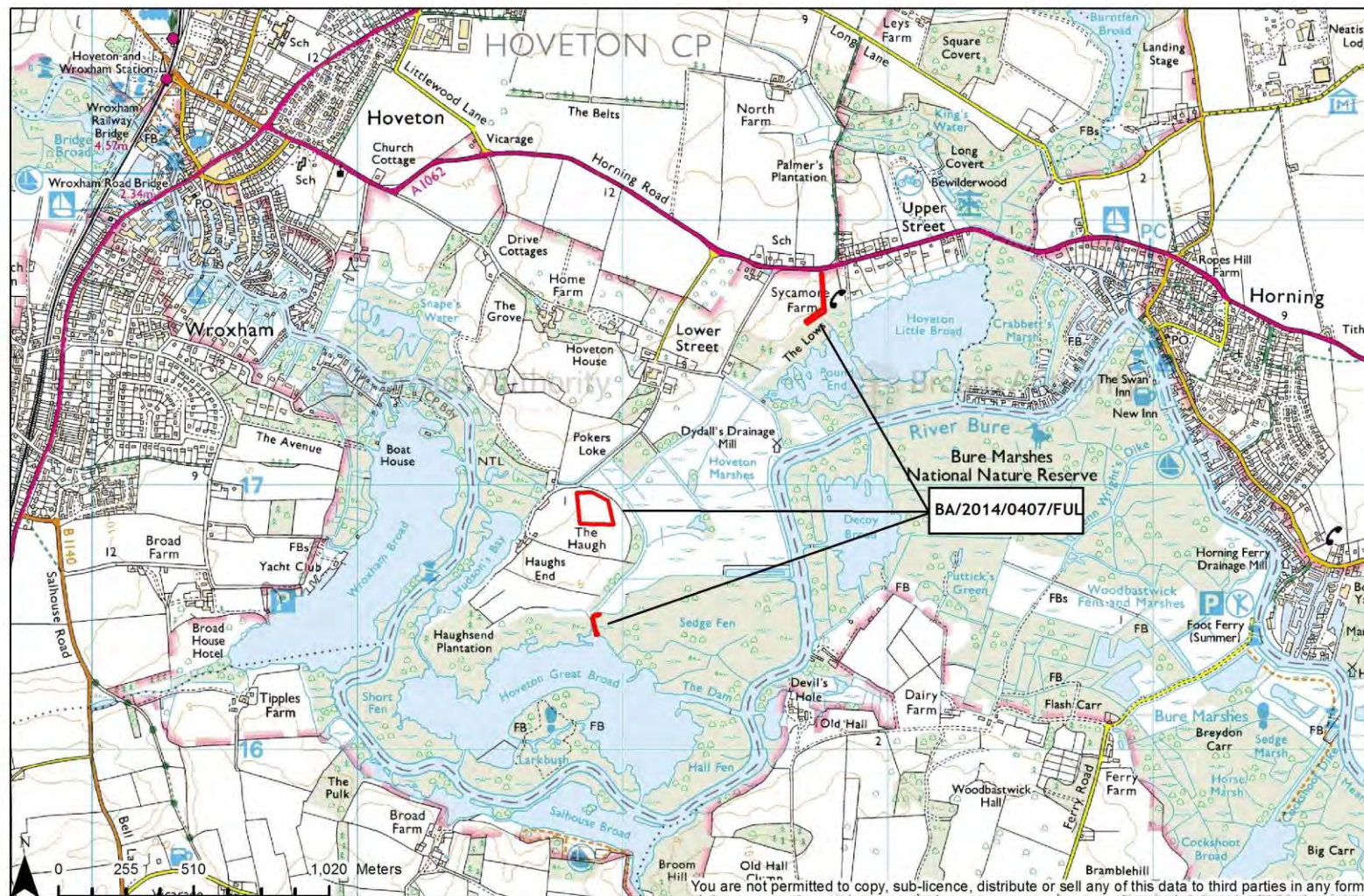
**Location**

Pound End Broad and Hoveton Marshes, Horning Road,  
Hoveton



## BA/2014/0407/FUL - Hoveton Marshes, Horning Road, Hoveton

New vehicular access from the A1062 Horning Road, car park, timber equipment store, temporary toilet facilities, footpath and canoe slipway at Pound End; landing stage, boardwalk and viewing platform at Hoveton Great Broad; and temporary de-watering lagoon on The Haugh, Hoveton Estate.





## **Application for Determination**

<b>Parish</b>	Hoveton
<b>Reference</b>	BA/2014/0407/FUL <b>Target date</b> 3 March 2015
<b>Location</b>	Pound End Broad and Hoveton Marshes, Horning Road, Hoveton
<b>Proposal</b>	New vehicular access from the A1062 Horning Road, car park, timber equipment store, temporary toilet facilities, boardwalk and canoe slipway at Pound End; landing stage, boardwalk, and viewing platform at Hoveton Great Broad; and temporary de-watering lagoon
<b>Applicant</b>	Natural England
<b>Recommendation</b>	Approve subject to conditions
<b>Reason for referral to Committee</b>	Wider public interest and small-scale major application with Environmental Statement

## **1      Description of Site and Proposals**

- 1.1      The application site forms part of the Hoveton Estate and includes areas of agricultural land and sites around Pound End Broad and Hoveton Marshes. This area lies to the south of Horning Road between the main settlements of Hoveton and Horning and to the west of the River Bure, north of Hoveton Great Broad. Other than the far south of the application site where it adjoins Hoveton Great Broad, the majority of the application area is not under any habitat designation.
- 1.2      Members will recall that in September 2014, following a site visit in August, the Planning Committee resolved to grant planning permission for development to facilitate a lake restoration project, proposed by Natural England (BA/2014/0248/FUL). That planning application, and the project in general, generated a significant amount of local interest and aspirations to improve public access to the Hoveton Great Broad site were expressed and the applicant indicated a subsequent planning application would be submitted to include further ecological improvements and access proposals. When considering the project (and associated funding bids) at the full Authority meeting of 26 September, the Broads Authority concluded that they supported the project subject to the inclusion of better public access to the project site.

- 1.3 This application proposes development to facilitate the improved access and comprises a new vehicular access from Horning Road, a car park, temporary buildings, boardwalk, slipway, landing stage, viewing platform and de-watering lagoon to facilitate the restoration of the dykes and waterways across Horning Marshes. The proposed infrastructure would facilitate the use of a canoe trail.
- 1.4 The new access is proposed to be created in an existing hedgeline along the southern boundary of the A1062 and would be built to the Highways Authority's specification with visibility splays each side and gates set back into the site. This would give vehicular access on to a 6 metre wide track surfaced with a geogrid material over the existing surface of the agricultural field. This track would cover a distance of approximately 130 metres southwards leading to a proposed new car park. The car park would measure 16.5 metres by 65 metres aligned on a northeast-southwest axis along the woodland edge at the southern boundary of the agricultural field. This would also have a geogrid surface and provide 24 parking spaces (including two disabled spaces) and also provision for 12 overflow spaces. Six cycle spaces would be provided and in the eastern corner two portaloos and a timber storage shed are proposed, the portaloos would be screened by a timber panel and would only remain on site for the period of the year when the route is in operation. It is proposed to enclose this car park with 1.2 metre high post and rail fencing and along the eastern field edge a belt of tree and hedgerow planning is proposed, up to 25 metres wide.
- 1.5 A footpath would be created southwards from the car park, requiring some adjustment of levels to provide an approximately 1:10 slope. This would pass through the woodland over a distance of approximately 30 metres with the precise route to be determined by the location of trees worthy of retention. Surfacing would consist of a woodchip filled geogrid over a geotextile membrane. The path would terminate at the head of an existing dyke which would require clearance to give access onto Pound End. A timber slipway is proposed at the head of the dyke, this would measure 3 metres wide and 8 metres long, providing a level surface over one half of the width and a graded slipway on the other half.
- 1.6 From here it is proposed that canoes would enter Pound End and then navigate across the waterways through Hoveton Marshes in a south-westerly direction. Mud pumping would be carried out across Hoveton Marshes, firstly on the proposed canoe route, and subsequently across the whole area over a period of four years. The sediment would be pumped to an area of agricultural land in the centre of Hoveton Estate; this is an area of high ground known as The Haugh. Here a dewatering lagoon is proposed which would measure 129 metres by 135 metres, segregated into six compartments by a series of dykes and contained with 0.5 metre high bunds. This lagoon would be set approximately 200mm below the existing surface and the sediment would be stored at a depth of approximately 300mm. De-watering would take place over four years, with approximately 4000 cubic metres of sediment removed and subsequently spread on agricultural land within Hoveton Estate each year. A 10 metre by 50 metres site compound is proposed adjacent to the

lagoon for the duration of the work. The compound and lagoon areas would be restored on completion of the sediment removal and de-watering.

- 1.7 The canoe route is proposed to follow a set route through the marshes and the same route would be used on the outward and return journey from and to the proposed slipway. At the southern extent of the route, on a dyke that runs into Hoveton Great Broad, a staithe is proposed. This would measure 20 metres long and 2.5 metres wide, with a 1 metre wide submerged platform and 1.5 metre wide decked boardwalk. This would allow canoeists to moor up and exit the canoes. The staithe would give access to a proposed boardwalk which would measure 1.5 metres wide and cover a distance of approximately 70 metres to the northern bank of Hoveton Great Broad. At this point a viewing platform is proposed, measuring 10 metres square and consisting of a timber decked platform on piled foundations enclosed by a post and rail fence. This southernmost part of the application site is within SSSI, SAC, SPA and Ramsar designations.
- 1.8 It is proposed that the canoe route would operate as a guided trail with the guide's canoe plus six visitor canoes, each accommodating three canoeists. The return route would cover 3.6 km and take up to three hours to complete. It is proposed that there would be up to three pre-arranged, paid trips each day and the route would operate March to October. It is anticipated that the proposal would create one part-time job.

## **2 Site Visit**

- 2.1 A report was presented to the 5 December 2014 Planning Committee recommending that members undertake a site visit prior to considering the determination of the application in order to gain a better understanding of the features and character of the application site and the details of the application. Members resolved to do so and the site visit was undertaken on Friday 16 January. Notes of the site visit are attached at Appendix 2.

## **3 Site History**

- 3.1 In September 2014 planning permission was granted for development to support a lake restoration project in the area immediately south of this site (BA/2014/0248/FUL).

## **4 Consultation and Representations**

Hoveton Parish Council – No objection. They do however wish to bring to the attention of the Committee their concern over the continued increase of traffic through Hoveton and Wroxham and the traffic jams particularly in the summer months. They considered that this development will contribute to those traffic problems albeit in a small way.

Wroxham Parish Council – No objections or comments.

Horning Parish Council – No response.

Broads Society – The application for a car park and other features relates to the provision of public access to the Broad to meet the HLF requirement for public benefit. However, it is our view that what is proposed is insufficient to warrant a large grant of public money for the restoration of a private Broad. The activity which the permission relates to concerns a canoe trail passing from Pound End across the marshes via the network of drainage dykes. It ends some distance from Hoveton Great Broad to which very limited access is given, on foot only, via a boardwalk and ending in a small viewing platform overlooking Hoveton Great Broad. We anticipate that the HLF will regard this as insufficient “engagement” by the public with the Broad Restoration Scheme, much of which will be out of sight.

It is therefore our considered view that approval of this application should be conditional on implementation of the Broad Restoration Scheme as we do not believe that the owner of the site should be permitted to construct a car park etc which could be used for other commercial purposes in the event that the bid failed.

As stated above, we would strongly oppose a Restoration Scheme which, in its present form, provides insufficient public access and would expect that a bid to the Heritage Lottery Fund would be refused on these grounds.

District Member – It's likely it will have major implications best decided by the Planning Committee.

Highways Authority – The site access is so positioned as to meet visibility requirements onto the A1062 within a 40 mph speed limit and given the provided information regarding expected traffic movements I have no grounds for objection to the granting of permission. Recommended conditions and informative notes.

Natural England (as a statutory consultee) – No objection. Supports conclusion of appropriate assessment submitted with application that no adverse effect would result subject to the proposed mitigation measures. Not likely to be an adverse effect on the SSSI nor adverse impacts on the features of special interest for which the SSSI, SPA, SAC and Ramsar are notified, subject to recommended conditions.

Environment Agency – No objection on flood risk, pollution prevention and groundwater grounds. Advice offered on ecology and the Water Framework Directive.

English Heritage – No objection in principle but elements of the scheme have potential to impact on historic environment, specifically non-designated heritage assets of national importance (the Broads). Note reservations about content of submitted Heritage Statement. Recommend a programme of archaeological works will be necessary to mitigate the impacts and refer to advice of Norfolk Historic Environment Service.

Norfolk Historic Environment Service – The dewatering lagoon is located in an area of high archaeological potential. Share English Heritage’s reservations about content of Heritage Statement and note it is not yet possible to fully determine the impact of the development on the historic environment. Archaeological mitigation can be achieved through a condition.

Norfolk and Suffolk Boating Association – No response.

Royal Yachting Association – No response.

Norfolk Wildlife Trust – No response.

Navigation Committee – The Navigation Committee considered the proposal at the meeting of 11 December 2014. As the application does not include any part of the River Bure or other publically navigable waterways, the Committee did not make a recommendation on the application, other than that the normal safety criteria should be mandated for the proposed structures. They did however note that a considerable amount of public money was proposed to be spent on the project and that the site should be accessible to the general public and suggestions were made as to how this could be achieved. Members noted that Natural England, the applicants, were currently carrying out local consultations on additional access proposals here.

## **5 Representations**

- 5.1 One representation received from a resident on Horning Road commenting that there is insufficient access generally to wildlife habitats in this area but that the proposed canoe access is very limited and a boat may be better. Queries if it would be possible to provide a landing stage on the Bure to give access to a limited public area for viewing purposes.

## **6 Policies**

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

Adopted Core Strategy (2007)

[Core Strategy Adopted September 2007 pdf](#)

CS1 – Landscape Protection and Enhancement

CS6 – Historic Environment

CS9 – Sustainable Tourism

CS11 – Sustainable Tourism

CS17 - Access and Transportation

Adopted Development Management Policies (2011)  
[DEVELOPMENTPLANDOCUMENT](#)

DP1 – Natural Environment  
DP2 – Landscape and Trees  
DP3 – Water Quality and Resources  
DP4 – Design  
DP11 – Access on Land  
DP29 – Development on site with a High Probability of Flooding

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

Adopted Core Strategy (2007)  
CS20 – Rural Sustainability

Adopted Development Management Policies (2011)  
DP5 – Historic Environment  
DP12 – Access to Water  
DP14 – General Location of Sustainable Tourism and Recreation  
Development  
DP28 – Amenity

- 6.3 Adopted Site Specific Policies (2014)  
No policies relevant to this site or proposal.

## **7 Assessment**

- 7.1 It is first necessary to consider whether the proposal is acceptable in principle and, if so, consider the impacts on ecology, landscape, flood risk, water quality, heritage assets, highways and amenity, as well as the design of the proposals.

### Principle

- 7.2 In terms of principle, the application proposes the creation of a new tourism/recreational development and the location of this should be considered with regard to Policy DP14. This policy is not fully consistent with the National Planning Policy Framework, however, the Framework supports the provision of sustainable rural tourism and recreation developments that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside. Accordingly, Policy DP14 is considered sufficiently consistent to be given significant weight in the determination of this application.
- 7.3 The application site is not within a development boundary and there is no immediate association with any existing tourism, holiday or recreational site. It is noted that the Bewilderwood adventure park is located approximately 450 metres along Horning Road to the east and that this is in the same ownership

as the application site. However, there would not necessarily be any operational relationship between the two activities and for the purposes of Policy DP14 the site should be considered separate from it and thus open countryside.

- 7.4 In accordance with Policy DP14, tourism and recreational facilities should only be permitted in the open countryside where there is a clear and demonstrable need for such a location and where criteria (a)-(e) are satisfied.
- 7.5 In terms of the need for the facility to be located here, the canoe trail is proposed in this area in conjunction with the larger lake restoration project and also to provide access to an area of characteristic wetland, allowing visitors to appreciate the landscape and wildlife value of this area to which there has previously been no access. Wildness and tranquillity are special qualities of the Broads area and this proposal would provide an opportunity to better understand and enjoy these features.
- 7.6 Criterion (a) requires that the proposal be in accordance with Core Strategy and other development plan policies. Policy DP12 seeks to improve access to the water, which will include use of the dyke network by small vessels such as canoes, and supports development which permits this subject to criteria. The proposal does not offend the listed criteria, so the proposal is, in principle, in accordance with DP12. Further assessment of other development plan policies is covered below.
- 7.7 Criterion (b) of DP14 requires that new tourism development does not involve a significant amount of new built development. The application proposes very limited built development, comprising the access structures, timber storage shed, and temporary portaloos and is considered in accordance with (b) of Policy DP14.
- 7.8 Criterion (c) requires that new tourism and recreation facilities will only be permitted in the open countryside where it does not adversely impact on the landscape character; wherever possible it should make a positive contribution to that character.
- 7.9 The new access from the A1062 would be the most publically visible part of the proposed development, the remainder is set within the private land of the Hoveton Estate where there are no public views. The vehicular access would have fencing and hedging to the splayed entrance and a gate set back into the site. This would sit within the existing, established hedgeline and, subject to precise details of the fence, gate and hedge, is considered acceptable in landscape terms.
- 7.10 The track and car park surfaces would be constructed in an unobtrusive geogrid on the existing ground surface which would have little visual impact and the track would follow the drop in ground levels across this field which would result in the car park being at such a low level it would be barely perceptible from the road. There are, however, dwellings to the north, northeast and east which would have some views of this area. A belt of tree

and hedge planting is proposed along the eastern field boundary and it is considered, subject to the details of the species and sizes, this would satisfactorily filter views from these properties and no adverse landscape impact would result. Confirmation of the trees to be removed and precise route of the footpath through these trees to the slipway shall also be necessary.

- 7.11 The size and appearance of the timber storage shed and portaloos are broadly acceptable, subject to agreeing the precise details by condition and requiring removal of the portaloos from the site at the end of each season.
- 7.12 It is considered that the footpath to the slipway, the slipway itself, staithe, boardwalk and viewing platform are appropriately designed for their setting and thus would not adversely affect the landscape setting or character. The viewing platform would be visible by members of the public visiting Natural England's existing nature trail which operates on the southern side of Hoveton Great Broad and its design would be recessive against the reedbed backdrop, mitigating any adverse visual impact.
- 7.13 The proposed dewatering lagoon and site compound would be temporary features and, subject to a condition requiring restoration of the area, this part of the proposal is considered acceptable in landscape terms. Subject to a number of conditions, the proposal is therefore considered acceptable in terms of landscape impact and design in accordance with Policies CS1, DP2, DP4 and criterion (c) of Policy DP14.
- 7.14 Criterion (d) requires that there would be no adverse effect on the integrity of a protected site or protected species.
- 7.15 The proposed staithe, boardwalk and viewing platform are the only parts of the proposed development within habitat designations. The remainder of the application site includes habitats which support the features of the designated site and are considered to be of very high ecological value at an international scale but not specifically designated. It is not considered that the integrity of the SPA, SAC or Ramsar sites would be affected by the proposal either individually or cumulatively with other developments and an Appropriate Assessment under the Habitat Regulations has not been required.
- 7.16 In accordance with Policy DP1, if any adverse impacts are considered to result on the designated sites, appropriate mitigation should be proposed and developments resulting in adverse impacts on local designations and Biodiversity Action Plan (BAP) habitats will only be permitted in exceptional circumstances with regard to the value and importance of the site and the public benefits of the proposal. Adverse impacts could potentially result from the construction, mud pumping, operational development and the operation of the canoe route.
- 7.17 The construction of the proposed footpath, staithe, boardwalk and viewing platform would result in the loss of BAP wet woodland habitat, totalling approximately 300 square metres. In accordance with Development



Management Policy DP1, this loss could only be permitted in exceptional circumstances, having regard to the importance of the site in terms of its contribution to biodiversity, scientific and educational interest, its value in terms of geodiversity, visual amenity and recreation and the benefit of the proposed development in relation to the overriding public interest. In this case it is considered the loss of the habitat could be satisfactorily mitigated by the provision of an equivalent area of compensatory habitat. Discussions regarding this are continuing and it is considered necessary for compensatory habitat to be provided for the proposal to be considered acceptable in accordance with Policy DP1 and the National Planning Policy Framework.

- 7.18 The objective of the sediment removal is to improve water quality and habitat in the dykes. The extent of these benefits cannot be guaranteed and cannot therefore be weighed against any adverse impacts of the construction or operation of the development. The mud pumping operations have potential to affect organisms within the mud and details of appropriate mitigation shall be required. To mitigate the impacts of the construction phase, all work is proposed to be undertaken in the winter (September to February, inclusive) and a range of species-specific mitigation measures are proposed and considered appropriate and necessary.
- 7.19 The operation of the canoe route on Pound End and Hoveton Marshes has the potential to disturb species using this area by virtue of the visual impact and noise. The designated area is regularly surveyed and the species present are well recorded. Although this surveying does not extend outside the designated area it is assumed the same species use Hoveton Marshes and Pound End, including otter, bittern and marsh harrier. To mitigate the impact of the use of the canoe route it is proposed to operate it as a pre-arranged, guided trail using the same route in and out with a maximum of six canoes per trip (plus guide). Up to three trips would operate each day between March and October (inclusive) with the season only starting after an ecological survey of the marshes for Schedule 1 species nesting activity. These measures would localise the impacts and limit the degree and time period of disturbance, although it should be noted that the proposed operating period is concurrent with the bird breeding season. Ongoing surveying is proposed throughout the operational period each year to inform any appropriate mitigation (which may involve cessation of use or change of route).
- 7.20 Disturbance to birds on the route could result in declining breeding pairs, desertion of nests, impacts on hatching and fledging as well as increased energy expenditure and depleted fat reserves of non-breeding water birds. The proposals therefore have significant potential to affect birds and other species on and around the route. The proposed mitigation measures are considered appropriate and it shall be necessary to secure these with robust planning conditions, including managing the type, size and number of vessels and operation of the route. A comprehensive management plan for the operation of the canoe route is considered necessary, to include regular surveying and reporting and maintenance of the structures. Any surveys would require baseline data for comparison and as this is not currently available it is considered necessary to require surveying over two years prior

to the first operation. Conditions covering mitigation measures for invasive species and working in freezing conditions are also considered necessary.

- 7.21 It is also necessary to consider the cumulative impact of the proposals in combination with other projects, specifically the lake restoration project at Hudson's Bay and Hoveton Great Broad. This project was considered to result in long-term net benefits and the cumulative impact of the two projects is not considered to be adverse. Subject to agreeing the provision of appropriate compensatory habitat to mitigate for the loss of the BAP habitat, the proposal is considered acceptable in terms of ecology in accordance with Policy DP1, criterion (d) of Policy DP14 and the National Planning Policy Framework.
- 7.22 Finally, criterion (e) states that new tourism and recreation facilities will only be permitted in the open countryside where it does not compromise such facilities in more sustainable locations. Due to the proposed limited scale of the operation, the proposal is considered to comply with criterion (e) of Policy DP14. In addition, location of the proposal is also considered to be in accordance with Policies CS9 and CS11.
- 7.23 There are a number of other issues which need to be considered in order to satisfy the wider policy tests in criteria (a), and these are set out as follows.

#### Flood Risk and Water Quality

- 7.24 The footpath, slipway, staithe, boardwalk and viewing platform are within flood risk zone 3 but are considered 'water compatible' development and the Environment Agency has no objection on flood risk, pollution prevention or groundwater grounds. The objective of the mud pumping is to remove sediment and improve water quality on Hoveton Marshes and the proposal is considered to be in accordance with Policies CS20, DP3 and DP29.

#### Heritage Assets

- 7.25 English Heritage and the Historic Environment Service have identified that the application site is within an area of high archaeological value but that it is only the dewatering lagoon which has potential to disturb any buried archaeological deposits. Both bodies consider the Broads to be undesignated heritage assets and, in addition, there are a number of designated heritage assets (namely Grade II and II\* listed buildings) within the Hoveton Estate. The applicant proposes an archaeological watching brief to mitigate any impact, however, as advised by the Historic Environment Service, further archaeological evaluation, to include trial trenching, is considered necessary and should be agreed by condition. Subject to an appropriate condition, it is not considered the proposal would result in any loss of or harm to heritage assets in accordance with Policies DP5 and CS6 and the National Planning Policy Framework in this respect.

#### Highways and Navigation

- 7.26 The proposed access would satisfy the visibility requirements and the Highways Authority have no objection to this, subject to conditions. Hoveton Parish Council have observed continual increases in traffic through Wroxham

and Hoveton, particularly in summer months. It is anticipated the proposal would typically attract up to 40 vehicles arriving per day during the operational period and it is noted the car park would have capacity for up to 36 vehicles at any one time which would allow for changeover periods if each canoeist travelled separately by car, an unlikely scenario. Neither Hoveton Parish Council nor the Highways Authority have an objection to the anticipated traffic movements or proposal more generally and it is considered to be acceptable in accordance with Policy DP11, but the Parish Council have asked Members to note their observation about existing traffic levels when considering the application.

- 7.27 With regard to navigation, the proposal does not affect the River Bure or other publically navigable waterways and accordingly, the Navigation Committee did not make a recommendation on the determination of the application. As noted above, Policy DP12 supports new use of the waterways and this proposal would give canoe access to an area previously inaccessible. That access would be on a pre-arranged, accompanied and paid basis and only by means of canoe. It is appreciated this may not satisfy the aspirations of the local community and other stakeholders to achieve better public access and that comments have been made regarding the use of public money. These are not material planning considerations in the determination of this application and it should be noted that Natural England are consulting on and considering how else access to the project area could be improved. This application should be considered on its own merits and in accordance with the Development Plan and other material considerations. The Broads Society's suggestion to make any permission for the canoe route conditional on the implementation of the larger lake restoration project is noted, however this is not considered reasonable in planning terms.

#### Amenity

- 7.28 The proposed access would be within 60 metres of the nearest dwelling and another dwelling is sited 125 metres east of the car park, with further dwellings to the north and northeast. This part of the site would be subject to activity with canoeists arriving and departing for each trip throughout the season of operation. Any impacts on amenity would therefore only occur over short periods each day and only over part of the year. The proposed planting would filter views and noise and it is not considered any unacceptable impacts on amenity would result from the access and car park.
- 7.29 The canoe route itself and staithe, boardwalk and viewing platform are relatively isolated from dwellings and the nature trail to the south of the Hoveton Great Broad. The dewatering lagoon is within 75 metres of the nearest dwelling on the Hoveton Estate but this operation would be seasonal and temporary and the proposed development and operations are not considered to result in any unacceptable impacts on amenity, either individually or cumulatively in accordance with Policy DP28. It is considered necessary to restrict the use of the car park, storage shed and portaloos to the operation of the canoe trail only, unless otherwise agreed.

## **8 Conclusion**

- 8.1 The application proposes operational development to facilitate the creation of a canoe trail. The objective of the proposal is to provide access to an area subject to a publically funded lake restoration project. Managed access is proposed to waterways which would be mud pumped to improve the water quality and habitat and a location in the open countryside is considered appropriate in principle. This is an ecologically sensitive area and the operational development and use of the canoe route have the potential to disturb and adversely affect both species and habitat. Whilst it is appreciated that more open public access to the wider project area would be welcomed by many parties, the managed canoe access proposed in this application must be considered on its own merits and the specific controls proposed are necessary mitigation in this sensitive location. The proposal would result in the loss of BAP habitat and it is considered necessary for this to be mitigated for by the provision of compensatory habitat. Subject to appropriate conditions, it is considered that the adverse impacts of the proposal on ecology can be satisfactorily mitigated for.
- 8.2 By virtue of the location and design of the proposals, it is not considered there would be any adverse impacts on landscape, highways, navigation, flood risk, water quality or amenity, subject to appropriate conditions, and further archaeological evaluation is required to ensure there is no harm to or loss of heritage assets. The proposal is therefore considered acceptable.

## **9 Recommendation**

- 9.1 Approve subject to conditions:

- (i) Standard time limit
- (ii) In accordance with submitted plans

### Prior to construction

- (iii) Elevations and materials of fence and gates at entrance
- (iv) Elevations and materials of shed, portaloos and timber screen
- (v) Planting details
- (vi) Precise route of footpath and tree removal
- (vii) Sections and details of fill material to ramp
- (viii) Work practices to minimise spread of invasive species
- (ix) Archaeological evaluation
- (x) Protection of organisms during mud pumping required
- (xi) Details of compensatory habitat

### During construction

- (xii) Cessation of construction in freezing conditions
- (xiii) Mitigation during construction period as set out in Environmental Statement

#### Prior to first use

- (xiv) Two years breeding and non-breeding bird surveys prior to first operation
- (xv) Management Plan to include proposals for pre-commencement surveys each year, surveying during operation, maintenance of structures, appropriate reporting and mitigation protocols
- (xvi) Access to be constructed to highways specification
- (xvii) Car park laid out and surfaced as approved plan prior to use
- (xviii) Gates to be positioned as per approved plan

#### Restoration and Enhancement

- (xix) Restoration of The Haugh following cessation of dewatering and construction
- (xx) Landscaping to be completed in first available planting season
- (xxi) Provision of compensatory habitat

#### Operation

- (xxii) Removal of toilets at end of each season
- (xxiii) Car park, shed and portaloos to be used in conjunction with the operation of the canoe trail only, unless otherwise agreed.
- (xxiv) Specification of type and size of each canoe to be used
- (xxv) Maximum of six visitor canoes and one guide on each trip
- (xxvi) Maximum of three trips per day in daylight hours and only one trip at a time
- (xxvii) Canoe route and ancillary development to operate March to October inclusive each year, subject to provisions of Management Plan
- (xxviii) Replacement of any new tree or shrubs which dies within five years

## **10 Reason for Recommendation**

- 10.1 The proposal is considered acceptable in accordance with Policies DP1, DP2, DP3, DP4, DP5, DP11, DP12, DP14, DP28 and DP 29 of the adopted Development Management Policies DPD (2011), Policies CS1, CS6, CS9, CS11, CS17 and CS20 of the adopted Core Strategy (2007) and the National Planning Policy Framework (2012) which is a material consideration in the determination of this application.

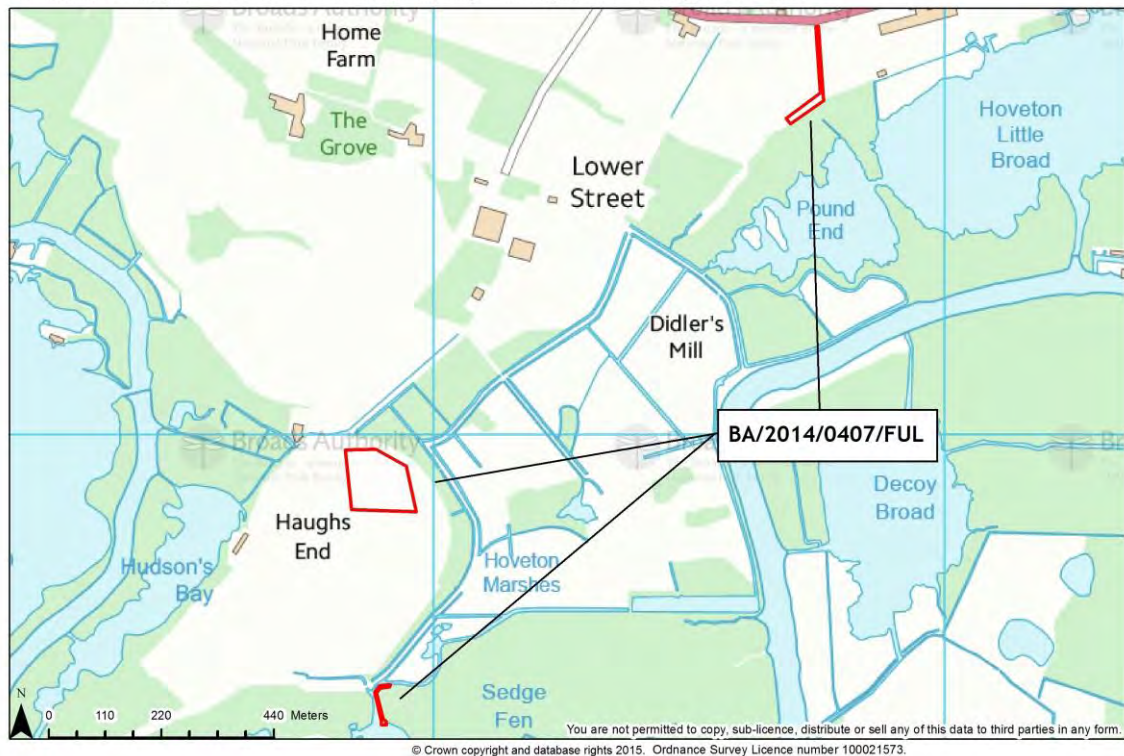
Background papers: Application File BA/2014/0407/FUL

Author: Maria Hammond  
Date of Report: 20 January 2015

Appendices: APPENDIX 1 – Location Plan  
APPENDIX 2 – Notes of Site Visit from 16 January 2015

# BA/2014/0407/FUL - Hoveton Marshes, Horning Road, Hoveton

New vehicular access from the A1062 Horning Road, car park, timber equipment store, temporary toilet facilities, footpath and canoe slipway at Pound End; landing stage, boardwalk and viewing platform at Hoveton Great Broad; and temporary de-watering lagoon on The Haugh, Hoveton Estate.



PLANNING COMMITTEE  
6 February 2015  
Note of site visit held on Friday 16 January 2015

**BA/2014/0407/FUL Pound End Broad and Hoveton Marshes, Horning Road, Hoveton (Hoveton Wetland Project)**

New Vehicular access from the A1062 Horning Road, car park, timber equipment store, temporary toilet facilities, boardwalk and canoe slipway at Pound End; landing stage, boardwalk and viewing platform at Hoveton Great Broad; and temporary de-watering lagoon.

**Applicant: Natural England**

**Present:**

Dr J M Gray – in the Chair

Mr M Barnard	Mr G Jermany
Miss S Blane	Mr P Ollier
Prof J Burgess	Mr P Warner
Mr N Dixon*	

**In attendance:**

Mrs Sandra A Beckett – Administrative Officer (BA)  
Mr Ben Hogg – Historic Environment Manager (BA)  
Ms Andrea Long – Director of Planning and Resources (BA)  
Ms Maria Hammond– Planning Assistant (BA)

Mr Chris Bielby - Applicant (Natural England)

Mr Nigel Dixon\*– District Council Member  
Mr Paul Savage – Broads Society  
Mr Peter Howe – Hoveton Parish Council  
Mr Dick Turpin – Horning Parish Council Chairman

**Apologies for absence** were received from: Mrs J Brociek-Coulton, Mr C Gould, Mrs L Hemsall, Dr J S Johnson and Mr R Stevens.

**Introduction**

The Chairman welcomed everyone and invited them to introduce themselves.

No decision would be made at this visit but the matter would be considered in detail at the next meeting of the Planning Committee on 6 February 2015. Members were on the visit to examine the context of the application, the impact on the surrounding area and to make sure that all the relevant factors of the site had been pointed out.

Following an explanation of the application, Members were given the opportunity to view the site from various vantage points and ask questions.

## **The Proposal**

### *The Plans*

The Planning Officer introduced and gave a description of the application for the development proposals associated with the Hoveton Great Broad restoration project in order to provide the infrastructure for a canoe trail. This was the second application to facilitate the Lake restoration project, the first application having been determined in September 2014. The proposals were in three parts and included a new vehicular access, car park, timber equipment store, footpath and canoe slipway at Pound End as well as temporary toilet facilities, at the northern part of the site; a staithe, boardwalk and viewing platform at the southern end of the site at Hoveton Great Broad; and a de-watering lagoon.

Members noted that the actual canoe trail itself did not require planning permission.

### *Site context*

Members were informed that the Habitat designations were at the southern part of the application site and that the majority of this application area was not under any habitat designation.

### *Views on Site at northern end from the A1062 Horning Road*

Members noted the site of the proposed new access, marked by two ranging poles. This would be created in the existing hedgeline, would be splayed and built to the Highways Authority's specifications with visibility splays each side and gates which would be set back. It was not intended to be for public access but only for those people using the canoe trail and this would be by paid pre-arrangement. It was intended that the gates would be locked when not in use.

It was clarified that the application site was on private land owned by the Hoveton Estate, with Natural England being the applicant. There was no specific commercial operator involved at present and the Planning Officer noted that whoever operated the proposed trail was not a material planning consideration.

### *Proposed access track and car park*

Members walked down the field to the site of the proposed car park. They noted the route of the proposed track across the field covering a distance of approximately 130 metres. It was intended that this would be surfaced with a geogrid material which would also be used for the car park. There would be minimal re-profiling of the land for the track. The proposed car park, marked out by ranging poles, was intended to provide 24 parking spaces including two for disabled and there would be provision for 12 overflow spaces. Spaces for 6 cycles would also be provided and the site surrounded by post and rail fencing.



It was intended that the maximum in each canoe group would be 6 canoes, 5 in use and one with the trip guide. The canoes would be the open Canadian canoes with the ability to take up to three people in each. Trips were intended to last for 3 hours with a maximum of three trips running per day, operating from March to October each year. These numbers had dictated the size and capacity of the proposed car park and were based on the maximum use at all times. It was intended that the canoe trail would be available 7 days a week with an estimated 35% use in the first year and 50% by year 4/5. The gates would remain open each day during the hours of operation but otherwise be locked. There would be no canoes stored on site. It was intended to bring these in by trailer each day.

This part of the application included a timber equipment store although this would only be used for paddles for the canoes and lifejackets. It was also intended to have two portaloos on site during the season when the canoe trails were in operation. They would be removed at the end of the season.

Members were shown the direction of the proposed footpath through the Lows woodland down to the dyke leading to Pound End Broad and it was noted that some of the trees would need to be removed, but these would mainly be sycamores. Members noted that the proposed slipway would be sited at the bottom of this footpath at the head of the dyke.

Members noted that the nearest property Little Broad House would have sight of the proposed car park. The dark green on the site plan indicated that there would be some tree planting on the boundary edge adjacent to Little Broad House to screen any such views and help to protect the amenity of the neighbouring residents. If approval for the application was to be recommended, this would include a condition for landscaping. Chris Bielby clarified that any planting would only include native species.

Chris Bielby confirmed that letters had been delivered to the local residents. The lady of Little Broad House had contacted him for clarification on certain matters and also contacted the landowner, Tom Blofeld. The Authority had formally consulted neighbouring occupiers, including Little Broad House, and it was clarified that the Authority had not yet had a response from the resident of Little Broad House.

#### *Views on to and from the Haugh*

Members walked back to the main road and transferred into 3 vehicles where they were taken from the A1062 down New Lane, Lower Street and Haughs End Road. The vehicles parked at the corner of the proposed dewatering lagoon field and members walked across the Haugh to the site of the proposed slipway onto Hoveton Great Broad. They were informed of the route of the canoe trail which would navigate through Hoveton Marshes from Pound End. It was noted that the same canoe route would be used for the outward and return journey. It was explained that only one route was to be used in order to minimise the footprint of the trail and the impact on wildlife and protected species. Although not a designated site it was adjacent to one. The trail would also provide a different perspective on the return journey.

Members noted the site of the proposed Staithe and boardwalk. The boardwalk would provide access through the reeded dyke for a distance of approximately 70 metres to the northern bank of Hoveton Great Broad where there would be a proposed viewing platform of timber decking. It was noted that some vegetation would need to be removed and as this was designated as European Wet Woodland the applicant was in discussions with the Authority's Senior Ecologist.

(Chris Bielby informed the group that the marsh was maintained up until 1911 when Didlers Mill was damaged by fire. As this was the main water pump for the area, management ceased until the war. The marshes were then managed again until the 1970s. Didlers Mill had since been converted for residential use.)

### *The Site of the Dewatering Lagoon*

Members walked back to the vehicles on the lane and stopped on the site of the proposed dewatering lagoon. This was an area of relatively high ground of agricultural land on The Haugh. It was proposed that the mudpumped sediment from the Broads would be pumped into the lagoon which was proposed to measure 129 metres by 135 metres, divided into a series of dykes with bunds. These were intended to be temporary for the duration of the mudpumping (4 years) and finally the area would be restored to agricultural use on completion of sediment removal and de-watering.

It was noted that English Heritage and the Historic Environment Service had indicated that there was archaeological potential on the site and therefore were recommending a condition of more evaluation of this prior to work being carried out.

### **Conclusion and Procedures**

The Chairman confirmed that the application would be considered by the Committee at the next meeting on 6 February 2015. Those present were able to attend the meeting when the usual Public Speaking procedures would be in place and operated.

The Chairman thanked everyone for attending the site inspection.

The Chairman declared the meeting closed at 11.00am

**Reference**

BA/2014/0369/COND

**Location**

Silver Dawn, Woodlands Way, Horning

BA/2014/0369/COND Silverdawn, Woodlands Way, Horning, Norfolk, NR12 8JR  
Variation of condition 3 of PP BA/2012/0056/FUL to amend approved roof material



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## **Application for Determination**

<b>Parish</b>	Horning		
<b>Reference</b>	BA/2014/0369/COND	<b>Target date</b>	25 December 2014
<b>Location</b>	Silver Dawn, Woodlands Way, Horning		
<b>Proposal</b>	Variation of condition 3 of PP BA/2012/0056/FUL to amend approved roof material		
<b>Applicant</b>	Mr Nick Barrett		
<b>Recommendation</b>	Approve subject to conditions		
<b>Reason for referral to Committee</b>	Deferred from 5 December 2014 Planning Committee meeting		

## **1 Background**

- 1.1 In October 2014, a planning application was received proposing to vary a condition of an extant planning permission for a replacement dwelling. The variation of condition application proposes amending the agreed roofing material to regularise the use of an alternative material which has already been installed on the roofs of the approved dwelling and carport. The approved roof material was a pre-weathered zinc, a sample of which was submitted and agreed in discharging the materials condition of the permission. The proposed roof material (i.e. that which has been installed and which it is proposed to retain) is also a pre-weathered zinc but from a different manufacturer to the approved material and it has a lighter colour and the surface finish when installed has more of a sheen than the approved material.
- 1.2 A report was presented to the 5 December 2014 Planning Committee meeting recommending approval subject to conditions. At that meeting the applicant, an objector and the District Member made representations to the Committee and the objector's representation included the submission of additional information regarding the proposed material which had not previously been seen or considered by the LPA, including a letter from a metal roofing fabricator and installer offering an opinion on the time the proposed material may take to weather and dull. This letter stated there is a distinctive difference between the approved (VM Zinc) and proposed (Rheinzink) products, with the approved material often chosen for its matt appearance and the proposed material being known for its reflective properties. It is also stated that it is generally accepted that the appearance of any sheet zinc material will

vary over time, but it is not possible to say how long this may take or how pronounced the changes may be. This is said to be influenced by the location and environment. The letter concludes that it is possible that the shine coming from the zinc roof that has been installed will not dull for years to come. The full response is attached at Appendix 2.

- 1.3 In order to give the applicant an opportunity to consider and respond to this, the Committee resolved to defer determination of the application.
- 1.4 The applicant has since submitted correspondence from the installer of the roof. This letter acknowledges that there is a difference in colour between the proposed and approved products but suggests that as a natural patina develops, the colour finish will become more similar. It is also anticipated that this natural weathering process will dull down the surface sheen giving less reflection. It is stated that it is expected such patination would take 6-12 months from the point of installation, subject to climatic conditions. The full response is attached at Appendix 3.

## **2 Assessment**

- 2.1 The report presented to the 5 December 2014 Planning Committee meeting recommended approval subject to conditions. Paragraph 6.5 of that report notes that any potential change in the appearance of the roof material is as unknown for the proposed material as for the approved material.
- 2.2 Both parties have submitted professional opinion on the likely time it would take the roof material to dull down and mitigate any adverse impacts on adjoining occupiers. Neither can offer any certainty and the installer of the roof anticipates a shorter timescale (6-12 months) than the objector's submission (possibly years). It is therefore not considered that either submission advances the debate nor can be given any significant weight in the determination of the application.
- 2.3 The assessment of the proposal remains that the material, as installed, is not unacceptable and that any natural weathering to dull the surface finish would assist in mitigating the sun's glare but the timescale for this cannot be guaranteed.

## **3 Recommendation**

- 3.1 Approve subject to conditions:
  - (i) Retain in accordance with submitted sample and details

## **4 Reason for recommendation**

- 4.1 The proposal is considered to be in accordance with Policies DP4 and DP28 of the adopted Development Management Policies (2011) and Policy HOR4 of the adopted Site Specific Policies Local Plan (2014).

Background papers: Application File: BA2014/0369/COND including Report to Planning Committee of 5 December 2014.

Author: Maria Hammond

Date of Report: 19 January 2015

Appendices: APPENDIX 1 – report to Planning Committee of 5 December 2014  
APPENDIX 2 - Letter from Metal Line as submitted by Nick Murrells, objector  
APPENDIX 3 - Letter from C.E.L as submitted by Nick Barrett, applicant

## APPENDIX 1

**Broads Authority  
Planning Committee**  
5 December 2014

### Application for Determination

<b>Parish</b>	Horning		
<b>Reference</b>	BA/2014/0369/COND	<b>Target date</b>	25 December 2014
<b>Location</b>	Silver Dawn, Woodlands Way, Horning		
<b>Proposal</b>	Variation of condition 3 of PP BA/2012/0056/FUL to amend approved roof material		
<b>Applicant</b>	Mr Nick Barrett		
<b>Recommendation</b>	Approve subject to conditions		
<b>Reason for referral to Committee</b>	Third party objections		

### 1 Description of Site and Proposals

- 1.1 The site is a dwellinghouse Silver Dawn, Woodlands Way, Horning. The development along Woodlands Way consists of single storey and storey and a half dwellings fronting the river along the western bank of the Bure to the southwest of Horning village. A replacement dwelling and new car port were permitted on the site in 2012 (BA/2012/0056/FUL) and this development is currently under construction.
- 1.2 The replacement dwelling fronts the river, it is storey and a half in scale, relatively lightweight and contemporary in design and the car port at the rear of the site is of a similar design and matching materials. During consideration of that application it was confirmed the dwelling would have painted timber clad walls and a pre-weathered standing seam zinc roof, a sample of which was submitted and seen by Members when determining the application. Condition 3 of the permission that was granted required precise details of the external materials to be agreed prior to commencement. When it came to discharging that condition it was confirmed that the roof covering would be pre-weathered zinc in accordance with the sample previously submitted during the application process and accordingly the condition was discharged in July 2013.
- 1.3 It became apparent when the roof covering was being installed in summer 2014 that this was not in accordance with the agreed material. This



application seeks to regularise that situation and retain the roof material as completed.

- 1.4 The material proposed to be retained is zinc and is marketed as having a 'pre-weathered' appearance, however the product used is from a different manufacturer to the approved sample and is lighter in colour and there is a difference in the surface finish at the time of installation.

## **2 Site History**

- 2.1 In 2010 planning permission was granted for the installation of a replacement sewage treatment unit (BA/2010/0071/FUL).
- 2.2 In 2012 planning permission was granted for a replacement dwelling and car port (BA/2012/0056/FUL). This application was the subject of a Planning Committee site visit on 3 August 2012 following objections from neighbouring residents.
- 2.3 The above 2012 permission has subsequently been amended twice to make changes to the approved decking and solar panels (BA/2014/0087/NONMAT and BA/2014/0241/NONMAT).

## **3 Consultation**

Broads Society – Response awaited.

Parish Council - Object to this planning application as it is contrary to the original application which had been approved and they have ignored that agreement.

District Member – The application should only be determined by the Planning Committee. It is my belief the glare coming from the roof is causing a serious problem for the inhabitants of Broadshaven, the neighbouring property, in contravention of policy DP28.

## **4 Representations**

- 4.1 Three representations received. One refers to comments made on original application for replacement dwelling (concerns about industrial appearance and reflections of zinc roof) and commenting that a greater contrast between roof and wall colour would help it blend in with its surroundings. One objection on the basis it is not the approved roofing material and the reflective glare causes a nuisance, is intrusive and will be worst in late spring and early summer.
- 4.2 An objection from the occupier of Broadshaven, the neighbouring dwelling to the north, notes the difference in colour from the approved material but states the main difference is the reflective glossy material at all times which results in a bright dazzling, blinding glare seen from all areas of Broadshaven. It is stated this glare directly shines into the lounge/dining room and kitchen is

intolerable and that it has been impossible to sit outside on the veranda. It is questioned whether this material can be approved when it is not known what it will look like in several years to come and that the decision cannot be based on what the roof looks like now in the winter months.

## **5 Policies**

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

Adopted Development Management Policies (2011)  
[DEVELOPMENTPLANDOCUMENT](#)

DP4 – Design

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

Adopted Development Management Policies (2011)  
DP28 – Amenity

- 5.3 Adopted Site Specific Policies (2014)  
HOR4 – Waterside Plots  
[http://www.broads-authority.gov.uk/\\_data/assets/pdf\\_file/0009/469620/Adopted-Site-Specific-Policies-Local-Plan-11-July-2014-with-front-cover.pdf](http://www.broads-authority.gov.uk/_data/assets/pdf_file/0009/469620/Adopted-Site-Specific-Policies-Local-Plan-11-July-2014-with-front-cover.pdf)

## **6 Assessment**

- 6.1 In assessing this application it is necessary to consider whether this material is appropriate for the development, for its setting and what impact it has on amenity. The retrospective nature of this application and the breach of condition which has occurred are disappointing and regrettable. However, the circumstances of the application and how this material came to be used are not material considerations in the determination of the application.
- 6.2 As confirmed when approving the original application and discharging the condition, zinc is considered an appropriate roof material for this development and a pre-weathered finish is considered appropriate to mitigate any glare or reflection whilst it develops a natural patina and duller finish. The use of pre-weathered zinc has been accepted, it is therefore only necessary to consider whether the particular pre-weathered zinc product actually used is appropriate here.
- 6.3 It is understood zinc is a 'living' material that does change in appearance over time as it is exposed to the elements. The processes used to give a

'pre-weathered' surface finish when it is first installed do not prevent the appearance continuing to change as a natural patina develops on this. The product that has been used is lighter in colour and has more of a sheen to the surface than the approved product.

- 6.4 The difference in colour is negligible and therefore considered appropriate to the dwelling and, although the surrounding roofscape is generally darker in colour (tile, shingle and felt coverings) it is not inappropriate to its setting. At present, the surface sheen is only apparent when there is direct sunlight on it and it is appreciated the extent to which this is the case will vary over the course of each day and through the year. In terms of the visual appearance, a sheen on the roof covering is not considered unacceptable. It is anticipated that this will dull in time, although it is appreciated that the extent of any dulling and the time period required cannot be quantified.
- 6.5 Any future change in the surface finish and appearance of the proposed material is as unknown as that for the approved material. Whilst this uncertainty may be considered unhelpful in determining this application, it must be considered whether the material is appropriate in its current condition and that is the same basis on which it was agreed the approved material was acceptable. With regard to Policy DP4, the proposed material is considered to be of a high quality and is appropriate to its context, this is also considered to be in accordance with Policy HOR4.
- 6.6 With regard to amenity, it is noted that in considering the application for the replacement dwelling concerns were raised that a zinc roof would result in glare to neighbouring properties. The pre-weathered, dull finish of the approved material was considered to satisfactorily mitigate any adverse impacts on amenity.
- 6.7 The application dwelling is orientated on a northwest–southeast axis and is sited closer to the neighbouring dwelling to the north (Broadshaven) than that to the southwest (Swallows Bank). It is understood that the sun shines on the northeast roofslope early in the day and moves round to the southwest roofslope later in the day. The occupiers of Broadshaven therefore experience any glare from direct sunlight on the roof in the morning and it is noted they have southwest elevation windows to a lounge/dining room and kitchen facing towards the site as well as an external veranda. There are also views of the car port (which is at 90 degrees to the application dwelling) from the conservatory at the rear of Broadshaven.
- 6.8 The occupier of Broadshaven has described the glare into the dwelling resulting from direct sunlight on the roof covering as intolerable. The roof covering was first installed in August and photos have been submitted by the occupier of Broadshaven showing the roof from their internal accommodation taken in August, September and October. All these photos are taken with the sun shining directly on the northeast roofslope and all show reflectivity and glare visible from Broadshaven. It is apparent from

these photos that there has been no significant change in the level of glare in the eight weeks from the first dated photo to the last.

- 6.9 Swallows Bank is the second nearest dwelling, located approximately 13 metres to the southwest of the application dwelling, across a dyke, and closer to the river. The southwest roof slope of Silver Dawn is partly covered by solar panels and rooflights, reducing the visible area of zinc and this, in combination with the distance and relative position, is considered to mitigate any unacceptable impacts on the occupiers of Swallows Bank. With the exception of Broadshaven, no other neighbouring dwellings have direct views of the roof of Silver Dawn.
- 6.10 It has been assessed above that the proposed material is considered appropriate to its site and setting in accordance with Policy DP4. It has also been assessed that there would be no unacceptable impacts on the amenity of the occupiers of Swallows Bank, in accordance with Policy DP28. It must therefore be considered whether the impact on the amenity of the occupiers of Broadshaven is unacceptable, contrary to Policy DP28, and whether this otherwise acceptable proposal must be refused.
- 6.11 As the strong reflections and glare to Broadshaven only result when there is direct sunlight on the roof, this is an intermittent effect dependant on the time of day, weather and season. It is appreciated this application is being determined at the time of year when the impact is likely to be at its lowest level, but the effect in August has been seen and is demonstrated in the objector's submitted photos. The glare does not affect all of the internal accommodation of Broadshaven, only the ground floor kitchen and lounge/dining room which also have windows on the southeast (river) elevation. Silver Dawn is also set forward of Broadshaven, closer to the river, so the roof of Silver Dawn does not extend parallel with the whole length of Broadshaven.
- 6.12 It is appreciated that in the mornings of bright, summer days the impact will be at its worst and that glare from the roof will be apparent within Broadshaven. It is also appreciated that this impact will also occur throughout the year to varying degrees. However, it will always be a transient, temporary impact and will not affect all of the internal accommodation. A pre-weathered zinc roof covering was approved and although a different product has been used, it has similar qualities and is considered otherwise acceptable. As with the approved material, the appearance may change over time and this cannot be quantified or assessed with any certainty, therefore this consideration must be weighted accordingly and the outcome of any weathering process or no more or less certain than with the approved material. On balance, it is not considered that the impact on the amenity of the occupiers of Broadshaven is so severe as to justify a refusal of planning permission.

## **7 Conclusion**

- 7.1 This application seeks to regularise the use of a pre-weathered zinc roof covering which is not in compliance with the approved sample of pre-weathered zinc. The retrospective nature of the application is regrettable but this is not a material consideration in its determination.
- 7.2 It is accepted that this is lighter in colour and has more of a sheen to the surface than the approved product, however it is considered appropriate for the site and its setting. It is also accepted that when the sun shines directly on the roof it does create a reflection and glare and this is visible from some of the internal accommodation of the neighbouring dwelling Broadshaven. Whilst this is considered to adversely affect the amenity of the occupiers, Development Management Policy DP28 requires an assessment of whether any impacts on amenity are unacceptable and, on balance, this is not considered to be the case here. The proposal is therefore considered to be in accordance with Policies DP4, DP28 and HOR4.

## **8 Recommendation**

- 8.1 Approve subject to conditions:
- (i) Retain in accordance with submitted sample and details

## **9 Reason for recommendation**

- 9.1 The proposal is considered to be in accordance with Policies DP4 and DP28 of the adopted Development Management Policies (2011) and Policy HOR4 of the adopted Site Specific Policies Local Plan (2014).

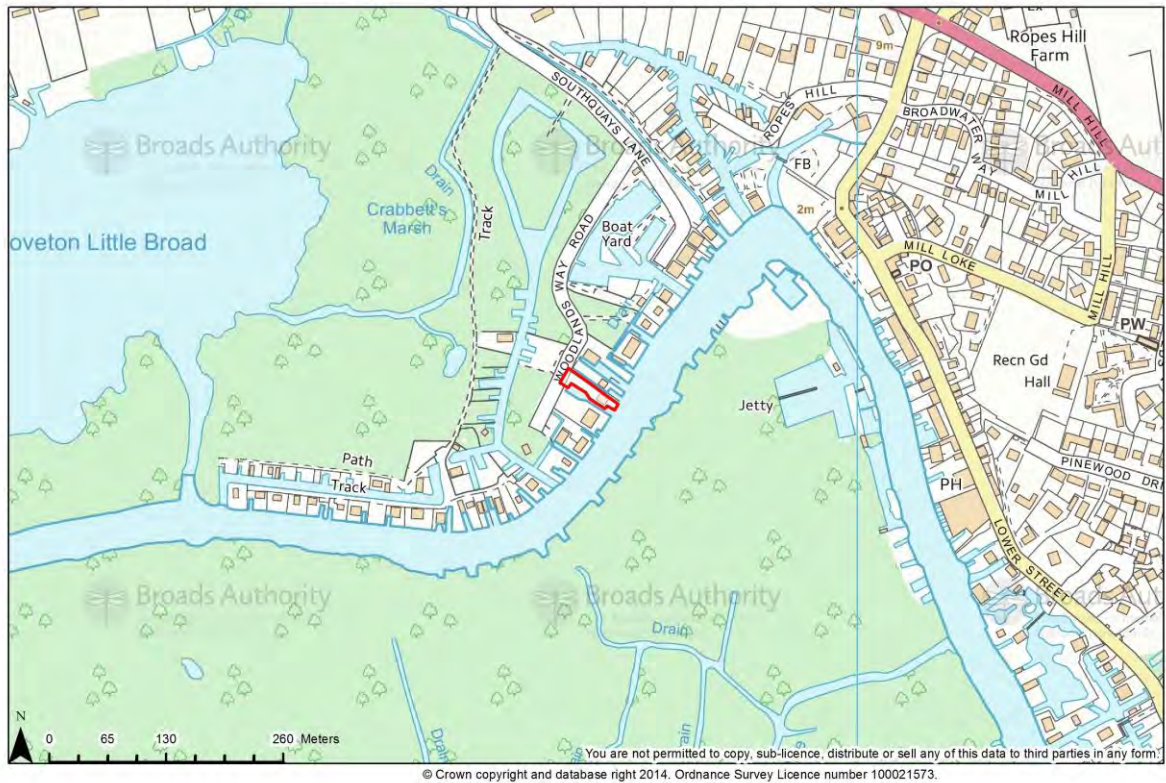
Background papers: Planning File BA/2014/0369/COND

Author: Maria Hammond  
Date of Report: 21 November 2014

List of Appendices: APPENDIX 1 – Location Plan

## APPENDIX 1

BA/2014/0369/COND Silverdawn, Woodlands Way, Horning, Norfolk, NR12 1JR  
Variation of condition 3 of PP BA/2012/0056/FUL to amend approved roof material



Nick Murrells  
Broadshaven  
Woodlands Way  
Hornings  
Norfolk  
NR12 8JR

Thursday 4<sup>th</sup> December 2014

Dear Mr Murrells,

I am writing regarding our telephone conversation earlier today and the photographs of your neighbours roof which you have sent me.

Whilst VM Zinc and Rheinzink are both similar in chemical composition (both being Titanium Zinc alloys) they are quite different in appearance. Both materials perform very well when used as a weathering for roofing or cladding applications.

The choice between these 2 similar materials often comes down to the desired colour and finish of the product, and both manufacturers produce a number of finishes. There is a distinctive difference between the two: VM zinc is often chosen for it's matt appearance, whilst Rheinzink is known for it's reflective properties.

Whilst it is generally accepted that the appearance of any sheet zinc material will vary over time, it is not possible to say how long this process will take or how pronounced the changes will be.

Over time zinc does produce a natural patina which forms a thin powder like layer on the surface which protects the metal from further corrosion. As this layer forms the appearance of the zinc dulls as the powder absorbs the light.

In area's close to the sea or other large salt water bodies this process can happen in a matter of months. However in inland or sheltered areas with low pollution this process can take years or even decades.

As an installer who has worked with both of these materials for over 13 years I can confirm that each project weathers differently and it is not possible to adequately predict how fast this will happen. Therefore I can only conclude that it is possible that the shine coming from the zinc roof near your home will not dull for years to come and the impact of this possibility should be taken into consideration.

I'm very sorry for the situation you have found yourselves in.

Kind Regards

Dean Lazell  
Metal Line Roofing and Cladding

Broads Authority Planning & Regeneration	
05 DEC 2014	
Apo No	Ack
Officer	



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**Our Ref :- C1976/1/CJE**

**11<sup>th</sup> December 2014**

N.C. Barrett  
The Rookery  
Beccles Road  
Carlton Colville  
Lowestoft  
Suffolk NR33 8HJ

Dear Sir

**Zinc Roofing Installation – Silver Dawn**

Further to our installation of zinc roofing to the above property we offer to you our comment in regards to the final colour of the material in comparison to VM Zinc Quartz finish.

Both materials have pre- weathered finish which is considered to be of similar Ral colours in the grey spectrum. Although the initial hue is at variance we would suggest that when the natural weathered patina comes through the colours will in our consideration be of a very similar nature and not one that the un trained eye will be able to distinguish a deferential from. The weathering process will also dull down the surface sheen as the natural patina takes on the natural finish of the material giving less reflection of the products. All of the above working towards a more uniform material to that of the Rhienzink & VM Zinc. It would be our expectation that such patiation would take a period of 6-12 months from the point of installation subject to climatic conditions

We trust that the foregoing although only our personal interpretation is sufficient for your requirement

Yours Faithfully  
**for C.E.L Ltd**

**Carl Edwards Mlor**  
**Managing Director**

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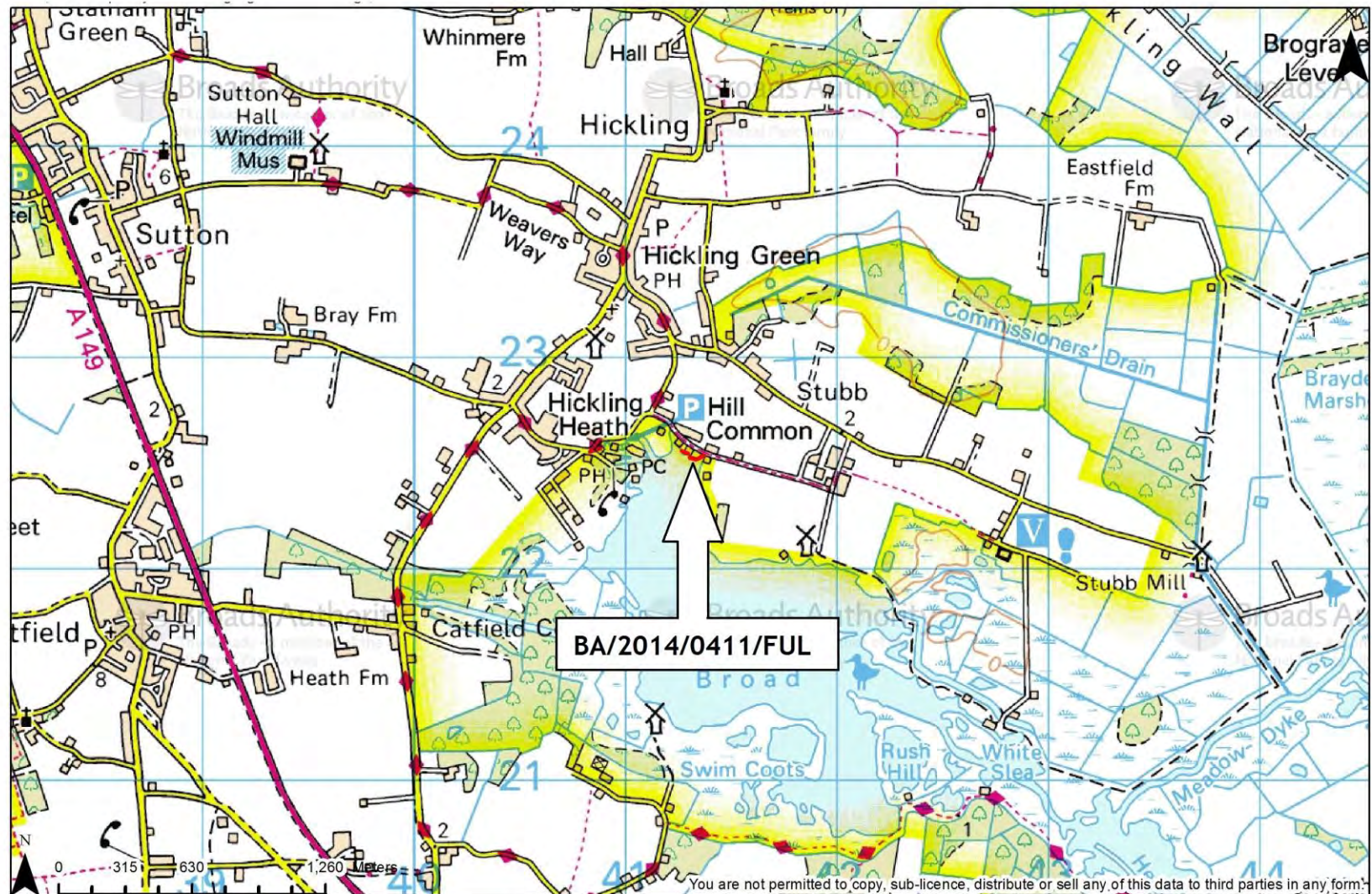
**Reference**

BA/2014/0411/FUL

**Location**

3 Bayed Areas of Reedswamp fronting Hill Common,  
Hickling

### BA/2014/0411/FUL 3 Bayed Areas of Reedswamp fronting Hill Common, Hickling



## **Application for Determination**

<b>Parish</b>	Hickling Parish Council		
<b>Reference</b>	BA/2014/0411/FUL	<b>Target date</b>	5 February 2015
<b>Location</b>	3 Bayed Areas of Reedswamp fronting Hill Common, Hickling		
<b>Proposal</b>	Install Erosion Protection Along 3 Bayed Areas at Northwest end of Hickling Broad		
<b>Applicant</b>	Broads Authority		
<b>Recommendation</b>	Approve Subject to Conditions		
<b>Reason for referral to Committee</b>	Broads Authority Development		

### **1 Description of Site and Proposals**

- 1.1 The site of this proposal is situated in the north-eastern corner of Hickling Broad adjacent to Hill Common.
- 1.2 The site comprises three bays in the Broad caused by the erosion of reedswamp. Bay 1, to the north, has a front edge length of 30m and covers an area of 188m<sup>2</sup>. Bay 2, the middle bay, has a front edge length of 400m and covers an area of 400m<sup>2</sup> and Bay 3, the southernmost bay, has a front edge length of 25m and covers an area of 178m<sup>2</sup>. The current depth of the bays varies between 0.4m and 0.55m.
- 1.3 The site is situated in the Upper Thurne Broads and Marshes SSSI, The Broads SAC and Broadland SPA and Ramsar site.
- 1.4 The site is also situated in Flood Zones 2 and 3 of the Environment Agency Flood Risk Zones.
- 1.5 Historically this area has been protected using faggots, but due to the high erosive nature of this part of the Broad, this area has been washed out, leaving a series of three small bays. The proposal is to realign the bank to the line of the furthest extent of the edges of the bays, backfill with locally sourced sediment then plant with native species and install goose guard. This scheme will replace the now degraded faggots. Wooden posts would be driven into the river-bed every half a metre along the length of the original line of the bank, and Nicospan geotextile would be slotted over these posts through built in

'pockets'. Material dredged locally from the navigation channel in Hickling Broad would be placed behind the new structure and planted up with local provenance reed. The backfilled areas would need to be protected by plastic mesh 'goose guard' around the structure as a temporary measure to allow vigorous plant colonisation and prevent damage by geese. This would comprise of 50cm high black plastic mesh fencing which would be attached to the posts used to install the Nicospan. The back edges of the bays would require the goose guard to be attached to a few additional posts to support the mesh here.

- 1.6 Floating equipment including an excavator and hopper/barge would be used to carry out the works. The posts would be driven in with hand tools or with the digger bucket if required. A hopper/barge would be required to transport the sediment from the navigation channel to the project area. The application states that consultation would occur with local users and Natural England to discuss the most appropriate method of removing the sediment which may include using a silt curtain.

- 1.7 Works would be carried out Monday to Friday during daylight hours.

## **2 Site History**

- 2.1 None

## **3 Consultation**

Environment Agency - We have no objection to the proposal. The proposed works will not have an adverse impact on flood risk. The material is to be dredged and deposited below the water so will not affect the level of the Broad or take up flood storage.

Flood Defence Consent is also required from the Environment Agency.

Norfolk and Suffolk Boating Association - The NSBA has no objection to the application.

The NSBA wishes, however, to point out an apparent inaccuracy in the Design Statement. That Statement makes frequent reference to bank erosion and refers (p 5 of the Statement) to the 'original line of the bank' along which posts will be driven into the river-bed, over which posts Nicospan geotextile will be slotted and backfilled. The reality, as inspection of old maps indicates, is that at the areas in question there has been a process of accretion over well over the last 100 years - the direct opposite of erosion. Ordnance Survey maps indicate that the areas where the work is proposed to be done did not exist in their present form in 1885 and 1950. It is for this reason that the NSBA considers that the reference to the original line of the bank is inaccurate.

Natural England - Response Awaited

#### **4. Representations**

- 4.1 Two representations on this application have been received, one in support of the scheme and one in opposition to the proposal.
- 4.2 The submission in support of the scheme states that the erosion that has taken place over the last few years has led to the loss of natural habitat which has caused the diminution of birds and wildlife in the area. The hope is that once the situation has been stabilised regeneration will swiftly follow. The proposed works appear to be a good and practical solution to this problem.
- 4.3 The submission that has been received in opposition to this scheme can be summarised as follows:
1. The Broads Authority has an interest in the application which defeats the rules of natural justice and presents as a potential breach of Article 6 of the Human Rights Act.
  2. My objection is limited to the complete lack of necessity for the proposed works, the poor design and unsuitable materials and adverse impact they will have on wildlife.
  3. The history of the site demonstrates high landscape value and inextricable link with Hickling Broad as an area of International Environmental Importance and a Site of Special Scientific Interest.
  4. The existing design features involve the use of textile/materials foreign to the natural environment.
  5. The proposed use of gooseguard will be detrimental to other species including ducks and moorhens and will cause unnecessary suffering when those creatures get trapped in it, or when chased by dogs from land, cannot escape into the water.
  6. Approval would conflict with stringent conditions/ refusals in respect of other applications for planning in Broadland and International obligations in relation to the status of the land.
  7. The proposed development does not represent reasonable expense of public money and represents public money being wasted on private land.
  8. Approval of the proposed development would not be in the public interest.
  9. The application in its present form is deceptive.
  10. If approved, the matter is liable to judicial review.

11. If the works are carried out, responsibility will lie with the Broads Authority for any unnecessary suffering caused to the wildlife and the Authority may be prosecuted.

## **5 Policies**

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

### Core Strategy

[Core Strategy Adopted September 2007 pdf](#)

CS 1 Landscape Protection and Enhancement  
CS2 Historic and Cultural Environment  
CS3 The Navigation  
CS4 Creation of New Resources  
CS15 Water Space Management

### Development Management Policy DPD

[DEVELOPMENTPLANDOCUMENT](#)

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

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

### Core Strategy

CS20 Flood Risk

### Development Management Policy DPD

DP13 Bank Protection

## **6 Assessment**

- 6.1 In relation to potential legal aspects raised by the objector in points 1 and 10 above, the Broads Authority is the local planning authority for the area and is able to determine this application. The objector refers to Article 6 of the Human Rights act – “the right to a fair hearing”. The Authority’s Constitution, Scheme of Delegation and Terms of Reference for Committee specifically make provision for Broads Authority’s own applications to be determined by the Planning Committee and not under delegated powers. In addition the Committee operates a public speaking



scheme. These are compliant with the relevant planning legislation and best practice. The reference to Judicial Review is non-specific and therefore can only be afforded very limited weight.

- 6.2 In terms of the assessment of this proposal the main issues that need to be taken into consideration are: the principle of the development; ecology; landscape; navigation; and flooding.
- 6.3 This area of Hickling Broad is experiencing significant loss of reedbed and erosion of the supporting peat substrate. There are a number of targets in the Broads Plan which identify the need to arrest erosion in this area of Hickling Broad, create the advancement of the reedswamp which is a BAP habitat and a SAC feature and as a result reduce sediment input into Hickling Broad. Managing bank erosion is a key element of the Broads Sediment Management Strategy. The Broads Authority has worked with this landowner in the past to try and protect these bays from erosion and prevent the loss of reedbed habitat. The faggots used previously have washed out leaving the tie stakes in situ which are an eyesore and could cause a navigation hazard. As the Broads Authority originally installed these structures it has a duty of care to remove or make good any failed structure.
- 6.4 The method of erosion protection proposed by this scheme, using Nicospan stretched between wooden posts with the area behind backfilled with material dredged from the Broad and then planted with reed has previously been trialled by the Broads Authority on the River Ant. It is more robust than using faggots but not so heavily engineered as piling. This site at Hill Common is considered to be a good location for further trialling of this technique. This technique will halt the erosion of this area whilst replacing reedswamp which has a high biodiversity value and is a BAP habitat.
- 6.5 Sediment removal at Hickling Broad is also identified as a priority for the Authority in the Sediment Management Strategy. This scheme proposes to re-use 350m<sup>3</sup> of the dredged sediment from shoals in the navigation channel of Hickling Broad. Policy CS15 of the Core Strategy states that adequate water depths will be maintained for safe navigation, and the disposal of dredged and cut material will be carried out in ways that mitigate unavoidable adverse impacts on the environment. Beneficial use of dredgings will be encouraged. This proposal is considered to be in full accordance with this Policy.
- 6.6 Policy DP13 of the Development Management Policies DPD states that development proposals that include bank protection will be permitted where it can be demonstrated that the proposal has been designed to take account of: the need for the protection; the nature of the watercourse; the scale of the tidal range; safe navigation; the character of the location; the effect on European and priority biodiversity habitats and species; and the requirements of the Water Framework Directive. It is considered that the proposed method of erosion protection meets the tests set out in this

Policy as it is needed, it has been designed to recreate the character of this area and to regenerate the reedswamp which is a BAP habitat and it will improve the safety of navigation in this area of the Broad. It is therefore concluded that the principle of this development is acceptable.

- 6.7 In terms of the assessment of the effect this proposal would have on the ecology of this area it is considered that this scheme would have a positive effect on the ecological and biodiversity value of the area. The reedswamp that is currently being eroded in this area is a BAP habitat and a SAC feature of the Upper Thurne Broads and Marshes SSSI. This proposal is aimed at halting the reedbed erosion and restoring this important habitat. There is considered to be limited scope for protected species in these eroded bays. Water voles will not be nesting in this area as there are no banks just gentle slopes. Otters are likely to be passing through the area, but the habitat is unsuitable for holts. Grass snakes and Common Lizards are likely to be using the area for feeding, but not hibernating, as this area floods regularly. Hickling Broad is internationally designated for its over-wintering and breeding bird interest. The application states that any works would therefore be timed to avoid 1 November to 28 February, peak-time for over wintering birds and 1 May to 31 August, peak time for breeding birds. A condition ensuring that these periods are avoided for the carrying out of the work would be included on any planning permission that may be granted.
- 6.8 The objection to the scheme cites, as one of the reasons for the objection, that the use of gooseguard will result in the suffering of bird life in the area when they become trapped in the netting. The gooseguard suggested for this project is the same used in Heigham Sound – a black plastic mesh material that is commonly used in horticulture. The Broads Authority has received no reports of wildfowl becoming trapped in this material since it was installed in 2010. The material has been specifically chosen to be robust and of low mesh size to prevent wildfowl from climbing up it or squeezing through it. Geese are not likely to fly into these areas as the areas are too small.
- 6.9 Policy CS2 of the Core Strategy requires full regard to be taken of the objectives of European and national nature conservation designations and adverse effects avoided. Policy DP1 of the Development Management Policies DPD states that all development should protect biodiversity value and minimise the fragmentation of habitats; maximise opportunities for restoration and enhancement of natural habitats; incorporate beneficial biodiversity and geological conservation features where appropriate. It is considered that this proposal is in full accordance with both these Policies and the National Planning Policy Framework.
- 6.10 In terms of the assessment of the landscape impact of the scheme the design aims to be sympathetic to the character of the surrounding area. The Nicospan material is black and will be underwater, with only a very small section visible at the lowest water levels. The Nicospan will be secured in place with wooden posts. Every other post will be left longer to



attach the gooseguard fencing, which will be black and stand 50cm tall above the Nicospan. Around the edges and back of the area the gooseguard will be fixed to wooden posts. The planning application states that following the establishment of the reedswamp the fencing around the edges and back of the area can be removed just leaving the gooseguard along the front edge. The reedswamp will grow through the gooseguard along the front edge concealing it and the retaining Nicospan structure will be concealed underwater. Once established the bank will appear as a vegetated margin along the Broad edge. It is recommended that a condition be included requiring the removal of the redundant tie stakes and remaining faggots. It is considered that there are distinct landscape and visual amenity benefits to ensure that the reedswamp along the periphery of the Broad is maintained and expanded. It is therefore concluded that this proposal is in accordance with Policy CS1 of the Core Strategy and DP2 of the Development Management Plan DPD and the National Planning Policy Framework.

- 6.11 This proposal aims to capitalise on an opportunity to re-use dredged sediment from the shoals in the navigation channel of Hickling Broad. At the same time it will halt the deposition of sediment into the Broad resulting from the erosion of the bank. Both factors will improve the water depth in the Broad and therefore have a positive effect on its navigation. The proposal will not permanently affect the navigation area as it is about 150m away from the navigation channel. There would be some temporary disruption to the navigation channel whilst the sediment removal work is carried out but it is estimated that this disruption would only last a week. The removal of the remnants of the previous faggot erosion protection scheme, which could be a hazard, is welcomed. Small boats and windsurfers would be the only vessels likely to come close to the scheme, but not close enough that signage would be required. In conclusion the proposal is considered to be in full accordance with Policy CS15 of the Core Strategy.
- 6.12 The site is situated within Flood Risk Zone 3 of the Environment Agency's Flood Risk Zone Maps. The Environment Agency has confirmed that the proposed works will not have an adverse effect on flood risk. The material is to be dredged and deposited below the water so it will not affect the level of the Broad or take up flood storage. The Environment Agency has also confirmed that a Water Framework Directive Assessment is not required given the length of the works in relation to the waterbody size.

## **7 Conclusion**

- 7.1 The proposed development is considered to be a necessary part of the ongoing management and maintenance of Hickling Broad. It is in accordance with the wider objectives of the Broads Authority as set out in the Broads Plan and also in accordance with the Sediment Management Strategy. It is concluded that there will be no adverse effect on ecology, landscape quality, navigation or flood risk and that the proposal is therefore in full accordance

with the relevant Development Plan Policies and the National Planning Policy Framework.

## 8 Recommendation

8.1 It is recommended that this application be granted consent subject to the following conditions:

- (i) Standard time limit.
- (ii) In accordance with the approved plans.
- (iii) Removal of redundant tie stakes and faggots
- (iv) Timing to protect wintering birds
- (v) Timing to protect breeding birds
- (vi) Timing of dredging
- (vii) Monitoring and maintenance of planting and structures for a specified period and replacement of any failed plants or damaged structures.

Background papers: Application File BA/2014/0411/FUL

Author: Alison Macnab  
Date of Report: 13 January 2015

Appendices: APPENDIX 1 – Site Map

## APPENDIX 1

### BA/2014/0411/FUL 3 Bayed Areas of Reedswamp fronting Hill Common, Hickling



**Halvergate Marshes Conservation Area Re-appraisal**  
Report by Historic Environment Manager

**Summary:** Members will be aware that the Authority has a responsibility to review its current Conservation Areas and from time to time consider the designation of new ones. This includes the publication of Appraisals and Management Proposals.

The purpose of this report is to provide members with feedback regarding the Halvergate Marshes Conservation Area consultation prior to a decision on adoption of a new appraisal.

**Recommendation:** That members:

- (i) consider the Consultation feedback for the Halvergate Marshes Conservation Area draft re-appraisal; and
- (ii) subject to members' comments, adopt The Halvergate Marshes Conservation Area re-appraisal and management plan.

## **1 Introduction**

- 1.1 Members have previously agreed to assessment work being carried out on the phased re-appraisal of existing areas, taking into account the duty of the Authority to identify, and maintain up to date appraisals of existing Conservation Areas and as appropriate designate new areas.
- 1.2 Members will be aware that an informal agreement has been reached with the Districts' Conservation Officers whereby areas that fell mainly within the Broads Authority area would have the appraisal work carried out by the Broads Authority and areas that fell mainly outside the Broads Authority area would have the appraisal work carried out by the relevant district.
- 1.3 The Halvergate Marshes Conservation Area falls entirely within the Broads Authority Executive Area therefore the appraisal work and the consultation exercise has been carried out and funded by Broads Authority. Details of the consultation and feedback received as a result of it are outlined below.
- 1.4 Broads Authority Officers have in the preparation of the re-appraisal and management plan considered, if boundary changes are required and concluded that in this instance that the existing Conservation Area boundary is appropriate

- 1.5 The Halvergate Marshes Conservation Area consultation draft was discussed at the Broads Authority Planning Committee on 25 April 2014. At this meeting members agreed the draft appraisal and, acknowledging the sparse population in the area, to carry out a limited consultation exercise. Members of the Authority's Heritage Asset Review Group have also considered the draft re-appraisal.
- 1.6 A copy of the Halvergate Marshes Conservation Area re- appraisal, management plan and boundary is appended. (Appendix A)

## **2 Halvergate Marshes Consultation feedback.**

- 2.1 All residents within the Conservation Area boundary were contacted In September 2014 regarding the re-appraisal by letter, as were Parish Councils and other key stakeholders. All were sent a leaflet setting out the process and implications of the re-appraisal along with a copy of the draft document. All were given the opportunity to comment on the proposals. The consultation process was undertaken in line with the Broads Authority's Statement of Community Involvement. The consultation process was approved by the Authority's Heritage Asset Review Group
- 2.2 Given the low number of residential properties in the area an open day was not considered appropriate in this particular instance.
- 2.3 Following the six week consultation period officers have collated the feedback and responses to it. This is summarised below.
- 2.4 The level of feedback received was understandably low given the limited number of residential properties and the fact that no change was proposed to the boundary. In total only two written responses were received: one from Norfolk County Council Historic Environment Service and one from English Heritage. Both responses were positive and supported the re-appraisal and management proposals for the area, both also suggested minor amendments and corrections to the text.
- 2.5 As a result of the feedback amendments have been made to the text of the re-appraisal and management plan adopting those suggested changes where appropriate.

## **3 Assessment and implications of adoption**

- 3.1 The Halvergate Marshes Conservation Area is the only Conservation Area within the Broads Executive Area currently at risk. Whilst the main reason for this is the number of Listed Mills at risk within the area, it is considered that the publication of an up to date appraisal which highlights the particular issues of the area will also help facilitate a gradual improvement in its condition. Members should also note that the area lies within the boundary of the proposed Landscape Partnership Area.

- 3.2 The Halvergate Marshes Conservation Area boundary is not proposed to be altered as a result of the re-appraisal. There will therefore be no additional financial implications for its administration by the Broads Authority regarding the consideration of development management proposals or works to trees applications. There may be limited financial implications for The Broads Authority for any future re-appraisal work.
- 3.3 As regards implications for residents and landowners within the Conservation Area the re-appraisal represents no additional constraint. As there is no change proposed to the boundary, no additional residents or landowners are affected by the proposal. There are therefore no additional financial or other constraints over those which currently exist within the area.
- 3.4 The re-appraisal provides a written interpretation of the characteristics of the Conservation Area and identifies key features, issues and opportunities for enhancement. It is considered that the document will assist residents and landowners in the preparation and development of proposals within the Conservation Area.
- 3.5 It is considered that the minor financial implication to the Broads Authority of potential future re-appraisal work is outweighed by the statutory duty placed on the Authority to publish up to date appraisals of Conservation Areas.
- 3.6 No objections to the re-appraisal or negative feedback have been received as a result of the consultation process.

#### **4 Conclusions**

- 4.1 The Authority has a statutory duty to consider areas which are worthy of designation as Conservation Areas, to designate these areas as Conservation areas and to publish up to date appraisals and management plans.
- 4.2 It is considered that the area identified by the boundary map and described in the appraisal and management plan of Halvergate Marshes is worthy of Conservation Area designation following a detailed assessment, public and stakeholder consultation and it is recommended that the appraisal and management plan for The Halvergate Marshes Conservation Area is formally adopted by the Broads Authority.

Background papers: None

Author: Ben Hogg  
Date of report: 14 January 2015

Appendices: APPENDIX A - Halvergate Marshes Conservation Area re- appraisal, management plan and boundary

## Halvergate Marshes Conservation Area Appraisal

### Introduction

#### *Why have Conservation Areas?*

A review of policies relating to the historic environment carried out by English Heritage on behalf of the Secretary of States for Culture Media and Sport and the Environment Transport and the Regions was published in December 2000 under the heading 'Power of Place'.

The Report which reflected views now held generally by the population at large, confirmed 5 main messages

- i Most people place a high value on the historic environment and think it right there should be public funding to preserve it.
- ii Because people care about their environment they want to be involved in decisions affecting it.
- iii The historic environment is seen by most people as a totality. They care about the whole of their environment.
- iv Everyone has a part to play caring for the historic environment. More will be achieved if we work together.
- v Everything rests in sound knowledge and understanding and takes account of the values people place on their surroundings.

In summary we must balance the need to care for the historic environment with the need for change. We need to understand the character of places and the significance people ascribe to them.

The concept of conservation areas was first introduced in the Civic Amenities Act 1967, in which local planning authorities were encouraged to determine which parts of their area could be defined as "Areas of Special Architectural or Historic Interest, the character or appearance of which it is desirable to preserve or enhance".

The importance of the 1967 Act was for the first time recognition was given to the architectural or historic interest, not only of individual buildings but also to groups of buildings: the relationship of one building to another and the quality and the character of the spaces between them.

The duty of local planning authorities to designate conservation areas was embodied in the Town and Country Planning Act 1971, Section 277. Since then further legislation has sought to strengthen and protect these areas by reinforcing already established measures of planning control in the Planning (Listed Buildings and Conservation Areas) Act 1990, and now reflected in the National Planning Policy Framework (NPPF).

Unlike listed buildings, which are selected on national standards, the designation of Conservation Areas in the main is carried out at District level based upon criteria of local distinctiveness and the historic interest of an area as a whole. However, in the past, the criteria adopted by different local authorities in determining what constitutes a special area have tended to vary widely. For example, although public opinion seems to be overwhelmingly in favour of conserving and enhancing the familiar and cherished local scene, what is familiar to many, may only be cherished by some.

Over the last 30 years this approach has changed significantly. Much greater emphasis is now placed on involving the local community in evaluating 'what makes an area special', whether it should be designated and where boundaries should be drawn.

It is now recognised that the historical combination of local architectural style and the use of indigenous materials within the wider local landscape creates what has been termed 'local distinctiveness'. Distinctiveness varies within the relatively restricted confines of individual counties, which in turn are distinct in terms of the country as a whole.

Conservation Area designation for settlements and wider areas which embody this local distinctiveness may afford them protection against development which bears no relation to the locality either in terms of the buildings within it or landscape surrounding it.

The historical development of such settlements and their surrounding landscape are the 'journals' through which the social and economic development of the locality can be traced. The pattern of agricultural and industrial progress of settlements (their social history) is by definition expressed in the architecture and landscape of any area.

It is not intended (nor would it be desirable) to use Conservation Area designation as a way of preventing or restricting development, the expansion of a settlement or preventing contemporary innovative design. Logically in the future new development should add to, rather than detract from the character of an area and will in turn help to chart historical development. However, all development should seek to preserve and enhance the character and appearance of the area.

#### *Aims and objectives*

The Halvergate Marshes Conservation Area was originally designated in 1995. This appraisal examines the historic development and special character of the marshes at Halvergate and Haddiscoe, reviews the boundaries of the conservation area and suggests areas for change.

If adopted, the appraisal will provide a sound basis for development management and encourage initiatives which endeavour to improve and protect the conservation area as well as stimulating local interest and awareness of both problems and opportunities.

#### *Planning policy context*

There are a range of policies which affect Conservation Areas originating from both national and local sources. The latest national documents in respect of historic buildings and conservation areas are The Government's Statement on the Historic Environment for England 2010, the National Planning Policy Framework published in March 2012 and Planning Practice Guidance for the NPPF 2014, published by the Department for Communities and Local Government. The Broads Authority endorses the contents of these documents and decisions made will reflect the various provisions contained in them.

Locally, in line with government policy, the Broads Authority is currently reviewing and revising local policies which will be published in the Local Plan (formerly the Local Development Framework (LDF)). The Broads Authority has an adopted Core Strategy (2007) and Development Management Policies DPD (2011) and is progressing its Sites Specifics DPD. The Broads Authority has some saved Local Plan (2003 and 1997 respectively) Policies in place

To support these policies, the Broads Authority provide further advice and details in a series of leaflets, which are currently being reviewed and expanded as part of the Local Plan process. A list of those currently available is attached in Appendix 7.

#### **Halvergate Marshes Conservation Area**

Halvergate Marshes Conservation Area was declared a conservation area in 1995. The conservation area comprises of a large area of the Halvergate Marshes (the Halvergate Triangle) and part of Haddiscoe Marshes (The Island), north of the New Cut, together with the areas forming the eastern fringe of the River Yare. This appraisal is divided into two character areas, the Halvergate Triangle and Haddiscoe Island (including the eastern fringe of the River Yare). To the west of the Halvergate Marshes Conservation Area lies a separate conservation area, the Halvergate and Tunstall Conservation Area, which was declared by Broadland District Council in May 2007 and adopted by the Broads Authority shortly afterwards. The boundaries of the Halvergate and Tunstall Conservation Area are drawn tightly around the village envelopes of Halvergate and Tunstall and only the settlement of Tunstall is within the Broads Authority Executive area, Halvergate village being entirely in Broadland District Council's area.

### *Summary of special interest*

Halvergate Marshes and Haddiscoe Island contain the largest area of grazing marshes in the east of England and epitomise the marshland landscape of the Broads area - vast panoramic grazing marshes, winding waterways, wide open skies, openness and a high level of visibility within a wide valley floodplain. Within this large scale landscape, there is a strong dyke pattern evident within areas of marshland, most of which is still used in the traditional way for cattle grazing. The landscape is punctuated by drainage mills formerly used to drain the grazing marshes. Although other marshland areas of the country, including the Fens, were drained by such mills, unlike Halvergate, most retain only the scant remains of their wind-powered mills and only Holland has anything comparable in terms of number of remains.

Sparsely populated, this area is a unique survival with a rich and wide ranging biodiversity, particularly for over-wintering and breeding birds, and plants and invertebrates in the marsh dykes. This special biodiversity interest is recognised through national and international designations, (see Appendix 1).

The Rivers Bure, Waveney and Yare flow through the conservation area and afford opportunities for boating and sailing. The area is highly visible from river, rail and road traffic routes and from the long distance footpaths within.

### *Location and context*

The Halvergate Marshes Conservation Area is bounded by the higher land between Stokesby and Caister to the north, between Reedham and Acle to the west; to the east it includes the marshland areas adjoining the Rivers Yare and Waveney from their confluence at the southern end of Breydon Water, with the New Cut forming the western boundary. The River Yare marks the boundary between Halvergate Triangle and Haddiscoe Island. The conservation area includes the east-west reaches of the River Bure between Acle and Yarmouth and a section of the A47 Norwich-Yarmouth road.

The large parish of Halvergate is situated in the southeast part of Norfolk, immediately west of Great Yarmouth. Although covering an extensive area, much of the parish is uninhabited marshland with settlement being concentrated in the western part, almost exclusively outside the Halvergate Marshes Conservation Area.

### *Geology and physical influences*

It is important to relate the geology of this part of The Broads to its early history (see later section on archaeology). The formation of the Great Estuary, as sea levels began to rise about 2300 years ago, and the silting up of the area around 500 years later, have resulted in the Great Estuary being discernible in the landscape and on geological maps where there is a clear distinction between the Halvergate triangle and the surrounding uplands. The lower layers have Crag over London Clay over Upper Chalk; the Quaternary deposits above this consist of Breydon Formation silts and clays, with fringing peat along the Reedham/Acle western boundary transition. At the upper levels, deep stoneless, mainly calcareous clayey soils, with groundwater levels controlled by dykes and pumps supporting permanent grassland, and occasional encroachments of arable cultivation. Silty clay loam subsoil exists, often calcareous, with layers of sand, silt and clay over the peat deposits.

To the south east of the Haddiscoe, an area of very sandy soil fringes the undivided sands and gravels of the higher ground to the coast. In contrast, Haddiscoe Island and the marshes to the south consist of Breydon Formation silts and clays. There is a very narrow, variable band of peat between these two zones, with peat incursions marking the location of former watercourse flowing into the estuary from the uplands of present-day Belton. The base of the rivers consists of marine deposits – river mud.

The area lies below sea level, varying between –1m OD and 0m OD. There is a strong distinction between this level area and the notable sharp rise to higher land on the fringes, even though this level change is only of the order of 5m. On Haddiscoe Island, although generally level, there are subtle variations in local topography, usually to do with land use practices and the extent of the old estuary, with the river banks between 2 and 3 metres high.



### *Hydrology:*

In the Halvergate Marshes, the dyke network and the Fleet are effectively hydrologically isolated from the main river systems by the containing flood embankments, although there is localised seepage of brackish water through these flood banks. The western margin of Halvergate Marshes is spring-fed by water percolating through from the chalk aquifer underlying the higher ground - frequently in association with the peat areas - but the influence of this fresh water is very limited and there is not believed to be any other significant connections between surface water and ground water from the underlying aquifer (Norwich Crag).

The majority of the dykes are brackish, or in some instances saline, where the brackish water which seeps in from the rivers becomes concentrated through evaporation. The marshes are entirely pump drained, with water feeding from the dyke system into a network of main drains, and hence to the pumps along the river walls. The area is divided into a number of 'levels' each served by a pumping station. The soke dykes form a separate, although linked, drainage system, being generally wider than the internal dyke network and supporting an often strikingly saline vegetation element.

Historically, freshwater was taken from the both Rivers Yare and Bure through a number of sluices. Freshwater is now only supplied via the Stracey intake which supplies carefully monitored freshwater.

On Haddiscoe Island, the area is defined by its hydrology: the rivers Yare and Waveney and the New Cut define the main area, with the drainage pattern flowing north. New Cut and both rivers are embanked to heights of 2 to 3 metres AOD. The rivers Yare and Waveney are continuously embanked throughout this area. Although the width of the combined Yare and Waveney reaches 110m within Breydon Water, the Waveney further south is about 40m wide, but its embankments are up to 300m apart near Burgh Castle, with extensive ronds. Ronds extend along both banks of both rivers throughout this area.

### *Management of the marshes*

Over time the marshes have been drained and reclaimed, resulting in the embankment of the rivers. Although little is known about the early history of flood defences they have been in place in various forms for many centuries, for example, Acle Dam is known to have been repaired in 1101. In other areas of the Broads pumped drainage has been in use or recorded since the end of the 17<sup>th</sup> century, and although on Halvergate there is little evidence so far of such early use of pumped drainage, water was lifted over the constructed flood bank into holding areas with a sluice, then let out into Breydon Water via a flap sluice as the tide falls – thus the river or drainage dyke level is actually higher than that of the surrounding land.

By the 18<sup>th</sup> century, Halvergate Fleet, originally the largest of the salt marsh creeks, was used as a 'washland' for temporary water storage, with 6 wind-powered drainage mills spaced along its length, although only three of the mills drained the Halvergate Marsh levels. The low banks nearest the river were 'summer walls', while the higher 'winter walls', set some 20 metres further back, prevented flood water or high tides from spreading out of the main wash land areas. The area between the two walls, known as the rands or ronds, which are up to 200 metres wide, would flood to a depth of about 600mm in winter. The Fleet was once the most significant natural drainage channel across the marshes, draining Wickhampton, South Walsham and Beighton Marshes into Breydon Water. It has been suggested that the parish boundaries and the boundaries for individual 'levels' are more likely to be natural in origin, since they would have been more difficult to adapt, once earthworks had been thrown up beside them, than the shallower dykes excavated within the levels to keep them drained. There was also another major fleet to the north, referred to as the Northern Rond by Tom Williamson in his publication 'The Norfolk Broads, A Landscape History'.

Haddiscoe Island was also drained and reclaimed for agriculture quite early in its history, probably using tidal sluices with gates that closed automatically on a rising tide. Fossilized creek patterns are evident within the dyke network, and indications of later enclosure or rationalisation of the dyke network are only apparent in the north east of the Island. Despite early reclamations, there has been a need for permanent and constant flood defences, with the requirement for constant flood defence exacerbated by the relationship between the length of the river wall, which has always required regular maintenance, and the area of drained marshes it encloses.

Wind powered drainage probably began in the 17<sup>th</sup> century and by the 1780s drainage mills were a common feature in the landscape. Improved drainage from wind began a gradual reduction in the number of ronds, which were no longer required to hold the floodwater, and to a change in the drainage pattern, with ruler-straight new dykes forming the new main drains leading to the older watercourses. Examples of this are the 700m long drain Mutton's Mill Dyke (circa 1830') and the straight section of drain leading to Mautby Upper Mill and Five Mile House pump.

The Land Drainage Act 1930 established many of the Internal Drainage Boards (IDBs) replacing earlier water management regimes. Exercising a general supervision over all matters relating to water level management of land within its district, the IDBs now manage the drainage system in the area, using diesel and electric sluices contained in pump houses to maintain water levels in the complex and irregular network of dykes and drains, all of which require constant maintenance – traditionally they were 'cromed' or cleared of vegetation, each year.

The drainage system has determined the field pattern. The area drained by one pump was referred to as a 'level', usually in a single ownership, divided from its neighbour by deep dykes and embankments. This creates the distinctive effect of a 'negative' rather than a 'positive' pattern, such as is created by a series of hedges and/or hedgerow trees. Throughout the marshes there are occasional clumps of vegetation, usually sallow and usually growing alongside a dyke, but never approximating to a hedge. The Halvergate area contains good examples of the three main types of dyke:

- long continuous, straight or smoothly curved, terminating at a drainage mills - known as 'mill drains'. This type is infrequent and is known to date from the late 17<sup>th</sup> C. Examples are the mill drain towards Manor Farm, Halvergate Marshes or the dykes leading to the complex of mills near Seven Mile House, Reedham Marshes;
- rectilinear, very straight dykes, especially on fringes of marsh. These are frequent, occurring throughout the marshes, and of modern origin, being generally parliamentary enclosure of former commons, 17<sup>th</sup> and 18<sup>th</sup> C additions or late or post medieval alterations to the underlying pattern;
- curvilinear, serpentine, ie originally natural channels, often parish boundaries, or the boundary of individual 'levels'. Halvergate Fleet is a good example. The wall on its north side is followed by a track, which was the former Norwich/Yarmouth route before the Acle Straight turnpike was constructed in the 1830s. The Fleet was converted to a low-level arterial drain in 1982. This complex and intermingled drainage pattern is generally of medium to small scale throughout Halvergate but although not a dominant feature is extensive enough to make it unique nationally.

In the Haddiscoe part of the conservation area, there is a distinction between the fairly large scale rectilinear drainage pattern of Langley Marshes in the northern section of the Island (possibly reflecting large-scale drainage re-organization after the construction of Langley Detached Drainage Mill in the 19<sup>th</sup> century), the smaller scale regular pattern along the western edge of the Waveney and the very serpentine pattern over much of Chedgrave Marshes, which becomes more regular along the New Cut. Fritton Marshes are a mix of small-scale regular and irregular dykes, as are Belton Marshes.

Within the marshes there are some discontinuous embankments, either beside principal former watercourses, such as The Fleet or on the boundaries of principle levels, marking parish boundaries. Although these are very minor landscape elements, they have historic importance, being of medieval date, and should be considered in the context of flood defence works, where applicable.

During many centuries, there was much greater interaction between the upland and lowland in this area than occurs at present, with the upland parishes to some extent being semi-dependent upon the marsh and holdings and vice versa. The great importance of the marshland holdings is indicated by the system of detached parishes, with villages as far away as South Walsham and Chedgrave having land holdings in the marshes.

Stock were brought down in large numbers to summer on the marshes, dairy herds presumably travelled between the marshes around the floodplain margin and milking facilities at the upland farms on a twice-daily basis, and animals were brought into the area from further afield (notably Scotland) before being fattened up for market. Huge quantities of dyke spoil and aquatic vegetation were barrowed from the floodplain to the upland arable fields to enrich the soil each year, and prior to the

construction of the A47, the Stone Road was a well-used track running through the marsh which linked the upland settlements to the west of Halvergate with Great Yarmouth, providing access to the Fleet Road, (historically the main route across the marshes) and later connecting to Acle New Road by the Branch Road.

### *Use of the marshes*

The conservation area consists largely of drained grazing marsh, divided by the drainage system into parcels known as 'levels', named by parish or landowner, with some arable pockets along the fringes with the adjacent uplands, some small areas of open fen and scrub/carr, with a tiny percentages of salt marsh (0.6%) and rough grass (0.7%). There is very little upstanding vegetation on the marshes, as the drainage dykes act as fences and field boundaries.

From the medieval period the marshes were utilised for sheep grazing, then horse and cattle grazing with the latter dominating by the 16<sup>th</sup> century. The practice of buying in store cattle from highland areas was established by the as early as 17<sup>th</sup> century and continued into the 20<sup>th</sup> century with remarkably little change. Currently, the dominant land use is still for cattle grazing with some sheep and horses.

It was common practice to graze stock on the river wall around Haddiscoe Island, the dyke at the base of the embankment usually prevented the animals from getting onto the managed reed beds, but the absence of such dykes on ronds on the Yare meant that some were regularly grazed until about 25 years ago. The introduction of first diesel-driven pumps and then electric pumps in the first half of the 20<sup>th</sup> century eliminated the need to use the washlands between the rivers Yare and Waveney for temporary water storage – flood alleviation – and they thus became an ideal habitat for overwintering birds. Areas that were formerly drained for sheep grazing are now regularly flooded for wading birds and as they are now mainly cattle grazed they are floristically indistinguishable from the adjoining grass marshes.

The reaches of the Waveney bordering Haddiscoe Island were cut for reed throughout on both ronds in the mid 1970s, but the majority of the ronds, which are a significant element in the land use of this area, are no longer managed or grazed. A very small section of rond on the west bank of the Yare near the Reedham end of the New Cut is managed reed bed and there are nearly 60 hectares of commercial reed bed on the Waveney bordering Haddiscoe Island. Continuous lengths of up to 1.5k of the Waveney's banks have been used for dumping spoil.

Topographical variation has enabled the location of water-related enterprises, such as marinas and boatyards, beneath the low cliffs near Belton, but much of the upland edge is woodland.

The management of the marshes through the maintenance of their biodiversity, allows the support of numerous rare species and wetland birds. This has had an effect on the landscape through the construction of scrapes which provide important feeding areas for wading birds. Further information about the range and extent of this is contained in Appendix 1.

### *The effect of changing agricultural practices from the 1970s*

The largely cattle grazed landscape of this area saw little change until the late 1970s and early 1980s, when loans became available to incentivise farmers to deep drain and plough their marshlands. Dykes were infilled and whilst it could be appreciated that farmers found it difficult to use combine harvesters and other large machinery on the small marshes typical of the drained marshland area, the loss of wildlife habitat as a result of the reduction or water levels in the dykes was deplored by conservationists. The subsequent outcry and public protests led to the establishment of the Broad's Grazing Marshes Scheme which subsidised the traditional management of the landscape and ultimately led to the creation of Environmentally Sensitive Areas (ESAs) of which Halvergate was the first. Although the trend to arable conversion has largely been reversed (currently, grassland covers approximately 3005 hectares (72%) of the drained area), arable uses still occupy about a fifth (21%) of the area. In general, the grassland occupiers require a range of different water levels, according to individual management requirements under the agri-environment schemes.

However, the arable areas require low water levels for much of the year, particularly during the winter months. In 'The Land Use, Ecology and Conservation of Broadland' Martin George illustrates the

effects of these changes of agricultural practice on the ecology, biodiversity and landscape of the area. When grazing ceases, the margins of the dykes become colonised by reeds resulting in adverse effects on aquatic and animal life and a gradual silting up of the drainage dykes. Dykes are then dredged and deepened to improve the drainage, with steep battered sides, although the actual water in the dyke is shallower for much of the year than it would have been formerly. The arable marsh dykes are floristically impoverished, because of the deep shade cast by vegetation growing on their margins and the limited depth of water. Although not proved, it is also suspected that many arable marsh dykes are contaminated by farm chemicals washed out of adjoining land.

Changes to environmental stewardship schemes could adversely affect the distinctive landscape character of the conservation area. It is important that changes in agricultural practices are limited in the future and where possible, encouragement given to reverting those marshes currently in arable use back to grazing land through continuing incentives to retain land in grazing use.

#### *Architectural styles and materials*

There are few buildings within the conservation area boundary. Unsurprisingly, those that remain relate to the use and management of the marsh landscape over the centuries, such as pump houses, floodbanks and soke dykes. Most prominent are the drainage mills, the tapered cylindrical towers built of local brick, some have had their weather boarded boat shaped cap restored, and others in a more derelict state have no roof or are given protection by a temporary metal cap. Some of the brick towers are externally tarred, a traditional method of protecting them. A few marshworker's cottages survive and some isolated farm buildings. These tend to be low buildings, small in scale with simple pitched roofs, again using locally produced bricks and pantiles. Their presence in the marshes is usually heralded by clumps of upstanding vegetation and bridges and access gates across the dykes. The character of the area could easily be diluted through the introduction of modern construction and materials for access roads, roofs, gates and stock-proofing and through the use of non-indigenous planting. Similarly, the introduction of new structures with a vertical emphasis, such as wind turbines, would disturb the horizontal character of the marshland or smaller scale details such as wing walls on crossing points.

The wide open nature of the landscape means that some of the buildings and settlements outside the area can be clearly seen from within it, thus having an effect on the character of the conservation area. Care should be taken to avoid large scale development and the use of materials of inappropriate colours on the fringes of the conservation area.

#### *Archaeology*

At the start of the Iron Age, this part of the east Norfolk coast was perhaps a mile further east than it is today, and the area now known as The Broads, was an area of peaty marshland crossed by the rivers Bure, Yare and Waveney. As sea levels began to rise about 2300 years ago, the sea broke through the spit of land at the Yare estuary mouth, marine conditions gradually returned to the Broads area and a Great Estuary was formed where the rivers met. Forests and fens were replaced by salt marshes and later tidal mud flats, and the peaty soils were covered by marine sand and clay. The estuary was a wide expanse of pools and mud flats over which the sea would have ebbed and flowed with every tide. During the Roman period, 1800 years ago, ships could sail over what is now Halvergate Marshes, the River Yare was navigable as far as Caister St Edmund and vessels could access the Waveney Valley as far as Bungay. At Burgh Castle and Caister-on-Sea, defensive forts were built to secure the approaches, which were of great strategic importance to the Roman occupation of Britain. The remains of these impressive forts can still be seen today. The Great Estuary was an important route of traffic and communication into the heart of Norfolk and Suffolk with many small villas and farmsteads around its shores. At the mouth of the Great Estuary, the waters were split in two by a shingle bank. As sea levels began to fall 1500 years ago, the estuary gradually silted up and the sandbank grew to become the spit of land where Great Yarmouth lies today, leaving the tidal inlet of Breydon Water as the only visible remnant of the Great Estuary.

The Norfolk Historic Environment Service compiles records of known archaeological activity, sites, finds, cropmarks, earthworks, industrial remains, defensive structures and historic buildings in the county. These records are known as the Norfolk Historic Environment Record (NHER), and an abridged version can be accessed through the Norfolk Heritage Explorer website at

[www.heritage.norfolk.gov.uk](http://www.heritage.norfolk.gov.uk). The NHER contains 269 records for the Halvergate Marshes Conservation Area.

Outside the conservation area finds recorded in the NHER in Halvergate parish include flint flakes, an axe head and some pottery fragments, suggesting prehistoric settlement, and cropmarks visible from aerial photographs, indicating ring ditches and possibly round barrows, indicate occupation in the Bronze Age although the latter have subsequently been flattened by agriculture.

Similar finds are recorded on Haddiscoe Island and a group of wooden piles found in the north of the Island in 1958 could have been part of a Bronze Age brushwood causeway across the marsh.

The Broads area was identified by English Heritage as having exceptional potential for waterlogged Archaeology in 2013.

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### **Sub-area character assessments**

Although the Halvergate Triangle and Haddiscoe Island share many features, there are subtle differences in their characters, many due to their historical development. Thus, in the following sections, the history and character of the two areas are considered separately.

#### **Halvergate Marshes.**

The Halvergate Marshes section of the conservation area is bounded by the higher land between Stokesby and Caister to the north, and between Reedham and Acle to the west, with the River Yare and Breydon Water forming the south eastern boundary.

##### *Historical development*

##### *Early history.*

The Norfolk National Mapping Programme (Broads Zone) in 2006/7 identified cropmarks of a coaxial field system, of later Iron Age to early Roman date, covering large tracts of the landscape outside the conservation area boundary. Although no actual building remains have been found, Roman and medieval pottery fragments may indicate the remains of a building of either age, and other finds dating from the Roman period indicate occupation of the land during that period. Similarly activity during the Saxon period is evidenced through various finds including a mount or brooch and a stirrup mount. Various mounds which are associated with the heating and evaporation of salt water indicate that salt was being produced during the Saxon period and into medieval times, salt being a valuable commodity. One such mound survives near Ashtree Farm, north of the Acle Straight with a WWI pillbox on top. Saxon names include Skeetholme, near Yarmouth (dung island) and Fuelholm (wild bird island).

Halvergate is recorded in the Domesday Book of 1086 as a village called 'Halfriate' and is referred to as 'Halvergata' in a document of 1182. Although its origin is unclear, the first half of the name probably means 'Half', and the second part possibly 'gate' which could be interpreted as indicating an island separating the river into two channels. An alternative derivation could be from the Old English for 'Land for which half a heriot is due' referring to a value for the land.

The oldest surviving buildings in the parish are the medieval churches at Tunstall and Halvergate village, both outside the Halvergate Marshes Conservation Area. Because of the low lying nature of the land there are few historic buildings in the conservation area, apart from a small number of marshworker's cottages and the drainage mills which are dealt with in a separate section. The sites of early structures in the parish can only be surmised by documentary evidence such as early maps, scatters of found objects or from aerial photographs.

Many other medieval features such as enclosures and drainage ditches have been identified from aerial photographs, although the latter cannot be dated precisely as they will have been repaired, re-dug and improved during post medieval times and up to the present day.

In Roman times the entire Halvergate triangle was an open estuary, with settlements and military installations at Burgh Castle and Caister-on-Sea, where there was also a sizeable port. Gradual changes of levels between the sea and the land and the formation of a sandbank at Yarmouth began a siltation process which by about 450 AD had reduced the estuary to the area now covered by Breydon Water. This was surrounded by mudflats of estuarine clay which permitted the development of saltmarsh, with peat deposits laid down only in hollows around the periphery. This land cover is still evident in the network of shallow dry watercourses that show up in aerial photographs, some of which were incorporated within the early drainage pattern, and survive as sinuous marsh drains.

Relative sea levels continued to fall during the Saxon and early medieval periods, allowing exploitation of the area for grazing. The Domesday Book records many sheep in manors bordering the marsh, which would probably have been brought down to the marshes for summer grazing. In early post-Conquest times many portions of Halvergate were held as private land, especially by large ecclesiastical landholders, and the available evidence suggests that by late Saxon times the marshes were divided into areas with separate names (often associated with a specific parish, not necessarily the nearest) and definable boundaries.

By the 12<sup>th</sup> century the marshes were a valuable resource, with a complex system of ownership linking grazing marsh to arable land on the neighbouring uplands. Research indicates that in the Middle Ages sheep were the principal grazers, with dairy herds on the marsh edge by the 13<sup>th</sup> century (perhaps due to rising sea levels), and some horses and bullocks.

During the medieval period there was a substantial rise in sea level and frequent inundation of the marshes, necessitating perhaps the first drainage works to reclaim the already productive and managed marshes and a change to cattle production, due to changes in the agricultural pattern, the reduced value of sheep's wool and perhaps also changes in sea level affecting the drainage of the marshes (Manship, writing in 1619, implied that the dredging and realignment of the entrance to Yarmouth Haven had led to the reclamation of thousands of acres of marshland previously subject to regular flooding). The construction of river banks seems to have been the responsibility of individual landowners, and this would certainly explain the variation in management – where land was held in common, no system existed to pay for or maintain drainage; a group of landowners might contribute to a scheme for their mutual benefit.

In 1616 records demonstrate that land in the heart of the marshes was worth considerably less than that on the fringes (excluding the damp peripheral common lands). By 1715 this situation was reversed, almost certainly by increasing success in embanking and draining the central areas, and the central marshes continued to be highly valued through the 18<sup>th</sup> and 19<sup>th</sup> centuries. There is evidence to suggest that the main period of change to the natural drainage pattern occurred from the 17<sup>th</sup> century onwards, following changes in climate and increased flooding, especially in the areas nearest the rivers in the centre of the marsh. Numerous additions and alterations were made to the natural drainage channels, the pattern of which was only retained at the boundary of levels or along major watercourses.

#### *Later history*

The Parliamentary enclosures of the early 19<sup>th</sup> century dealt only with the poorly drained common land on the western side of the marsh, the remainder being already privately enclosed. The central marsh landholdings generally small, a maximum of 38 acres, while the marsh edge landholdings, being less valuable, were usually larger, ie Mautby Marsh all one ownership (Earl of Yarmouth) in early 18<sup>th</sup> C. By 1840 central marsh ownership was even more fragmented, while conversely the marsh edge holdings were getting larger and into the hands of local worthies following enclosure. Documentary evidence suggests that this long established pattern remained constant for over 200 years.

Later changes to the landscape came with the construction of the Norwich/Yarmouth toll road in 1830 - 31 and the growth of the pollard willow planting along it to stabilize the road edges, and the construction of the railways, Norwich to Yarmouth (via Reedham) in 1844, Reedham to Haddiscoe in 1847. Haddiscoe to Yarmouth in the 1850s and from Acle to Yarmouth (beside the 'Acle Straight') in 1883. Willow planting is also evident along the Branch Road.

Two polygonal WWI pillboxes survive either side of the A47 on the approach to Great Yarmouth, the northern one of which is in the conservation area and on top of a mound associated with the production of salt in the mediaeval period. These pillboxes and others in the area from World War II are reminders of strategic lines of inland defence across the marshes set up during both the Wars.

By the middle of the 20<sup>th</sup> century, as the marshes became drier due to the installation of improved drainage systems, there came a progressive change in land use from grazing to arable cultivation. This process was only halted and in many cases reversed, in the late 1970s following the outcry over proposals to comprehensively drain the Halvergate marshes, through the implementation of the Broads Grazing Marsh Conservation Scheme, and the ESA programme. Another change occurred in 1986 when the RSPB acquired part of Beighton Marshes, near Berney Arms to provide the shallow flooded water conditions that attract wildfowl and waders. The RSPB also manage all of Beighton and Berney Marshes and those at Ashtree Farm near Berney Arms drainage mill.

#### *Transport and accessibility*

Throughout the history of the marshes the rivers have been the dominant means of transport. Until the 1830s the main terrestrial route across the marshes between Norwich and Yarmouth followed the northern embankment of the meandering course of the Halvergate Fleet (now a minor watercourse) and the north wall of Breydon Water, and several of the drainage mills and marsh houses in this area are located along it. It was replaced in the 1830s by the Norwich-Acle turnpike – known as the Acle Straight - which is two ruler-straight sections, joining near Stracey Arms Mill, with a new branch road to Halvergate village.

Two railway lines cross the marshes, Norwich to Yarmouth via Acle and Norwich to Yarmouth via Reedham and overall have relatively little visual or noise impact. The latter, to the south of the area retains a halt near Berney Arms, probably the most remote one in the country, where formerly there was a station. Both here and to the north of the Reedham group of mills were blocks of railway cottages, but only those north of Reedham Marshes remain, and they have gradually fallen into disrepair.

A concrete road was constructed by the Drainage Board from Wickhampton to near Seven Mile House, Reedham Marshes in 1980s, for access, but most of the tracks into the marshes are private and the main means of accessing the depths of the marshes is on foot, via the long-distance footpath known as Weavers' Way, which follows the Fleet Dyke between Halvergate and Breydon and crosses the marshes from Halvergate or Wickhampton to Berney. Footpaths are often raised above marsh level, set on floodbanks or former levees, with views at the eastern edge over the River Yare and the south western end of Breydon Water. Otherwise the remainder of the marshes are largely inaccessible.

#### *Settlements and industry:*

The conservation area is distinguished partly by the entire absence of settlements. There is a strong contrast between the apparently unpopulated marshes and the string of villages around the margin, such as Reedham and Stokesby. The marshes were not always empty of human habitation. Lonely marsh farms have been in existence for 1000 years, as near Ash Tree Farm at the east end of the Acle Straight and at Six Mile House, Halvergate, but the marsh houses have always been few and scattered. By the 1930s, only about 20 marshworker's were left. Their tasks included looking after cattle, cutting drains, repairing river walls, renewing sluices and tending the drainage mills, plus wildfowling, eeling and making butter.

Settlement along the Yare clusters into two distinct groups, around Seven Mile House on the Reedham Marshes and around Berney Arms. The north wall of Breydon also included a large marsh farm with various cattle compounds and later a mill and cottage as well as numerous houseboats of which only the mill and a fragment of the cottage remain.

The grouping on the Reedham marshes is largely based around the drainage of the area and includes three windmills, a steam engine house and a diesel engine shed as well as the Seven Mile house and some remains of a further marshworker's house. The site was a particularly remote one until the diesel pump was replaced by an electric pump in the 1980s and concrete Internal Drainage Board access roads were built. The mills and engine house have been repaired and a visitor facility created

in a partnership between Norfolk Windmills Trust and the Broads Authority with funded through WREN (Waste Recycling Environmental Limited), the Heritage Lottery Fund and Broadland District Council.

Although no longer a visible landscape feature, a small hamlet developed at Berney Arms around Thomas Trench Berney's 19<sup>th</sup> century Reedham Cement Works which at one time included 11 dwellings and a chapel. Berney Arms Mill (the tallest on the Broads) formed part of this complex and survives along with Ashtree Farmhouse and the Berney Arms Public House. Berney Arms Mill was dual purpose – drainage in winter and grinding clinker, made from a mixture of chalk (brought down from Whitlingham by wherry) and clay from Breydon Water or Oulton Broad, kiln-baked and ground to a powder to make cement, in summer. Berney Arms Mill is in the care of English Heritage and Ashtree Farmhouse has been extended and turned into three dwellings by the RSPB who are now a significant presence in this area, controlling a number of the marshes to the north of this area as a reserve. This has created change in the landscape as a higher water table is maintained, wet scrapes are created and a number of small wind powered pumps have been introduced, designed to do the reverse of the job of the traditional mills and instead lift water onto the marshes.

This section of the Bure is, like the Yare, heavily embanked. There has in the past been a greater connection with the settlements to the north of the Bure with former crossing points at Stokesby, Runham and Mautby. A number of mills and potentially early settlement sites are situated along the Bure usually corresponding with the 'Mile House' locations. The valley sides and settlement edge to the north are visible and the mills combine visually with those on the north side of the Bure although the floodbanks mean only the upper part of the mills are visible across the river. At the north-western extent of this area is Tunstall Dyke, formerly connecting the Bure with Tunstall upland. The navigation apparently survived the building of road and railway across its route as provision was made to allow wherries underneath, however its use still died out in the late 19<sup>th</sup> Century. The waterway is now dry and overgrown, its staithe house and buildings gone, but two mills remain, one to either side, although a plantation immediately west of the dyke limits their landscape contribution.

#### *Drainage mills in the Halvergate Triangle:*

There were sites of more than 240 wind-powered drainage mills in Broadland, of which around 20 were still in use in the 1930's. They were gradually replaced for draining the marshes over the next two decades as diesel and electrically powered pumps came into widespread use. The structures for the most part gradually fell into disrepair, although some were lost as a result of fire or storm events. Drainage mills in various states of repair can be seen at 72 sites across The Broads area.

Halvergate boasts the greatest concentration of wind powered drainage mills in Britain. Adopted on a large scale from the end of the 18<sup>th</sup> century, they were arranged in groups along the various watercourses and drainage levels. Faden's map of 1797 shows six drainage mills on or close to the Fleet, and by 1884 there were eight mills on the Fleet, seven windmills and one steam pump. This series of drainage windmills moved water from their separate drainage levels into the Fleet which in turn drained into Breydon water via a sluice and from the 1930s, a diesel pump. The marshworker's houses were generally built close to the mills, so small groups of buildings can be seen on the river or drainage channel bank, often with an associated clump of trees and/or shrubs. The Fleet was also an area of settlement for a series of marsh farms, from which the mills were later run, established along it. This was the situation until the mid to late 1940s when the introduction of an electric pump and the reduction of the Fleet to a lesser drain, meant the windmills and marsh houses were gradually abandoned. In the following years, derelict and demolished buildings became a feature of this area, as with much of Halvergate. The situation is now somewhat reversed with two of the four surviving marshworker's houses now permanently occupied, the fourth as a holiday home and the rubble heap of a fifth remains. Four of the Fleet mills survive, two are largely restored, one is protected and only one remains derelict.

Although all the mills are redundant from their original function, (since the installation of the electric drainage pump at Breydon) some brick towers still house diesel or electric pumps. The mills punctuate and add variation to the extensive flat grazing lands and are a reminder of human influence on the land through the draining of the land to improve the grazing.

Many drainage mills have escaped dereliction through the auspices of private owners, the Broads Authority, the Norfolk Windmills Trust, Norfolk County Council and the Pump Protection Scheme in



the 1980s, although there are a large number still needing repair and conservation on the Broads Authority at Risk Register. Brief descriptions of the existing drainage mills are contained in Appendix 1.

### *Vegetation and wildlife*

The vegetation of the marshes is important both economically – for the survival of the grazing cattle and sheep – and also in terms of biodiversity, for both flora and fauna. The narrow bands of woodland and unimproved pasture on the poorly drained peaty margins give way to the expanse of better quality pasture on the better-drained main marsh. Variations in local topography and drainage within each level lead to considerable variation in the pasture species, which contributes to the variety within the marshes at closer inspection. Floristically the dykes act as a refuge for plants that may be in decline in the broads, for a variety of reasons, and also harbour rare invertebrates.

The marshes themselves provide important habitat for a wide range of birds, particularly on Berney Marshes. There is very little upstanding vegetation on the marshes, as the dykes act as fences and field boundaries. This contrasts strongly with the woodland along the upland margins. Such tree and shrub vegetation as there is can be divided into several types:

- clumps of trees and shrubs associated with marsh houses, often on slightly raised areas on river banks;
- carr woodland in damp peaty areas on the marsh fringes, notably on peat islands between Reedham and Wickhampton, consisting of sallow, willow, alder and some hawthorn (with a noticeable transition from wetland to drier species as one travels out from the marsh edge) (examples are Park Carr, Ashyard Carr, Decoy Carr and Drovers Carr, all pre 1797, with the northern woodland, such as Wiggs Carr and Engine House Carr dating from the early 19<sup>th</sup> century);
- strip woodland on the 'cliffs' (the former estuary edge) to the south and east; and vegetation along the tracks across the marsh – either self sown, extending out from the blocks of carr woodland or pollard willows. Carr woodland has also established on areas of former common land enclosed in 1802 – grazing prior to this would have prevented any woodland developing, so Hospital Plantation and Engine House Carr, both in Halvergate parish, are definitely 19<sup>th</sup> century in origin
- pollarded willows, especially along the A47 Acle straight and Branch Road, are distinctive but not of any great age, dating from after the construction of the toll road in 1835. While they filter the immensity of the wider landscape and provide a frame of reference from which to judge distances, from within the marshes they are often ineffective in screening traffic and offer a rhythmic silver-grey pattern that is at odds with the less ordered 'natural' landscape in the fore- and middle ground. The individual trees are planted on the verge immediately above the top of the ditch and are planted partly to consolidate the ditch/road interface.

Nesting birds are found on the sides of the dykes or in grassy tussocks on the marshes in summer: mute swan, shoveller, oyster catcher, lapwing, redshank and yellow wagtail; Most wildfowl graze the grass and roost on nearby broads, while waders feed on invertebrates in shallow flooded areas or on Breydon mudflats, then roost on the quieter marshes. The marshes are also a feeding and roosting bird habitat during winter, bean geese, Bewick and mute swans, widgeon, mallard, teal, golden plover, lapwing and snipe are common visitors. (see Appendix 1).

### *Views in and out*

Extensive views into the conservation area are obtained from most points on the periphery of the wider marshes, and from internal points such as the rivers (from boats or footpaths on floodwalls), drainage mills (where open to the public), the railway lines between Reedham and Yarmouth and Acle and Yarmouth and from the A47. The marshes are so extensive and undifferentiated within the wider landscape that the main points of reference are external – the vegetation on the floodplain margins and landmarks such as Caister water tower – rather than internal. Only the drainage mills provide internal reference points.

The effects of new development on the *skyline* of the landscape should not be underestimated. This is particularly relevant to the design and siting of any large scale development, such as renewable energy schemes, both within and outside the Broads executive boundary.

An intermittent boundary of carr woodland lining the edge of the floodplain on the western boundary, restricts much of the views out, although buildings sited on particularly high ground, such as at Hall Farm, Reedham, are visible outside the conservation area and outside the Broads Authority Executive area.

Visual impacts affecting Halvergate include the new Scroby Sands Wind farm to the east; the built development of Great Yarmouth and Caister - most visible of which is that of a large industrial nature. The pylons and industrial type settlement of St Olaves are also visible across the Haddiscoe Island. Despite these, the sheer scale of the marshes is such that the impacts from outside can be lessened, depending on the distance of the viewer. Within the area the main source of visual intrusion is traffic movement on the A47 and also lighting around Stracey Arms/Branch Road junction. The pollarded willows which could offer some screening of road movements have become discontinuous.

The scale of Halvergate Triangle is such that from within the marshes, views are available over long distances of up to 8km.

#### *Halvergate landscape character analysis*

Halvergate is the epitome of extensive drained marshland/grazing marsh, criss-crossed by water-filled dykes, the rough and varied texture of the fen and grassland vegetation extending to the horizon under a vast sky, apparently without interruption. Short, steep generally vegetated slopes form its margins, a relic of the former estuary boundary and a clear delineation of its boundary with adjoining areas. This vegetation is either patchy carr woodland on the damp marsh fringes along the western and northern edge or woodland strips on the 'cliff' edges of the southeast.

It is a level landscape, but not a smooth one, consisting of land reclaimed from the former estuary and requiring constant drainage. The pattern of drainage dykes and river has little visual influence, except where individual trees or small groups of sallow provide vertical punctuation. Neither the river and dyke walls nor the line of the Norwich-Yarmouth railway detract from the overall horizontality of this landscape, although they occasionally provide a minor point of reference, a middle ground amid the vastness. The drainage mills provide the only significant vertical elements, but otherwise the landscape appears to be almost without human intervention, in contrast with the pattern of churches, cottages and farm buildings scattered along the edge of the adjoining landscape areas.

It has an apparently simple, unchanging, repetitive quality, with textural definition and much interest in the detail. It is actually a complex system of dykes and levels, the result of constant human intervention, although these interventions have not significantly changed its overall character since the 16<sup>th</sup> century. Where grazing marsh has been converted to arable, as in the north western corner around Halvergate/Damgate, or where alien elements have been introduced, such as along the Acle Straight, or impinge, as along the north eastern edge near Yarmouth, the unified character of this landscape is diluted and compromised, even the use of a metal rather than a timber farm gate has an impact in such a simple, elemental landscape.

#### **Haddiscoe Island.**

The Haddiscoe Island part of the Halvergate Conservation Area lies within the valley floor of the confluence of the Rivers Yare and Waveney and comprises of the Langley, Chedgrave, Belton and Fritton Marshes, including the eastern fringe of the River Yare. It is bounded by the New Cut to the west and the River Yare to the north, from the confluence of the Rivers Yare and Waveney at the southern end of Breydon Water in the north east, extending beyond the River Waveney to include the low-lying marshes up to the upland fringes of the settlements of Belton and Fritton and St Olaves.

As its name implies, the main part of this area is an island, created in the early 19<sup>th</sup> century by the construction of the New Cut, which linked the Yare at Reedham with the Waveney at St Olaves.

### *Early history*

Finds in the parish include some Neolithic and Bronze Age artefacts, and evidence of remnants of Bronze Age barrows and ring ditches and a group of wooden piles found in marshland to the north in 1958 could have been part of a Bronze Age brushwood causeway. Artefacts are also recorded from the Iron Age, Saxon and Roman periods indicating early occupation of this area.

In 1086, the Domesday Book recorded Haddiscoe as 'Hadescou', an Old Scandinavian name meaning 'Haddr's Wood'. At that time, King William I, Roger Bigot, Ralph Baynard and Robert, son of Corbucon held land in the parish, and freemen, villagers, smallholders, ploughs, pasture, meadow and sheep were recorded.

Outside the conservation area the churches at Thorpe and Haddiscoe date from the 11<sup>th</sup> and 12<sup>th</sup> centuries. Several post medieval houses survive in the parish, although few are within the conservation area, Raven's Hall is one example.

The land-use history of what is now drained marshland is little known, but is likely to be similar to that of Halvergate. Some of the marsh farms may have late Saxon or early medieval origins. At the time of Domesday, sheep probably grazed the saltmarsh that then covered the former estuary during the summer months, giving way over time to cattle.

### *Later history*

By the early 18<sup>th</sup> century the area was being managed in much the way it is today, and as flood defences and drainage regimes improved, more land became available for longer periods of each year. In the areas adjoining the conservation area, Hardley and Langley marshes were enclosed in the mid to late 17<sup>th</sup> century, and in 1814 a drainage commission was set up for Thurlton, Haddiscoe and Thorpe next Haddiscoe in as a consequence of Enclosure Awards, although all these are outside the conservation area. In 1869 a Drainage Authority was created specifically to look after Haddiscoe Island, which it continues to do. Prior to 1925 many of the marshes were subject to communal grazing rights for the local parishes such as Raveningham, Chedgrave and Stockton.

The New Cut was opened in 1830 linking the Rivers Yare and Waveney as part of a scheme to allow coastal vessels direct access from Norwich to the new harbour at Lowestoft, avoiding mudbanks in Breydon Water and costly tolls at Yarmouth. In practical terms it was later superseded by the construction of the railway along the same route, but it now provides a valuable route for pleasure craft.

Although predating the New Cut, Faden's map shows four extant drainage mills, the sites of which were established by the late 18<sup>th</sup> century, on the area that became the 'Island', and 2 other sites which no longer exist; two extant mills and two sites beside the River Waveney and one added subsequently. Although none of the 18<sup>th</sup> century mills survive in any recognisable form, the four later mills still standing on these sites are Red Mill or Langley Detached Mill, Six Mile or Chedgrave Detached Drainage Windmill, Pettingell's Mill, and Toft Monks (Detached) Drainage Mill.

Two sites on the Island along the River Yare have been identified as possible early marsh house sites - Six Mile House which burnt down in 1926 and Upper Seven Mile House demolished in the late 1970s. Faden's Map also indicates a mill existed near Upper Seven Mile House.

In 1944 the Langley, Chedgrave and Toft Monks Board built a new road and dwarf wall beside the New Cut, to improve access and alleviate the flooding problem caused by the inadequate height of the Cut's southern embankment. Until 1948 the Island was drained by one steam engine and four drainage mills, now all privately owned.

### *Transport pattern and accessibility:*

The two rivers (and later the New Cut) have always been the main transport routes through this area, and there is still no other public access to the western edge of the area, other than the railway station at Berney Arms and the footpath from Wickhampton and Halvergate villages, over the Halvergate Marshes. Although there are footpaths along both banks of the River Yare, the western bank of the

Waveney, the northern bank of New Cut and part of its southern bank, the access points to these footpaths are poor.

The current operational railway line which loops south from Reedham then hugs the line of the New Cut across to St Olaves, was opened in 1847. The line through Halvergate, roughly parallel with the river Yare, is barely noticeable from this area except as a slightly more regular horizontal line, but trains on it are visible from Burgh Castle. There is a dismantled railway roughly parallel to the course of the Waveney, but inland, which impinges slightly on Belton Marshes.

There is a complete absence of roads within the area: vehicular access from the A143, between Haddiscoe Cut Bridge and the St Olaves Bridge, is limited to those working on the Island. The only formal public access is the 9 mile walk around the its perimeter and access tracks other than that beside the New Cut follow old creeks and watercourses or the bank of the Waveney.

### *Buildings and settlements*

Although there are no settlements in this part of the conservation area, a few isolated scattered dwellings survive, but developments on the fringes have an influence on its character. Outside the conservation area, two buildings at Burgh Castle are local landmarks: the Gariannonum Roman fort is the most striking, set on the low cliff edge above the marshes towards the apex of Haddiscoe Island, where the Waveney curves in to the upland edge. It is surrounded by grassland, with a thick fringe of woodland along the cliff edge overlooking the marshes, its circular bastions and large sections of tall walls stand out as significant features visible for some distance. In turn, there are extensive views of the marshes from the monument, the former river estuary clearly discernible. The other landmark here is the round flint tower of the church at Burgh Castle on the eastern upland edge, partly screened by vegetation.

South of Burgh and set well back on the upland, the caravan parks and holiday villages of Belton extend to the boundary of the conservation area and are visible from within it, the suburban character in contrast to open nature of the marshes. Beyond this, woodland and a large expanse of coniferous plantation, Waveney Forest, terminate long views to the east providing a green fringe to the Island. A distinctive feature of this section of the river Waveney is the exceptional width of reed beds. These areas between the river and the river embankments provide an area of washland and were periodically grazed in the past. Today they provide an expanse of clean looking reedbed, part of which is cut commercially from a base near Pettingells Mill, one of two mills located along this side of the Waveney. The drainage mills are a feature on both the Waveney and Yare boundaries together with those visible across the rivers.

At the south eastern edge of the area, St Olaves is dominated by the road bridges over the Waveney and the New Cut, with a range of water and transport related development to the east of the river, backed by extensive woodland. Riverside chalets and boatyard buildings line the Waveney to the north of the A143 in a range of styles, not all of them sympathetic to the Broads landscape, especially in their external detailing, where materials more appropriate to an urban environment have been used. Beyond, to the west of the river, Priory Farm is next to the remains of a 13<sup>th</sup> century Augustinian priory.

The south western boundary of the Island is formed by the relentlessly straight New Cut waterway, contrasting strongly with the sinuous form of the two rivers. As a feature the Cut is not visually appealing but is a significant piece of engineering. The Cut appears noticeably higher than the surrounding land, presumably resulting from land shrinkage. A partially concrete road runs parallel with the cut on the island's interior and provides access to the two marshworker's dwellings on that side. The railway line, built later to the west of the Cut is not readily visible from the island. Vast pylons cross the marshes where the Waveney and New Cut are closest near to the entrance of the Island. The combination of New Cut, access under the Haddiscoe flyover and the industrial nature of part of St Olaves creates a rather bleak functional feel to this part of the Island.

The side that borders the Yare is more open although views are somewhat restricted by the floodbanks both sides. At the northern tip of the island is Langley Detached Drainage Mill and Raven Hall, one of the few post medieval houses that survive, is a redbrick and thatched house dating from around 1700, but mostly of the 18<sup>th</sup> century. The collection of buildings around Berney Arms including

the mill, public house and Ashtree Farmhouse are all clearly visible across the river, as are the group of house, mills and engine houses on the Reedham Marshes.

#### *Drainage mills on Haddiscoe Island*

Four drainage mills and one steam engine survive on the Island all of which were working into the 1940s. These are Toft Monks, Langley Detached, Pettingells and Six Mile House. The latter two are semi-derelict, the former two have been converted to holiday use. Near Toft Monks mill there is also the remains of a 'Humpback' vertical steam engine made by the firm of Smithdales which, although broken and incomplete is a rare survival. The land is now pumped by two electrically powered pumps. There are four other mills in this part of the conservation area, all to the east of River Waveney, Black Mill on Belton Marshes, and Caldecott Mill, Fritton Marsh Mill and St Olaves Mill on Fritton Marshes. Descriptions of these mills are included in Appendix 2.

Other sites of note include former ferry crossings from Fritton Staithe on Waveney and Seven Mile House Reedham Marshes, where it is likely that flat-bottomed boats could be used to transport cattle and Seven Mile House/ 'Pettingill's' with another old house and which is probably an older site.

#### *Vegetation and wildlife:*

Haddiscoe contains an important and extensive marsh dyke system. The vegetation of the ronds bordering the Island is saltwater, reflecting tidal influence, dominated by sea lavender and sea aster in the north east, grading to sea arrowgrass and sea rush towards the southwest and then to brackish reedbed further south; on the Waveney the gradation from saltwater to brackish vegetation occurs approximately opposite the northern edge of Waveney Forest, with a more varied mix of saltmarsh, brackish reedbed, managed reedbed and regenerating reedbed, all of which support a wide range of vegetation and wildlife. Recent flood defence works have moved the flood banks away from the river to allow the gradual development of 'soft defences' with saltmarsh and reedbed vegetation taking their place.

The dyke habitats are not botanically diverse, with relatively low numbers of aquatic plants compared with the freshwater systems elsewhere in the Broadland area. However, the marginal vegetation is of interest particularly where recent management has taken place, with hairy buttercup rapidly colonising bare ground. The dyke network provides an important refuge for the declining northern water vole.

The tussocky grassland of the marshes, as well as providing grazing for large numbers of cattle and some sheep, provides habitat for large numbers of breeding and over-wintering birds. The saltmarsh habitats of the Yare and Waveney are suitable for waders and are especially favoured by breeding redshank, while snipe have been frequently observed on the commercial reedbeds on the Waveney ronds. Small flocks of bearded tit use the wider reed ronds on the Waveney, which are up to 200 metres in width and relatively undisturbed. Marsh harriers have frequently been seen hunting over the ronds around Haddiscoe Island and peregrine falcons are commonly seen around the New Cut Bridge. Other commonly occurring bird species include oystercatcher and lapwing.

#### *Views in and out*

From the southern edge of this area the central grazing marshes are framed by the vegetation on the higher land marking the edge of the former estuary, at Reedham and Fritton. Views from roads on floodplain edges are generally filtered or obscured by tall roadside hedges. Conversely, landmarks such as churches are often the only built elements visible above the fringing vegetation. Where views are obtained, larger settlements on the opposite side of the river valley are also partly screened by vegetation, but make a strong contrast with the unsettled marshes. The A143 marks a transition from the large scale very open marshes to the west to the more enclosed, more obviously managed hedged marshes more associated with settlement to the east.

It is generally a peaceful area, with little disturbance from road traffic or railway engines. Despite the lack of people this is a busy area, with mills, boats, buildings, timber posts in the river, seabirds and cattle, swans on ponds on the marshes – a very animated yet tranquil landscape. From Burgh Castle the view over Haddiscoe Island and Halvergate stretches to the horizon, bounded only by the treed skyline on the distant upland edge. The river and extensive reedbeds provide a foreground, the buildings around Berney Arms on the Yare a focus – otherwise the view is without landmarks and impressively extensive.

Views in are available from higher ground on eastern fringes, from rivers and from footpaths on floodwalls. Otherwise views are generally over this area, which is concealed by the height of the floodwalls. The strategic importance of the ancient military installations at Burgh Castle and Caister are evident from within the conservation area, in particular at Burgh, when looking up at the bulk of the imposing fortifications. Conversely, from the upper level, there are wide open and far reaching views over the marshland areas of the former estuary - on a clear day the true scale & drainage of the area can be appreciated.

The Island has a very enclosed, private atmosphere, perhaps unique in Broadland, with, for the most part, only distant views out towards the surrounding upland. The adjacent marsh blocks are largely invisible behind the river walls. Prominent features include the village of Reedham and Reedham Church, the latter situated on a promontory of land jutting out into the former estuary, and a recent development at Burgh Castle, including a marina complex. The Roman fortification at Burgh Castle is also visible from most points within the Island. Otherwise there is a strong feeling of isolation from human habitation. The conifer plantations of Waveney Forest are extremely conspicuous and, while forming a rather alien feature in a landscape otherwise surrounded by discontinuous woodland cover, also add to the feeling of distinctiveness.

Visually, although relatively low key, the low voltage electricity lines within the marshes provide a 20<sup>th</sup> century note that jars with the timelessness of the marshes themselves. The pylons that cross Thurlton Marshes between Thurlton and Fritton are larger in scale and much more intrusive. The road bridges over the New Cut and the Waveney at St Olaves, and the associated development, are also intrusive. The drainage mills are a significant feature in this landscape – not only those within it but also the ‘borrowed’ mills on Halvergate which are clearly visible over this level area.

One impression of this area is of the densely wooded eastern margin, contrasting with the more open western edge beyond Reedham.

In common with the Halvergate area, the effect of new development on the *skyline* of the landscape is an important factor in the preservation of the character of the area.

#### *Haddiscoe Island landscape character analysis*

Haddiscoe Island is an area of large scale open grazing pasture/drained marshland related to the upland edges to the south east and south. The surrounding river system forms a boundary between this area and the similar marshland of the Halvergate Triangle and Thurlton and Norton Marshes to the south west. The rivers are not major landscape features, but the associated flood walls form a prominent feature, restricting views to the surrounding marshland beyond the rivers and giving the Island an enclosed character on the large scale, although there is an awareness of both the surrounding floodplain marshland and of the River Waveney upland. Buildings and structures on the Yare around Berney Arms and the group of drainage mills on the Yare some 2.5 kilometres to the south west of Berney Arms, together with the series of drainage mills along the Waveney, mark the transition between blocks of grazing marsh, in the absence of other distinguishing features. The wider landscape is framed by the distinct raised edge of the former estuary, especially to the east and south. Haddiscoe Island occupies negative space – from the wider landscape the landform is concealed by the river walls, so that the eye travels over it to the furthest edges of the marsh. In places the regular ditch system offers gleaming slivers of water at right angles to the track, contrasting with the organic sinuosity of the natural watercourses of the area. There is a distinction between the ancient sinuous drainage pattern in the south west and a later rectilinear pattern to the north east. The transport infrastructure of the New Cut and the railway read only as a slightly higher and more level horizontal line within the vastly greater horizontality of the wider landscape, while the massive structure of the New Cut Bridge is obscured from the main part of the Island by the River Waveney wall. The distinctiveness of the area is marred by a series of electricity pylons which cross the Island at its narrowest point and to a lesser extent by several small farmsteads with associated cypress hedging.

## ***Issues, pressures, threats & opportunities for Halvergate Marshes Conservation Area***

### ***Issues, pressures and threats:***

- Conversion of grazing land to arable or other land uses – loss of distinctiveness at local and regional level and loss of dyke vegetation. Contrast between apparently unmanaged marsh and the cultivated, man-managed arable fields, especially where combined with roads and traffic, as in the north western corner beyond Branch Road, from which there are views of marsh to the east and arable to the west.
- Agricultural buildings of inappropriate scale, design and materials within the marshland and on the upland edge, particularly where they are not screened by vegetation
- Pylons south east of Haddiscoe Island visible from many parts of the conservation area
- Telephone wires and low voltage power cables providing sagging horizontal lines in the air above the marshes
- Impacts of flood alleviation works
- The potential widening of the Acle Straight
- Continued development around Great Yarmouth and Breydon
- Likelihood of increased scrapes/surface water on marshes to suit particular bird life
- Potential impact of Bure Loop Proposals
- Deterioration/dereliction of structures within the conservation area, principally drainage mills, pumps and marsh houses
- Potential installation of modern water pumping facilities of inappropriate design and materials
- New development on the skyline
- Climate change effects
- Lack of management of pollarded trees along roadways

### ***Opportunities for improvements:***

- Improving accessibility through providing more footpaths/cycleways
- Improve appreciation and understanding of the area through the provision of appropriate signage and interpretation
- Consider suitable alternative uses for redundant drainage mills where appropriate
- Ensure appropriate level of conservation of redundant drainage mills to maintain the structure, and safeguard their character
- Guidelines for development on the edges of the conservation area
- Consider presumption against major development where it would visually impact on the character of the conservation area
- Removal of overhead lines

## **Conclusions**

The Halvergate Marshes conservation area is one of the distinctive Broads landscape. The panoramic grazing marshes give a sense of openness and remoteness. Big skies, simple skylines, meandering rivers and important nature conservation interest all contribute to the special and unique character of the area. It is a working, rather than a leisure landscape. Although public access by land is limited, the rivers through opportunities for boating and sailing, allow a glimpse into this special landscape.

Halvergate is a powerful reminder of what much of the coastal fringe of the east coast must have been like before the widespread conversion to arable. The combination of marsh and sky continually reflects changes in weather patterns and the seasons, and whilst some may find its character bleak and unwelcoming, to others it epitomises East Anglia. It has a powerful sense of place and distinctiveness and is a true cultural landscape.

Visually Haddiscoe Island is very similar to the Halvergate Triangle, both comprising of extensive grazing marshes, but with its heavily embanked watery boundaries, restricted access and the New Cut, the Island has a distinct identity of its own. Both Halvergate and Haddiscoe are clearly distinguished from the adjoining Breydon Water, a wetland inter-tidal area, and the smaller scale Burgh Castle Marshes.

Despite the continued use and management of the marshes through many centuries, they have survived relatively unchanged. The unique qualities of the area have been recognised by several landscape designations, which are listed in Appendix 4. However, it is a fragile landscape; the characteristics that make it so special could easily be eroded. It is likely that the area will continue to evolve and adapt to existing and emerging pressures and threats, including climate change and a need for increased agricultural productivity. What is essential though, is that future adaptations continue to both maintain and add to the unique qualities of this special place and its relationship to surrounding areas.

### **The conservation area boundary**

The boundaries to the conservation area are as illustrated on the accompanying map and as described in the text. No changes are suggested to the existing boundaries.

### **Public consultation**

Consultation with interested parties and organisations will be carried out in accordance with the Broads Authority 'Statement of Community Involvement'.

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## Appendices

### Appendix 1

#### Landscape designations and biodiversity.

The biodiversity interest of the area, especially for wintering and breeding birds and plants and invertebrates in the marsh dykes is recognised through national designations.

Apart from the presence of three Sites of Special scientific Interest (SSSI's), the whole area lies within the Broads Authority Executive Area and the Broads Environmentally Sensitive Area, thus recognising its general environmental interest. Together, Decoy Carr, Damgate Marshes and Halvergate Marshes SSSIs extend to 1550ha or over one third of the catchment. A fourth SSSI, Breydon Water, adjoins the drainage district and Berney Marshes RSPB bird reserve, also falls within the catchment. Part of the area is also designated as a Special Protection Area (SPA), Ramsar site and Special Area of Conservation (SAC).

The management of the marshes, through the maintenance of their biodiversity, allows the support of rare species and wetland birds. It is internationally important for the numbers of wintering birds, with Berney Marshes and Breydon currently sitting in the top ten key sites in the UK in terms of absolute numbers with on average, over 100,000 birds using the site.

#### *Internationally important birds:*

- Pink Footed Goose: Peak number in Jan of 17,693 (5yr average), 10th in the UK (3500 international imp threshold)
- Widgeon: Peak in Jan of 21,532, 4th in the UK (15000 threshold)
- Shoveler: Peak Nov of 641, 4th in UK (400 threshold)
- Avocet: Peak Aug of 900, 5th in UK (730 threshold)
- Golden Plover: Peak Nov of 22,304, 3rd in UK (behind the Wash 40,000 and the Humber 29,000) (9300 threshold)
- Lapwing: Peak in Jan of 22,559, 3rd in UK (behind Somerset levels 41,000 and the wash 23,000) (20,000 threshold)
- Black Tailed Godwit: Peak of 1,991 in Nov, 9th in UK. (610 threshold)
- Common tern: Around 185 pairs breed on the tern rafts, but Breydon also sees some 5,650 using the site as a foraging area to feed up in preparation for their migration to West Africa.

#### *Invertebrates include:*

Rare: Norfolk Hawker dragonfly *Aeshna isosceles*, the great silver water-beetle *Hydrophilus piceus*, a large hoverfly *Lejops vittata*, small dotted footman *Pelosia obtusa obtusa*, dotted footman *Pelosia muscerda*, Fenn's wainscot *Photodes brevilinea*, the snail *Segmentina nitidia*.

Noteable: the weevil *Hydromus alismatis*, *Coenagrion pulchellum*, *Brachytron pratense*, *Bembidion gilvipes*, *Bembidion clarki*, *Chlaenius nigricornis*, *Oodes helopioides*, *Noterus crassicornis*.

## Appendix 2

### Drainage Mills on Halvergate Marshes

#### *River Yare:*

- Berney Arms Mill/Berney Arms High Mill: tarred brick tower mill of seven storeys with 13 windows, 21 m high to top of cap, the tallest in Broadland; separate scoop wheel. Built c 1865, on site of earlier mills, used for grinding cement or to drive circular saws for the sawmill. Formerly part of cement works, but used solely for drainage from 1883. Function replaced by Breydon Pump in 1949. Now restored and owned by English Heritage.  
*Associated structures:* Berney Arms Inn at junction of Yare and Waveney, 18<sup>th</sup> century, with beer delivered by wherry. Only accessible by river or footpath. Berney Arms station: smallest station in Britain, with only one platform. Constructed 1843. Black barn to north east of station, now owned by RSPB. Small modern red brick pump house. Ashtree Farm – red brick, thatched roof (RSPB)
- Cadge's Mill/Batchie's Mill/Stimpson's Mill, Reedham Marshes: shown on Faden, but this building probably circa 1870/71. Tarred red brick tower mill, 11m high, the roof restored by the Norfolk Windmills Trust with a boat-shaped cap, internal scoop wheel removed. Mill has porthole flue holes and semi-circular windows above doors and contains the transformer; the switch gear for the modern electric pump is housed in a new green metal structure beside the mill.  
*Associated structures:* Part of a group of three mills – others are Polkey's Mill and North Mill.
- North Mill, Reedham Marshes/Reedham marshes North Mill: probably built circa 1825-40; derelict, red brick shell, no roof, formerly 3 storeys high, now circa 7m high.  
*Associated structures:* Cadges Mill and Polkey's Mill
- Polkey's Mill/Reedham Marshes South Mill, Reedham Marshes: tarred tower mill, 10m to top of brickwork. Shown on Faden; unknown date for extant building but known that major works undertaken in 1890s. Managed and restored by the Norfolk Windmills Trust.  
*Associated structures:* Part of a group with Cadges Mill and North Mill
- Seven Mile House (7 miles from Yarmouth along the river) is nearby marsh house. Brick with tile roof, a house on this site shown on Faden ; derelict railway cottages nearby, built in 1844.
- Concrete road between Wickhampton and Seven Mile constructed in 1980s by the Drainage Board.]
- Seven Mile Steam Mill, Reedham Marshes: Adjacent to Polkey's Mill; built c. 1880. A brick built shed, corrugated roof and brick chimney. The only surviving steam drainage mill in this area. Repaired by the Norfolk Windmills Trust and houses an exhibition.
- Seven Mile Diesel Pump, Reedham Marshes: built 1941; last used in early 1980s, as superseded by electric pump and relocated as part of the recent flood alleviation works.

#### *Halvergate Fleet:*

- High's Mill, Halvergate (also known as Fred High's, Cotman's Mill, Lubbock's Mill, Gilbert's Mill, Harden's Mill and Carter's Mill): shown on Faden, therefore pre 1795. Present structure built/refitted 1890s, tarred red brick, 2 storey, only 7m high, with external scoop wheel, draining c 200 acres and containing rare 18<sup>th</sup> century machinery. Worked until 1940s. Adjoining marsh house early 1700s, brick and tile (Marsh Farm and Marsh Cottages) demolished.
- Howard's Mill/South Walsham Mill/ South Walsham detached, South Walsham Marshes: 1768-1795, mill shown on site on Faden; present structure's origins unknown, possibly c. 1840; tarred red brick tower, c.9.5m high, new cap and fantail, 3 storeys, with doors and windows on each upper level. Retains original ironwork and machinery. Restored 1978-95.  
*Associated structures:* Marsh Farm, also known as Howard's House or Hewitt's Farm, dates from 18<sup>th</sup>/19<sup>th</sup> century, but is referenced on map of 1768. Marsh Cottages nearby date from late 17<sup>th</sup> or early 18<sup>th</sup> century, on a medieval site, and were formerly known as Walpole's Farm; house of brick with a thatched roof, which stands on a low mound incorporated into the flood wall of Halvergate Creek. The site of Walpole's Mill is still apparent.

### *Halvergate Marshes*

- Kerrison's Level/ Kerry's Mill, site 1795 – 1815, modernised in 19<sup>th</sup> century. Four storey tarred red brick tower mill with scoop wheel. Six metal bands: raised (batter changes to cylindrical section close to top). Height circa 8m to top of brickwork. Restored white, boat shaped cap (Norfolk Windmills Trust) on re-used cap frame.
- Mutton's Mill/ Freddy Mutton's Mill/Manor House Mill, Halvergate (Frothelme's Level): present structure 1830s; 13m high, it is a tarred red brick, 13 m high in 4 storeys with internal scoop wheel, derelict by 1940s, now restored. Adjoining manor house which formerly housed two families, probably late Victorian rebuild of a pre 1826 structure,. Also known as Manor Farm and Fishley Manor Farm, on possibly medieval site.
- Stone's Drainage Mill or Kerry's Mill, Halvergate Fleet, Wickhampton marshes: pre 1795 site; present structure pinky-red brick, tarred; probably 1860s, derelict. Marshman's Cottage nearby but not adjacent, with the site of Carter's Mill in its grounds.

### *Breydon Water*

- Lockgate Mill/Freethorpe Mill/Banham's Black Mill/Duffel's Mill/Breydon North Wall – Site 1759 – 1815, present structure around 1877, by Smithdales of Norwich. West bank of Breydon Water. Tarred red brick tower mill with remains of scoop wheel, all iron gearing, four storeys, circa 13.5m to top of cap. All internal machinery but much damaged by fire.

### *Tunstall Dyke*

- Tunstall Smock Mill, Tunstall East Mill: site late 18<sup>th</sup> century, present structure circa 1900, octagonal weatherboard smock mill, re-boarded in 1990s, approx 4m high stump. Had internal turbine pump. Rubble remains of steam engine house adjacent.
- Tunstall Dyke Drainage Mill/ Tunstall West Mill: site 1795-1815; now an empty brick shell, but retaining its pitwheel/scoopwheel 6.5m high on north west side of Tunstall Dyke.

### *River Bure*

- Ashtree Farm Drainage Mill – South bank. Rebuilt 1912 by Smithdales of Acle. Tarred red brick tower mill, 3 storeys, external 15ft scoop wheel. Contains cast iron machinery and re-used material from earlier cloth sailed mill. Lower gearing comes from St Margaret's Mill, Fleggburgh. Last of the Norfolk drainage mills in active use - until around 1953, but rendered inactive by a sudden change in wind direction – replaced by an electric pump in 1949. Restoration completed. *Associated structure:* Ashtree Farm.
- Mautby Marsh Drainage Mill – north bank. 18<sup>th</sup> century. Red brick tower, 3-4 storeys, raised (with batter changing to cylindrical section near top) in 19<sup>th</sup> century. 4 patent sails without shutters and white boat shaped cap with gallery, petticoat and fantail, all dating from conversion to house in early 1980s. Mill used to operate external scoop wheel, now missing. *Associated structures:* Adjoining 20<sup>th</sup> century cottage. Associated farmstead (Mill House Farm). Red brick former engine house. Modern electric pump of Archimedean screw type housed in red brick structure.
- Five Mile House Drainage Mill – south bank. Exterior date stone 1849. Medium sized tarred red brick tower, 4 storeys, roofed with temporary aluminium cap in 1988, remains of external scoop wheel and some internal machinery. *Associated structure:* Small modern brick electric pump house by river.
- Runham/Childs Drainage Mill – north bank at Runham Swim, built circa 1850s. Tarred squat red brick tower mill with internal scoop wheel (missing). 3 storeys, 2 doors and one window. White boat shaped cap with fan tail. Retains all iron upright shaft and wallower. Probably ceased working in 1937. Restoration started in 1983.
- Runham/Perry's Drainage Mill – south bank at Runham Swim, late 19<sup>th</sup> century. Turbine driven, tarred red brick tower mill. Internal machinery and external turbine pump in situ, new temporary aluminium cap by Norfolk Windmills Trust.
- Six Mile House/Parry's/Lake's Mill – south bank. Assumed built circa 1840 – 1880. Medium sized 4 storey tarred red brick tower mill, no cap, temporary ci shallow pitched roof. Some (dismantled) machinery internally. *Associated structures:* Cottage at Six Mile House Small modern pump house nearby

- Stracey Arms/Arnup's Mill – south bank and on A47. Built 1883, restored by Smithdales 1961 and by Norfolk Windmills Trust in subsequent years. Red brick tower mill, 4 storeys, 4 patent sails, white boarded boat shaped cap with gallery and fantail. All machinery inside to drive external turbine which was replaced by electric pump in 1942. Important as represents final development of Broads drainage mills with extensive use of cast iron. *Associated structures:* Associated cottage (Mill House Farm), now shop,
- Old Hall/Dacks Drainage Mill, Stokesby – north bank. Probably erected circa 1795 - 1825 and was cloth sailed tail pole winded type with scoop wheel. Tarred red brick derelict tower mill shell. *Associated Structure:* Bure Cottage – derelict, formerly thatched Marshworker's cottage
- Herringby Hall Pump House - late 19<sup>th</sup> century steam engine house
- Commission Mill – early 19<sup>th</sup> century by William Rust. Tapering four storey brick tower with 20<sup>th</sup> century flat roof. *Associated structure:* Commission Mill Cottage – late 18<sup>th</sup> century, 1 storey and dormer attic, whitewashed brick and thatched roof.

## Appendix 3

### Drainage Mills on Haddiscoe Island

There are several drainage mills on the marshes in this area, all located around its edges adjacent to the two rivers (there are no mills along the New Cut):

River Yare:

- Langley Detached Drainage Mill, Langley marshes, east bank: probably c. 1840-80. Three-storey red brick tower mill, c. 9.5 m high. Raven Hill (q.v.) is nearby.
- Six Mile House Drainage Mill/ Chedgrave detached, Langley Marshes/Chedgrave Detached, probably 1840-1880, tarred red brick tower, c. 8m tall; no cap. Located between Rivers Yare and Waveney and now isolated in soke dyke following flood relief works.

River Waveney:

- Black Drainage Mill, Belton Marshes, east bank opposite Belton: c. 1830, 3 storeys, unusual curved shape, cap recently replaced no sails
- Caldecott Drainage Mill, Fritton Marshes, east bank between Waveney Forest and Belton. Tarred red brick 3 storey tower mill formerly with scoop wheel. No cap or sails. Temporary corrugated iron roof (Norfolk Windmills Trust)
- Pettingell's/ Pettingell's Toft Monks, Chedgrave Marshes, west bank towards northern end of Waveney Forest: probably erected around 1795 – 1825. Derelict small red brick tower, no cap, with adjoining engine shed. Seven Mile House is nearby but not adjacent
- Toft Monks Drainage Mill, Toft Monks Marshes, west bank: 19<sup>th</sup> C, 4 storey red brick tower converted to house replacement black rubber effect cap.
- Fritton Marsh Drainage Mill, Fritton Marsh, north bank: circa 1830, derelict tarred red brick 3 storey tower mill. No cap or sails. Low pitched corrugated roof. Upper gearing in situ, also pit wheel and crown. Latterly tractor driven.
- St Olaves Drainage Mill, north bank at St Olaves: – site circa 1820, existing mill circa 1810, replaced a smock mill. Black slender boarded square tower on brick and concrete base. Originally peg skeleton frame, later boarded. Cap and scoop wheel identical to Hobb's Mill, Horning.

Other mills located outside the sub-area but visible from Haddiscoe Island;

- 
- Berney Arms, west bank: c. 1865, the tallest and one of the largest mills in Broadland– see entry for Halvergate
- Polkeys, Cadges and North Mills – see entry for Halvergate.
- Norton Drainage Mill, S.W. of Reedham River Yare.

Other buildings:

- Seven Mile House, Stockton detached, may be partly early 18<sup>th</sup> century, occupying a medieval site as a demesne farm.
- Raven Hall – thatched post-medieval building, 17<sup>th</sup> C structure, probably occupying a medieval site. Near Langley Detached Mill.
- Haddiscoe Church is a local landmark on the southern upland edge. It is a fine round tower Saxon church, a sign of early prosperity in the Waveney valley. The Norman tower door shows continuity after the Norman conquest of 1066.
- Round tower church at Thorpe next Haddiscoe, again a landmark on the upland edge, with a flint tower, thatched roof and a redbrick chancel.
- Thorpe Hall is a rendered 15<sup>th</sup> century house with a red tile roof associated farm buildings and old redbrick garden walls, set also on the very undulating estuary edge.
- Isolated farmsteads along the New Cut of recent construction and surrounded by cypress hedges.

#### **Appendix 4**

##### **Listed structures and scheduled ancient monuments in the Halvergate Marshes conservation area.**

###### *River Yare*

- Berney Arms Mill – scheduled ancient monument
- Cadges Mill – grade II
- Langley Detached – Grade II
- Polkey's Drainage Mill – grade II\*
- Six Mile House Drainage Mill - grade II

###### *River Bure*

- Ashtree Farm Drainage Mill – grade II
- Runham Swim Mill – grade II
- Runham Drainage Mill (north) – grade II
- Commission Drainage Mill – grade II
- Five Mile House Drainage Mill – grade II
- Mautby Marsh Drainage Mill grade II
- Six Mile House (Perry's) – grade II
- Stracey Arms Drainage Mill – grade II\*

###### *Wickhampton/Halvergate/South Walsham Marshes and Halvergate Fleet;*

- High's Mill – grade II
- Howard's (South Walsham) Mill – grade II
- Kerrison's Level Drainage Mill – grade II
- Mutton's Mill – grade II\*
- Stone's Mill – grade II
- Lockgate Mill – grade II

###### *Tunstall Dyke*

- Tunstall Dyke Drainage Mill – grade II
- Tunstall Dyke Smock Mill – grade II

###### *River Waveney*

- Belton Black Drainage Mill – grade II
- Caldecott Drainage Mill – grade II

- Fritton Marsh Drainage Mill – grade II
- Pettingell's Drainage Mill – grade II
- St Olave's Drainage Mill – grade II\*
- Toft Monks Drainage Mill – grade II

*Others;*

Raven Hall – grade II

## **Appendix 5**

### **Landscape and ecological designations**

The landscape is protected by:

- Broads National Park designation
- Broadland Ramsar
- Breydon Water Ramsar (includes part of south of Halvergate)
- Breydon Water SPA (includes part of south of Halvergate)
- Breydon Water SSSI (adjacent to area)
- Broadland SPA
- The Broads SAC
- Broads ESA
- Breydon Water LNR (adjacent to area)
- Halvergate Marshes SSSI
- Damgate Marshes, Acle SSSI
- Acle Lands Trust (Nature Reserve)

## **Appendix 6**

### **Sources and references**

- The Norfolk Broads, A landscape history, Tom Williamson, Manchester University Press 1997
- Landscape Character Assessment, Broads Authority, 2006
- Landscape Sensitivity Study for Renewables & Infrastructure 2012
- The Land Use, Ecology and Conservation of Broadland, Martin George
- National Planning Policy Framework, 2012, DCLG
- Planning Practice Guidance for NPPF, 2014, DCLG
- Understanding Place, Conservation Area Designation, Appraisal and Management, English Heritage 2010
- National Heritage List for England
- Norfolk Heritage Explorer
- The Buildings of England, Norfolk: Norwich and North-East, Nicholas Pevsner and Bill Wilson

## **Appendix 7**

### **Broads Authority Guidance leaflets**

- Keeping the Broads Special
- Do I need Planning Permission?
- How do I apply for Planning Permission?
- Building at the Waterside – A guide to design of waterside buildings in the Broads Authority area
- Environment and Landscape – How do I plan and manage trees and scrub alongside rivers?
- Development and Flood Risk in the Broads
- Riverbank Protection Works – A guide for riparian landowners
- Sustainability Guide – Sustainable development in the Broads

## **Appendix 8**

### **Contact details and further information.**

The Broads Authority  
Yare House  
62 – 64 Thorpe Road  
Norwich  
NR1 1RY  
Tel: 01603 610734  
Website: [www.broads-authority.gov.uk](http://www.broads-authority.gov.uk)  
Norfolk Historic Environment Service  
Union House  
Gressenhall  
Dereham,  
Norfolk NR20 4DR  
Tel 01362 869280  
Website: [www.heritage.norfolk.gov.uk](http://www.heritage.norfolk.gov.uk)

**Duty to Cooperate**  
**Formal Cooperation Through a Shared Non-Statutory Strategic Framework**  
Report by Planning Policy Officer

<b>Summary:</b>	Formal cooperation on Planning Policy matters with councils in Norfolk through a non-statutory strategic framework would assist in discharging the duty to co-operate requirements as well as potentially lead to efficiency savings in commissioning a joint evidence base.
<b>Recommendation:</b>	<p>That the Planning Committee agree to the Broads Authority being part of the formal cooperation through a shared non-statutory strategic framework subject to later agreement of:</p> <ul style="list-style-type: none"><li>• Amended terms of reference for the member Duty to Cooperate Group</li><li>• Appropriate officer and member working arrangements</li><li>• Budget and timetable issues</li></ul>

## 1 Introduction

- 1.1 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.
- 1.2 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.
- 1.3 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.
- 1.4 The Localism Act states that relevant bodies must '*...engage constructively, actively and on an ongoing basis...*'



- 1.5 This report sets out the proposed approach to meet this requirement with the Councils in Norfolk.

## **2 Duty to Cooperate in the (Planning) Headlines...**

- 2.1 There have recently been a large number of local plans nationally which have been stalled or halted, at great expense, by failure to address duty to cooperate requirements.

Oxford housing chief  
criticises neighbours over  
duty to cooperate

High Court to test application  
of duty

Core strategy to be withdrawn  
after duty to cooperate failure

Luton Council launches legal  
challenge against neighbour  
over 'failure to cooperate'

## **3 The Broads Authority and Duty to Co-operate to Date**

- 3.1 It is important to note that, in her report on the examination of the Sites Specifics Local Plan (adopted July 2014), the Inspector said of Duty to Cooperate undertaken by the Broads:

*'From the submitted evidence I consider that the BA has worked closely throughout the period of plan preparation with the relevant prescribed bodies and persons, other statutory and regulatory organisations, and other authorities. Therefore, taking all factors into consideration, I am satisfied that this amounts to constructive, active engagement on an ongoing basis. Consequently, the duty to co-operate has been fulfilled.'*

- 3.2 The Authority continues to cooperate in the following ways:

- a) Duty to co-operate workshops set up with county and neighbouring councils
- b) Regular attendance at Norfolk Strategic Planning Officers Group
- c) Regular attendance at Norfolk Duty to Co-operate (DTC) Member Forum
- d) Suffolk Strategic Planning Officers Group
- e) Involvement in neighbouring council's Strategic Housing Market Assessments.
- f) Involvement in Gypsy and Traveller Accommodation Assessments.
- g) Commissioning of joint work/evidence base

## **4 Formalising the Approach to Duty to Cooperate**

- 4.1 Five different approaches to formalising duty to cooperate in Norfolk were presented to the DTC Member Forum at their meeting on 14 January 2015. These are:

- 1. Informal cooperation (i.e. continue the current approach)

2. Structured cooperation through a memorandum of understanding
  3. Formal cooperation through a shared non-statutory strategic framework
  4. A statutory joint strategic plan
  5. A statutory single local plan.
- 4.2 More detail on each of these methods can be found at Appendix A which is the paper that went to the DTC Member Forum.
- 4.3 The DTC Member Forum agreed the recommendation that Norfolk Local Planning Authorities consider and endorse option 3: formal cooperation through a shared non-statutory strategic framework. It was considered that options 1 and 2 did not go far enough and option 4 and 5 went too far and would be unwieldy to produce and manage.
- 4.4 Formal cooperation through a shared non-statutory strategic framework:
- Is an approach used in Cambridgeshire
  - Has been used successfully in some examinations of Local Plans in that area
  - Will involve the production of a document which covers some cross boundary issues
  - Has the objective of each Local Planning Authority seeking to address the cross boundary issue as set out in the framework in their Local Plans
  - Will address cross boundary issues such as housing, flooding and green infrastructure
  - Will result in a framework that is non-statutory as it will not be examined by the Planning Inspectorate
  - May require a small team (of around 2 FTE staff) employed to manage the production of the framework
  - Will enable joint evidence base commissioning which could result in cost savings in the long term
  - Will address the issue of housing allocations around the county with benefits to the Broads – that is to say that the approach as set out in the Memorandum of Understanding relating to housing numbers will provide evidence for each local plan through which the housing numbers could be formalised
  - Will have a governance structure in place which should help to address any potential differences in views on issues of cooperation.
- 4.5 Following the DTC Member Group Forum, officers will produce further detailed papers that address the following issues:
- Governance structure
  - Officer involvement
  - Resources and Budget

## **5 Suffolk County Council and Waveney District Council**

- 5.1 The approach discussed in this paper covers the Councils in Norfolk only. Cooperating with Suffolk County Council and Waveney District Council is of great importance to the Broads Authority as well. Indeed, Norfolk districts which border Suffolk (and other counties) need to cooperate outside Norfolk as well.
- 5.2 The Norfolk DTC Member Group is aware of the requirement to cooperate beyond Norfolk and that is something to be considered as the plans for producing the framework are worked up in detail initial discussions have already taken place with Suffolk authorities.
- 5.3 With regard to the Broads Authority, bilateral discussions with Waveney and Suffolk will be required to meet the DTC requirements. Furthermore, Councillor Barnard sits on Planning Committee and is part of the Waveney Local Plan working group and thus provides a member-level link between Waveney and the Broads Authority.

## **6 Financial Implications**

- 6.1 A paper is being produced for the next Duty to Cooperate Member Group Forum covering the likely resource implications. It is anticipated that officer time, a monetary contribution of around £10k per year or a combination of officer time and monetary contribution could be required to facilitate the production of the shared non-statutory strategic framework.
- 6.2 There will likely be a contribution to evidence base production as well. Again, it is not known how this would work in practice, but this will be researched and discussed at the next Duty to Cooperate Member Group Forum. There are likely to be cost savings as a result of economies of scale.

## **7 Conclusion**

- 7.1 Duty to Cooperate is an important element of Local Plan making. There are examples where Plans have been withdrawn or have failed their examination because the approach has not been adequate.
- 7.2 The Authority does continue to cooperate with relevant organisations, but the Authority's approach (and indeed that of our constituent councils) needs to be formalised.
- 7.3 The Non-Statutory Shared Strategic Framework for Norfolk will formalise the county's approach to the Duty to Cooperate. It is a format that has been used elsewhere in the region with success in examinations of Local Plans.
- 7.4 This framework will set out agreed approaches to common cross boundary issues across the county for the Local Planning Authorities to seek to address in their Local Plans.

- 7.5 There will be an element of staff and/or monetary contribution to produce the framework which will be set out in a subsequent report for consideration.
- 7.6 It is recommended that Planning Committee agree to the Broads Authority being part of the formal cooperation through a shared non-statutory strategic framework subject to later agreement of:
- Amended terms of reference for the member Duty to Cooperate Group
  - Appropriate officer and member working arrangements
  - Budget and timetable

Background papers: None

Author: Natalie Beal  
Date of report: 15 January 2015

Appendices: APPENDIX A - Report to the Norfolk Duty to Cooperate Member Forum

**Norfolk Duty to Cooperate Member Forum – 14<sup>th</sup> January 2015**

**Duty to Cooperate Options Report**

**Purpose**

1. The purpose of this report is to set out options to the Norfolk Duty to Cooperate Member Forum on how best to address the government's requirements for local planning authorities (LPAs) to cooperate on cross-boundary issues through their Local Plans. It presents 5 potential options and recommends that option 3, formal cooperation through a shared non-statutory strategic framework, should be progressed.

**The NPPF**

2. The NPPF states (paragraph 181) that *“Local planning authorities will be expected to demonstrate evidence of having effectively cooperated to plan for issues with cross-boundary impacts when their Local Plans are submitted for examination. This could be by way of plans or policies prepared as part of a joint committee, a memorandum of understanding or a jointly prepared strategy which is presented as evidence of an agreed position.*
3. It also states (in paragraphs 156 and 162) that Local Plans should include strategic policies, and LPAs should work with other authorities and providers to meet forecast demands and deliver:
  - homes and jobs;
  - retail, leisure and other commercial development;
  - infrastructure for transport, telecommunications, waste management, water supply, wastewater, flood risk and coastal change management;
  - minerals and energy (including heat);
  - health, security, community and cultural infrastructure and other local facilities;
  - climate change mitigation and adaptation, conservation and enhancement of the natural and historic environment, including landscape;
  - nationally significant infrastructure.
4. It is a fundamental principle of the Duty to Cooperate that it should be member led.

### **The role of the Norfolk Duty to Cooperate Member Forum**

5. The Terms of Reference of the Norfolk Duty to Cooperate Member Forum (attached as appendix 1) state that the objectives of the group are:
  1. To discuss strategic planning issues that affect local planning authorities
  2. To understand the viewpoints of other authorities
  3. To consider comment upon and potentially commission relevant supporting evidence base to support local plans (as appropriate)
  4. To consider the need for joint or coordinated working on particular topics or evidence
  5. To coordinate if at all possible timelines for the production of plans.

### **Recent progress**

6. At the Duty to Cooperate Member Forum on 23rd January 2014 different examples of approaches to addressing the requirements of the Duty to Cooperate from around the country were presented to members.
7. It was recommended that a coordinated planning approach is required, based on a joint or coordinated set of Strategic Housing Market Assessments (SHMAs) with agreed housing numbers in each Local Plan and that effective strategic planning will require strong links to strategic economic planning.
8. Members agreed that the first step towards this was to produce a Compendium bringing into one place the current strategic elements of the adopted local plans around Norfolk. This Compendium has now been produced.
9. In addition to this, a Duty to Cooperate Schedule covering a variety of issues including the need for an overarching strategic framework, evidence supporting local plans and the coordination timescales for plan making has been produced.
10. Members have agreed that evidence, whether commissioned by individual local authorities or collectively, will look forward 20 years to 2036.
11. Despite the above progress having been made, no specific commitment yet has been made to implementing a means of addressing the Duty to Cooperate requirements. Up to now, there does not appear to have been full recognition of the importance of the process at all

levels in the district councils. All LPAs in the area risk facing significant issues in progressing their Local Plans if significant steps are not taken to meet Duty to Cooperate requirements.

12. Effective coverage of strategic issues such as housing, jobs, transport and water is necessary to meet the NPPF requirement to promote sustainable development and to assist economic growth whilst providing for environmental protection. In addition, effective cooperation should lead to significant cost savings.

### **The Options**

13. Options 1 to 5 below set out different potential approaches to addressing the Duty to Cooperate, along with advantages, issues and risks associated with each.

14. Options 1 to 5 are:

1. Informal cooperation (i.e. continue the current approach)
2. Structured cooperation through a Memorandum of Understanding
3. Formal cooperation through a shared non-statutory strategic framework
4. A statutory Joint Strategic Plan
5. A statutory single Local Plan.

**Option1 - Informal cooperation** (i.e. continue current approach)

The current structure would be retained with the Strategic Planning Officers Group progressing the work through the Member Forum, with the forum making recommendations to individual authorities. The process would be documented via minutes of officer meetings and forum/council resolutions. Expected outcomes would not be formalised at the outset and the degree to which each authority cooperated would remain a matter for each council. Individual authorities produce their own Local Plan and may commission joint evidence base with other authorities as necessary and relevant.

Structure	Method	Advantages	Issues / Risks
Norfolk strategic planning member forum	1. Continue use of current Terms of Reference in appendix 1 2. Informal agreement on specific issues as they arise. 3. Shared evidence base and/or /shared approach to evidence collection at different geographical scales dependent on issue	This is the least prescriptive approach which potentially enables individual authorities to maximise control over their plan making processes	Inability to agree on key issues (e.g. housing numbers) risks leading to failure to reach the Local Plan examination stage. In November 2014 alone, there were four examples <sup>1</sup> of authorities having their plans delayed or significantly amended as a result of failing to address housing need issue.
		Decision making powers are retained at the district level	Approach vulnerable to challenge – each local authority will have to prove its case on housing numbers at each Local Plan examination with no formal coordination
			Whilst short term costs may be low, the costs of producing an evidence base are difficult to predict without a careful analysis of existing strategic evidence having been done. Therefore this approach risks unnecessary work being undertaken by consultants. The financial and reputational costs of any failure to progress Local Plans to examination on Duty to Cooperate issues would be very high.

<sup>1</sup> Cheshire East, South Worcestershire, East Staffordshire and Chiltern



## **Option 2 – Structured cooperation through a Memorandum of Understanding**

Under option 2 the current structure would be retained with the Strategic Planning Officers Group progressing the work through the Member Forum, with the forum making recommendations to individual authorities. The process would be documented via minutes of officer meetings and forum/council resolutions. In addition, each authority would make a formal commitment to a 'Memorandum of Understanding' (MoU). This would be a formal agreement between the authorities to cooperate on strategic issues, setting out the issues the authorities would cooperate on and principles for how the LPAs would work together e.g.

*Principle 1 – All authorities will agree to common principles on the implementation of green infrastructure.*

Individual authorities would produce their own Local Plan and commission joint evidence with other authorities as necessary and relevant.

Structure	Method	Advantages	Issues / Risks
Norfolk Strategic Planning Member Forum making recommendations to each authority  Lead officers in each district	1. Memorandum of Understanding 2. Revised Terms of Reference 3. Shared evidence base and/or /shared approach to evidence collection at different geographical scale dependent on issue	Enables each district to have significant control over their plan making processes	Possibly insufficient commitment to meet local plan duty to cooperate requirements
			Depending on the content of the MoU, there may be potential for inability to agree on key issues e.g. housing numbers, which risks leading to failure to reach Local Plan examination stage
		Decision making powers are retained at the district level	Approach somewhat vulnerable to challenge – each local authority will have to prove its case on housing numbers at each Local Plan examination with limited coordination
		Would support integration and alignment of strategic spatial and investment priorities	The costs of collecting the evidence base are difficult to predict without a careful analysis of existing strategic evidence having been done. Therefore this approach risks unnecessary work being undertaken by consultants. Whilst short term costs may be low, the financial and reputational costs of any failure to progress Local Plans to examination on Duty to Cooperate issues would be very high.

Example - Memorandum of Understanding between authorities in **Somerset** and **Dorset**:

[http://www.southsomerset.gov.uk/media/568924/ssdc\\_h55.pdf](http://www.southsomerset.gov.uk/media/568924/ssdc_h55.pdf)

The South Somerset Local Plan has had its plan making process delayed for over a year, but this relates to the approach to sustainability appraisal rather than the overall housing numbers for the district. Thus it appears that in this case Duty to Cooperate issues have been effectively addressed by this approach.

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### **Option 3 - Formal cooperation through a shared non-statutory strategic framework**

The current structure would be retained with the Strategic Planning Officers Group progressing the work through the Member Forum, with the forum making recommendations to individual authorities. A dedicated staff team would greatly assist the implementation of this approach. The process would be documented via minutes of officer meetings and forum/council resolutions. In addition, each authority would make a formal commitment to the preparation and delivery of a non-statutory Joint Strategic Framework which would agree the approach to cross boundary strategic issues, e.g. housing numbers; jobs growth targets; cross boundary infrastructure etc. The LPAs would sign up to a series of objectives on strategic issues which they would then address in their Local Plans. This is similar to the approach taken in Cambridgeshire and Peterborough (see example below the table).

Structure	Method	Advantages	Issues / Risks
<p>Norfolk Strategic Planning Member Forum making recommendations to each authority</p> <p>Probably requires small dedicated officer team to deliver either with seconded or new staff</p>	<ol style="list-style-type: none"> <li>1. Amended Terms of Reference</li> <li>2. Non-statutory shared strategic framework on housing numbers</li> <li>3. Additional non-statutory document covering broad spatial approach to other duty to cooperate issues e.g. water, economic development, energy, natural environment (2 and 3 could be combined)</li> <li>4. Shared evidence base and/or /shared approach to evidence collection at different geographical scales dependent on issue.</li> </ol>	Reasonably comprehensive approach meets NPPF and Duty to Cooperate requirements to plan for issues with cross-boundary impacts and fully meet objectively assessed needs, providing housing targets for each district	Issue of housing numbers still likely to be raised (generally by developers) at each Local Plan examination as new evidence arises, but evidence base can be updated to reflect this
		'Light touch' approach to loss of statutory strategic regional planning which enables promotion of coordinated, sustainable growth	Potential need to undertake sustainability appraisal as part of this process, though recent experience in East Cambs. and Fenland suggests this may not be necessary.
		Makes recommendations for policy approaches in Local Plans - decision making powers retained at the district level	There has not been the same history of cooperation on strategic issues within Norfolk (or in Norfolk and Suffolk) as there has been in Cambs. and Peterborough e.g. Cambridgeshire Horizons

		Work on the framework can assist in identifying when, where and at what scale evidence (as set out in the Schedule of Future Evidence Work Report) is required. Cooperation on evidence will ensure a coordinated approach to other strategic issues in Local Plans and would potentially lead to significant cost savings	Need to explore willingness to fund an officer team. Such costs may be reduced if applied over a wide area or if the LEP contributes to funding
		The creation of a dedicated officer team could provide a 'neutral space' for discussion and mediation between authorities	
		Allows for effective coordination with the Strategic Economic Plan (SEP), incorporating strategic spatial planning in the economic planning for the area	

Example: **Cambridgeshire / Peterborough** have produced the [Cambridgeshire and Peterborough Memorandum of Cooperation - Supporting the Spatial Approach 2011-2031](#). This document addresses the requirements of paragraph 181 of the NPPF. It is a non-statutory document which sets out agreed levels of future housing growth. By demonstrating that emerging district-level strategies contribute to a strategic, area-wide vision, objectives and spatial strategy, it provides additional evidence of how the Duty to Cooperate is being met in the area.

More recently, the authorities have supplemented the memorandum with [Strategic Spatial Priorities: Addressing the duty to cooperate across Cambridgeshire & Peterborough 2014](#). This document highlights how the local authorities have addressed the Duty to Cooperate across a number of other strategic priorities as required by paragraphs 156 and 162 of the NPPF, providing objectives and policy recommendations for Local Plans on cross-cutting issues such as economic development, design, water and energy.

These documents have recently successfully been used as evidence for the East Cambridgeshire and the Fenland Local Plans. Cambridge and South Cambridgeshire are currently using the evidence to support the joint examinations of their Local Plans.

The support work to help develop this coherent approach to planning across the area is provided by the Cambridgeshire & Peterborough Joint Strategic Planning Unit (JSPU). Its two members of staff, paid for by contributions of £10k per year from the seven districts involved, are employed through the county council and hosted at a district council (South Cambs.). The governance structure used includes:

- A dedicated cross-party members group
- The Public Service Board (Chief Executives)
- Senior Officer Groups – consisting of staff from both local authorities and the LEP
- Working groups and project teams.

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#### **Option 4 - Joint Strategic Plan**

This would be a comprehensive statutory strategic plan which would form part of the Local Plan for each district. The plan and approach would be similar in nature to the Joint Core Strategy. More formal joint member decision making structures may be necessary if such an approach were taken, although the process used for the Joint Core Strategy required decisions to be made at constituent councils.

Structure	Method	Advantages	Issues / Risks
<p>Most likely binding joint member decision making group (possibly through a combined authority), although could be done through Norfolk Strategic Planning Member Forum making recommendations to each authority</p> <p>Probably requires small dedicated officer team to deliver either with seconded or new staff</p>	<p>Statutory joint strategic plan covering housing numbers, economic development and transport examined once and adopted by all authorities as part of their Local Plan</p> <p>Each LPA would also produce separate Local Plan documents covering development management policies and site allocations</p>	Provides the greatest certainty and coordination for key strategic issues	Potentially an unsuitable structure given the large geographical area, the differing characteristics of the districts and their current progress with plan making. This emerging approach is currently mainly being taken in conurbations
		Allows for effective coordination with the LEP SEP, incorporating strategic spatial planning in the economic planning for the area	Issue of housing numbers still likely to be raised at each Local Plan examination
			Issue of whether this of approach meets NPPF requirement that each LPA should set out its planning strategy with other policies in their Local Plan (paragraph 156), unless the production of additional development plan documents is clearly justified (paragraph 153)
			Need to explore willingness to fund an officer team. Costs may be reduced if applied over a wide area or if the LEP contributes to funding. Each LPA would have to fund joint strategic planning document production and separate documents for sites and development management.

Examples:

The **Greater Manchester** Spatial Framework, envisaged as a statutory joint strategic plan to manage the supply of land to support jobs and new homes, is at an early stage of production. There has recently been an initial consultation on evidence for future growth to identify the priorities the plan should address. It is available at:

[http://www.agma.gov.uk/what\\_we\\_do/planning\\_housing\\_commission/greater-manchester-spatial-framework/index.html](http://www.agma.gov.uk/what_we_do/planning_housing_commission/greater-manchester-spatial-framework/index.html)

A number of authorities in the **West Midlands** have committed to a similar approach, and are looking to gain additional support. For more information, see [http://www.planningportal.gov.uk/general/news/stories/2014/november14/131114/131114\\_1\\_](http://www.planningportal.gov.uk/general/news/stories/2014/november14/131114/131114_1_).

More recently, a spokesman announced that **London** mayor Boris Johnson is keen to create a strategic regional plan covering the capital and the greater South East and is organising a summit next spring to discuss the issue with Home Counties council chiefs.

### **Option 5 – Joint Local Plan**

A Joint Local Plan would not only cover strategic issues, but also site allocations and development management policies for all of the districts in a single, area wide, Local Plan. More formal joint member decision making structures would be likely to be necessary if such an approach were taken.

Structure	Method	Advantages	Issues / Risks
<p>Most likely binding joint member decision making group (possibly through a combined authority), although could be done through Norfolk Strategic Planning Member Forum making recommendations to each authority</p> <p>Probably requires dedicated officer team to deliver either with seconded or new staff</p>	<p>Joint Local Plan covering strategic issues, site allocations and development management examined once and adopted by all authorities</p>	Provides coordination of key strategic issues with implementation through site allocations and detailed development management policies	<p>Unsuitable structure given the large geographical area and differing characteristics of the districts</p> <p>Disproportionate approach - coordination of site allocations across a number of districts through a single Local Plan would be likely to be highly problematic</p>
		Allows for effective coordination with the LEP SEP, incorporating strategic spatial planning in the economic planning for the area	Costs of a dedicated team to cover area wide single Local Plan would be likely to be high, though this would be offset to a certain extent as there would not be the need for each LPA to produce its own Local Plan.
		Economies of scale as all evidence base shared	Could be perceived as an approach which does not comply with government's focus on localism

Examples:

We have not been able to identify any examples of a number of districts producing a single Local Plan. However, there are county wide unitary authorities such as Cornwall and Wiltshire, which are both producing Local Plans consisting of separate strategic and site allocations plans. See:

<http://www.cornwall.gov.uk/environment-and-planning/planning/planning-policy/cornwall-local-plan/?page=17394>  
<http://www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/wiltshirecorestrategy/wiltshirecorestrategyexamination.htm>



## **Discussion**

15. Options 1 to 4 would enable the timeframes of individual Local Plans to be coordinated and for a shared evidence base and/or /shared approach to evidence collection at different geographical scales dependent on relevant issues to be covered.
16. Options 1 to 3 would be non-statutory approaches, retaining all decision making powers at the district level, with testing of the Duty to Cooperate requirements taking place after the submission of each district's single document Local Plan. Options 4 and 5 would involve the production of area wide statutory plans. Option 4 would be an area wide strategic plan which would form part of the Local Plan for each district. Option 5 would be a single Local Plan for the whole area. Options 4 and 5 would probably necessitate the establishment of a joint member decision making group or a combined authority, although the approach taken for the Joint Core Strategy for Broadland, Norwich and South Norfolk (JCS) requiring all decisions to be made by each district council could potentially be used.
17. Short term costs generally increase from options 1 up to 5, but as risks of failing on the Duty to Cooperate generally decrease accordingly, options 1 and 2 could ultimately prove by far the most expensive. Options 1 and 2 would not involve a detailed analysis of the existing evidence base or the production of a document setting out housing numbers. Therefore they risk potentially unnecessary consultancy work being done which would be better done by an experienced strategic planning unit undertaking analysis of the existing evidence base and identifying areas in which new evidence is required. Whilst there would be staff costs associated with option 3, long term cost savings could result from analysis of the existing evidence base before identifying any additional evidence work required. Any cost savings from evidence gathering for option 4 are likely to be offset by the additional spending required in taking a formal strategic plan through examination to adopt it as part of each district's Local Plan. Option 5 could bring some economies of scale, though the costs of a dedicated team to produce an area wide single Local Plan would be likely to be high.
18. Options 2 to 5 could involve a commitment by each local authority, subject to local space and environmental constraints, to agree to maximise the potential to meet their own housing needs within their own boundaries.
19. All options could apply at different geographical scales and could also involve Suffolk authorities subject to all parties agreeing this. This would enable coordination of planning with the economic role of the LEP through its Strategic Economic Plan (SEP). Options 3 - 5 in particular would allow for strategic spatial planning, currently not part of the SEP, to be incorporated in the approach to development taken by the LEP, helping to address barriers to economic growth.

## **Conclusion**

20. The evidence above and the experience of other authorities suggest that we need to take a more formal approach so option 1 is not favoured. Options 4 and 5 are considered too unwieldy and uncertain. Therefore, realistically, the choice is between options 2 and 3, or some hybrid between them. Of these two options, option 3 is favoured because:

- there are recent examples of this approach successfully addressing NPPF requirements in Fenland and East Cambridgeshire
- it demonstrates shared commitment and partnership which can be used to access funding, so is likely to secure positive outcomes and appropriate infrastructure
- it has the potential to enable strategic planning to be tied with economic planning in the SEP
- It has significant potential to save money for each district when preparing its Local Plan.

### **Recommendation**

It is recommended that the forum to agrees to:

1. Endorse the principle of option 3, formal cooperation through a shared non-statutory strategic framework.
2. Recommend that each constituent authority agrees formally to take forward the option 3 at its earliest convenience subject to later agreement of:
  - A) Amended terms of reference for the member Duty to Cooperate Group;
  - B) Appropriate officer and member working arrangements; and
  - C) Budget and timetableto support preparation of the shared non-statutory framework.
3. Instruct officers to prepare detailed reports on matters 2 A-C for consideration at the next member Duty to Cooperate meeting.

Report prepared by Mike Burrell, Norwich City Council, 8th December 2014

**Enforcement Update**  
Report by Head of Development Management

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

**Recommendation:** That the report be noted.

## 1 Introduction

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

Committee Date	Location	Infringement	Action taken and current situation
5 December 2008	"Thorpe Island Marina" West Side of Thorpe Island Norwich (Former Jenners Basin)	Unauthorised development	<ul style="list-style-type: none"> <li>• Enforcement Notices served 7 November 2011 on landowner, third party with legal interest and all occupiers. Various compliance dates from 12 December 2011</li> <li>• Appeal lodged 6 December 2011</li> <li>• Public Inquiry took place on 1 and 2 May 2012</li> <li>• Decision received 15 June 2012. Inspector varied and upheld the Enforcement Notice in respect of removal of pontoons, storage container and engines but allowed the mooring of up to 12 boats only, subject to provision and implementation of landscaping and other schemes, strict compliance with conditions and no residential moorings</li> <li>• Challenge to decision filed in High Court 12 July 2012</li> <li>• High Court date 26 June 2013</li> </ul>

Committee Date	Location	Infringement	Action taken and current situation
			<ul style="list-style-type: none"> <li>• Planning Inspectorate reviewed appeal decision and agreed it was flawed and therefore to be quashed</li> <li>• “Consent Order “has been lodged with the Courts by Inspectorate</li> <li>• Appeal to be reconsidered (see appeals update for latest)</li> <li>• Planning Inspector’s site visit 28 January 2014</li> <li>• Hearing held on 8 July 2014</li> <li>• Awaiting decision from Inspector</li> <li>• Appeal allowed in part and dismissed in part. Inspector determined that the original planning permission had been abandoned, but granted planning permission for 25 vessels, subject to conditions (similar to previous decision above except in terms of vessel numbers)</li> <li>• Planning Contravention Notices issued to investigate outstanding breaches on site</li> <li>• Challenge to the Inspector’s Decision filed in the High Courts on 28 November 2014</li> <li>• Acknowledgment of Service filed 16 December 2014. Court date awaited</li> <li>• <b>Section 73 Application submitted to amend 19 of 20 conditions on the permission granted by the Inspectorate</b></li> <li>• <b>Appeal submitted to PINS in respect of Section 73 Application</b></li> </ul>
23 April 2010	Land at OS4229 at North End, Thurlton	Unauthorised storage of non-agricultural items	<ul style="list-style-type: none"> <li>• Enforcement Notices re-served on 25 February 2013, on advice of Solicitor</li> <li>• Appeal against Enforcement Notice received. Hearing requested</li> <li>• Written representations appeal in process</li> </ul>

Committee Date	Location	Infringement	Action taken and current situation
10 October 2014			<ul style="list-style-type: none"> <li>• Planning Inspector's site visit 8 January 2014</li> <li>• Appeal dismissed</li> <li>• Compliance required by 18 January and 15 April 2014</li> <li>• Site visit 11 March showed limited clearance undertaken</li> <li>• Extension of time for compliance to 30 April 2014 agreed by Committee on 28-03-14</li> <li>• Full Compliance not achieved</li> <li>• Authority given at 23 May meeting to commence prosecution proceedings in consultation with the Solicitor</li> <li>• Solicitor instructed and prosecution papers in preparation</li> <li>• Appellant interviewed 11 July and committed to full clearance by 8 August. Site to be monitored.</li> <li>• Site not cleared, but good progress being made</li> <li>• Fence not removed. Authorisation to take direct action</li> <li>• Contractor instructed</li> <li>• Direct action taken 6 November 2014 and fence removed.</li> <li>• <b>Seeking recovery of costs</b></li> </ul>
17 August 2012	The Ferry Inn, Horning	Unauthorised fencing, importation of material and land-raising and the standing of a storage container	<ul style="list-style-type: none"> <li>• Enforcement Notice served in respect of trailer on 25 September 2013.</li> <li>• <b>Compliance required by 11 November 2015</b></li> </ul>
1 March 2013	Former Piggery Building adj to Heathacre, Chedgrave	Unauthorised conversion and change of use to residential	<ul style="list-style-type: none"> <li>• Authority to serve an Enforcement Notice requiring the removal of the conversion of the building as a dwelling and the restoration of the site to its previous use as an agricultural building, with a compliance period of six months</li> </ul>

Committee Date	Location	Infringement	Action taken and current situation
	Common		<p>and authority to take prosecution, if necessary;</p> <ul style="list-style-type: none"> <li>that in the event that the proposed enforcement action is outside the time limits set out in section 171B of the Town and Country Planning Act 1990, authority, in consultation with the Solicitor, given to proceed with a planning enforcement order in the Magistrates Court</li> <li>Investigations underway</li> <li>Enforcement Notice issued 1 October 2013</li> <li>Appeal documents received 8 November 2013. Public Inquiry scheduled for 10 and 11 June 2014.</li> <li>Appeal dismissed and Enforcement Notice corrected, upheld 24-7-14</li> <li><b>Compliance required by 24 January 2015</b></li> </ul>
8 November 2013	J B Boat Sales, 106 Lower Street, Horning	Unauthorised building of new office not in accordance with approved plans	<ul style="list-style-type: none"> <li>Authority for serving an Enforcement Notice in consultation with the solicitor requiring the removal of a prefabricated building and restoration of site, with a compliance period of three months. Authority to prosecute in the event of non-compliance</li> <li>Enforcement Notice served 19 November 2013</li> <li>Compliance required by 6 April 2014</li> <li>Negotiations underway regarding planning application.</li> <li>Compliance not achieved and no application submitted</li> <li>Solicitor instructed to commence Prosecution proceedings</li> <li><b>Case to be heard in Norwich Magistrates Court on 28 January 2014</b></li> </ul>
10 October 2014	Wherry Hotel, Bridge Road, Oulton Broad –	Unauthorised installation of refrigeration unit.	<ul style="list-style-type: none"> <li>Authorisation granted for the serving of an Enforcement Notice seeking removal of the refrigeration unit, in consultation with the Solicitor, with a compliance period of</li> </ul>

Committee Date	Location	Infringement	Action taken and current situation
			<ul style="list-style-type: none"> <li>three months; and</li> <li>authority be given for prosecution to proceed should the enforcement notice not be complied with.</li> <li>Planning Contravention Notice served</li> <li><b>Negotiations underway</b></li> </ul>
10 October 2014	Land at Newlands Caravan Park, Geldeston	Unauthorised Erection of structures comprising toilet/shower unit, open fronted storage building and small shed	<ul style="list-style-type: none"> <li>landowner to be invited to submit a planning application for the unauthorised structures</li> <li>if no planning application is submitted within three months, authority granted to serve an Enforcement Notice in consultation with the Solicitor requiring the removal of the unauthorised structures with a compliance period of three months</li> <li>authority given to proceed with prosecution of the owner should the enforcement notice not be complied</li> <li><b>Deadline of 15 January 2015 for receipt of valid application</b></li> <li><b>No application received at 15 January 2015</b></li> </ul>
5 December 2014	Staithe N Willow	Unauthorised erection of fencing	<ul style="list-style-type: none"> <li>Compromise solution to seek compliance acceptable subject to the removal of the 2 metre high fence by 31 October 2015</li> <li><b>Site to be checked 1 November 2015</b></li> </ul>

## **2 Financial Implications**

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

Background papers: BA Enforcement files

Author: Cally Smith  
Date of report 9 January 2015

Appendices: Nil



## Decisions made by Officers under Delegated Powers

Report by Director of Planning and Resources

**Broads Authority  
Planning Committee**

06 February 2015

Agenda Item No. 12

Summary: This report sets out the delegated decisions made by officers on planning applications from 15 December 2014 to 26 January 2015  
 Recommendation: That the report be noted.

Application	Site	Applicant	Proposal	Decision
<b>Ashby With Oby Parish Council</b>				
<b>BA/2014/0362/HOUSEH</b>	<b>2 Harrisons Farm Harrisons Farm Lane (track) Ashby With Oby Norfolk NR29 3BW</b>	<b>Mr Jonathan Crossley</b>	<b>Construction of detached timber garage on to concrete pad</b>	<b>Approved Subject to Conditions</b>
<b>Brundall Parish Council</b>				
<b>BA/2014/0300/FUL</b>	<b>Land At Brundall Gardens Marina Brundall Norfolk</b>	<b>Mr Samuel Dacre</b>	<b>Use of land for overflow car park, erection of gardeners store, realign quay heading, repair replace quay heading</b>	<b>Approved Subject to Conditions</b>
<b>BA/2014/0410/COND</b>	<b>Cane Rise 48 Riverside Estate Brundall Norwich Norfolk NR13 5PU</b>	<b>Mr Roger Hubbard</b>	<b>Variation of Condition 2 on pp 800120 for residency to be changed from 18 March to 31 October and 21 December to 4 January and run from 6 February to 5 January with no more than four weeks at a time</b>	<b>Approved Subject to Conditions</b>
<b>Carlton Colville Parish Council</b>				
<b>BA/2014/0370/FUL</b>	<b>Land At Suffolk Wildlife Trust Burnt Hill Lane Carlton Colville Lowestoft Suffolk NR33 8HU</b>	<b>Steve Aylward</b>	<b>Construction of an agricultural machine store</b>	<b>Approved Subject to Conditions</b>

Application	Site	Applicant	Proposal	Decision
<b>Claxton Parish Council</b>				
<b>BA/2014/0397/FUL</b>	<b>Claxton Manor Estate Farms The Street Claxton Norwich NR14 7AS</b>	<b>Mr &amp; Mrs J Heathcote</b>	<b>Proposed extension to existing building to create an agricultural machinery storage building as shown on drawings 1156-1 to 6.</b>	<b>Approved Subject to Conditions</b>
<b>Potter Heigham Parish Council</b>				
<b>BA/2014/0382/FUL</b>	<b>Bridge Stores Bridge Road Potter Heigham Great Yarmouth Norfolk NR29 5JD</b>	<b>Mr Jamie Clark</b>	<b>Replacement of wall cladding, replacement of external windows and introduction of new doors.</b>	<b>Approved Subject to Conditions</b>
<b>Repps With Bastwick Parish Council</b>				
<b>BA/2014/0355/HOUSEH</b>	<b>The Harbour Riverside Repps With Bastwick Great Yarmouth NR29 5JX</b>	<b>Mr &amp; Mrs N Duffield</b>	<b>Extension to create new kitchen.</b>	<b>Approved Subject to Conditions</b>
<b>Woodbastwick Parish Council</b>				
<b>BA/2014/0406/HOUSEH</b>	<b>The Pyghtle Broad Road Ranworth Norwich Norfolk NR13 6HS</b>	<b>Mr John Kemp</b>	<b>Erection of kitchen extension and lobby including associated alteration works and conservatory.</b>	<b>Approved Subject to Conditions</b>
<b>Wroxham Parish Council</b>				
<b>BA/2014/0392/HOUSEH</b>	<b>Broad House The Avenue Wroxham Norwich Norfolk NR12 8TS</b>	<b>Mr R Pain</b>	<b>Retrospective planning permission for re cladding existing boat house</b>	<b>Approved Subject to Conditions</b>

**Circular 28/83: Publication by Local Authorities of  
Information about the Handling of Planning Applications  
Development Control Statistics for the quarter ending 30 September  
(corrected)  
Report by Head of Planning**

**Summary:** This report sets out the development control statistics for the quarter ending 30 September 2014 (corrected).

**Recommendation:** That the report be noted.

**1. Development Control Statistics**

- 1.1 A report was prepared for the 5 December 2014 meeting of the Planning Committee setting out the development control performance statistics for the quarter ending 30 September 2014. Unfortunately there was an error in the calculation of these figures, which was the result of technical issues arising from the installation of upgraded software.
- 1.2 The statistics have now been recalculated and the correct figures are set out below. Members will be pleased to note that the corrected figures show that the LPA met all the Government targets for the quarter.

Table 1:

Total number of applications determined	24					
Number of delegated decisions	20 (83%)					
Type of decision	Numbers granted			Numbers refused		
	23(96%)			1(4%)		
Speed of decision	Under 8 wks	8-13 wks	13-16 wks	16-26 wks	26-52 wks	Over 52 wks
	19 (79%)	4 (17%)	0 (0%)	0 (0%)	0 (0%)	1 (4%)
Numbers of Enforcement Notices	1 (PCN)					
Consultations received from Neighbouring Authorities	28					

Table 2: National Performance Indicators

	BV 109 The percentage of planning applications determined in line with development control targets to determine planning applications.			
National Target	60% of Large Scale Major* applications in 13 weeks	60% of Small Scale Major* applications in 13 weeks	65% of Minor* applications in 8 weeks	80% of other applications in 8 weeks
	<i>*Large Scale Majors refers to any application for development where the site area is over 10000m<sup>2</sup></i>	<i>*Small Scale Majors refers to any application for development where the site area is over 1000m<sup>2</sup> but under 9999m<sup>2</sup></i>	<i>*Minor refers to any application for development where the site area is under 1000m<sup>2</sup> (not including Household/ Listed Buildings/Changes of Use etc)</i>	<i>Other refer to all other applications types</i>
Actual	0 applications received.	1 applications received. 100%	17 applications received. 13 determined in 8 weeks (76%)	6 applications received. 6 determined in 8 weeks (100%)

Background Papers: Development Control Statistics provided by Broads Authority using CAPS/Uniform Electronic Planning System.

Author: Simon Moore  
Date of Report: 22 January 2015

Appendices: APPENDIX 1 – PS1 returns  
APPENDIX 2 – PS2 returns

## APPENDIX 1

### PS1 returns:

1.1	On hand at beginning of quarter	21
1.2	Received during quarter	29
1.4	Withdrawn, called in or turned away during quarter	3
1.4	On hand at end of quarter	23
2.	Number of planning applications determined during quarter	24
3.	Number of delegated decisions	20
4.	Number of statutory Environmental Statements received with planning applications	0
5.1	Number of deemed permissions granted by the authority under regulation 3 of the Town and Country Planning General Regulations 1992	0
5.2	Number of deemed permissions granted by the authority under regulation 4 of the Town and Country Planning General Regulations 1992	0
6.1	Number of determinations applications received	0
6.2	Number of decisions taken to intervene on determinations applications	0
7.1	Number of enforcement notices issued	0
7.2	Number of stop notices served	0
7.3	Number of temporary stop notices served	0
7.4	Number of planning contravention notices served	1
7.5	Number of breach of conditions notices served	0
7.6	Number of enforcement injunctions granted by High Court or County Court	0
7.7	Number of injunctive applications raised by High Court or County Court	0

## APPENDIX 2

### PS2: Returns

Type of Development	<u>Total Decisions</u>			<u>Total Decisions</u> <u>Time from application to decision</u>					
	Total	Granted	Refused	Not more than 8 wks	More than 8 wks but not more than 13 wks	More than 13 wks and up to 16 wks	More than 16 wks and up to 26 wks	More than 26 wks and up to 52 wks	More than 52 wks
<b>Large-scale Major</b>									
Dwellings	0	0	0	0	0	0	0	0	0
Offices/ light industry	0	0	0	0	0	0	0	0	0
Heavy industry/storage/warehousing	0	0	0	0	0	0	0	0	0
Retail distribution and servicing	0	0	0	0	0	0	0	0	0
Gypsy and Traveller Sites	0	0	0	0	0	0	0	0	0
All other large-scale major developments	0	0	0	0	0	0	0	0	0
<b>Small-scale Major</b>									
Dwellings	0	0	0	0	0	0	0	0	0
Offices/ light industry	0	0	0	0	0	0	0	0	0
Heavy industry/storage/warehousing	0	0	0	0	0	0	0	0	0
Retail distribution and servicing	0	0	0	0	0	0	0	0	0
Gypsy and Traveller Sites	0	0	0	0	0	0	0	0	0
All other small-scale major developments	1	1	0	0	1	0	0	0	0
<b>Minor</b>									
Dwellings	3	2	1	3	1	0	0	0	0
Offices/ light industry	0	0	0	0	0	0	0	0	0
Heavy industry/storage/warehousing	1	1	0	1	0	0	0	0	0
Retail distribution and servicing	0	0	0	0	0	0	0	0	0
Gypsy and Traveller Sites	0	0	0	0	0	0	0	0	0
All other minor developments	13	13	0	9	3	0	0	0	1
<b>Others</b>									
Minerals	0	0	0	0	0	0	0	0	0
Change of use	1	1	0	1	0	0	0	0	0
Householder developments	0	0	0	0	0	0	0	0	0
Advertisements	2	2	0	2	0	0	0	0	0
Listed building consent to alter/extend	3	3	0	3	0	0	0	0	0
Listed building consent to demolish	0	0	0	0	0	0	0	0	0
Conservation Area Consents	0	0	0	0	0	0	0	0	0
Certificates of lawful development	0	0	0	0	0	0	0	0	0
Notifications	0	0	0	0	0	0	0	0	0
<b>TOTAL</b>	<b>24</b>	<b>23</b>	<b>1</b>	<b>19</b>	<b>4</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>
<b>Percentage (%)</b>	<b>100%</b>	<b>96%</b>	<b>4%</b>	<b>79%</b>	<b>17%</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>	<b>4%</b>

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

**Circular 28/83: Publication by Local Authorities of  
Information about the Handling of Planning Applications  
Development Control Statistics for the quarter ending 31 December 2014  
Report by Head of Planning**

**Summary:** This report sets out the development control statistics for the quarter ending 31 December 2014

**Recommendation:** That the report be noted.

**1. Development Control Statistics**

1.1 The development control statistics for the quarter ending 31 December 2014 are summarised in the table below.

Table 1:

Total number of applications determined	27						
Number of delegated decisions	25(93%)						
Type of decision	Numbers granted				Numbers refused		
	26(96%)				1(4%)		
Speed of decision	Under 8 wks	8-13 wks	13-16 wks	16-26 wks	26-52 wks	Over 52 wks	Agreed Extension
	17 (63%)	5 (18%)	1 (4%)	0 (0%)	0 (0%)	0 (0%)	4 (15%)
Numbers of Enforcement Notices	7 (PCNs)						
Consultations received from Neighbouring Authorities	9						

Table 2: National Performance Indicators

	BV 109 The percentage of planning applications determined in line with development control targets to determine planning applications.			
National Target	60% of Large Scale Major* applications in 13 weeks	60% of Small Scale Major* applications in 13 weeks	65% of Minor* applications in 8 weeks	80% of other applications in 8 weeks
	<i>*Large Scale Majors refers to any application for development where the site area is over 10000m<sup>2</sup></i>	<i>*Small Scale Majors refers to any application for development where the site area is over 1000m<sup>2</sup> but under 9999m<sup>2</sup></i>	<i>*Minor refers to any application for development where the site area is under 1000m<sup>2</sup> (not including Household/ Listed Buildings/Changes of Use etc)</i>	<i>Other refer to all other applications types</i>
Actual	0 applications received.	0 applications received.	13 applications received. 10 determined in 8 weeks (77%)	10 applications received. 7 determined in 8 weeks (70%)

Background papers: Development Control Statistics provided by Broads Authority using CAPS/Uniform Electronic Planning System.

Author: Simon Moore  
Date of Report: 22 January 2015

Appendices: APPENDIX 1 PS1 Returns  
APPENDIX 2 PS2 Returns



## APPENDIX 1

### PS1 returns:

1.1	On hand at beginning of quarter	23
1.2	Received during quarter	26
1.4	Withdrawn, called in or turned away during quarter	5
1.4	On hand at end of quarter	16
2.	Number of planning applications determined during quarter	27
3.	Number of delegated decisions	25
4.	Number of statutory Environmental Statements received with planning applications	0
5.1	Number of deemed permissions granted by the authority under regulation 3 of the Town and Country Planning General Regulations 1992	0
5.2	Number of deemed permissions granted by the authority under regulation 4 of the Town and Country Planning General Regulations 1992	0
6.1	Number of determinations applications received	0
6.2	Number of decisions taken to intervene on determinations applications	0
7.1	Number of enforcement notices issued	0
7.2	Number of stop notices served	0
7.3	Number of temporary stop notices served	0
7.4	Number of planning contravention notices served	7
7.5	Number of breach of conditions notices served	0
7.6	Number of enforcement injunctions granted by High Court or County Court	0
7.7	Number of injunctive applications raised by High Court or County Court	0

**PS2: Returns**
**APPENDIX 2**

<u>Type of Development</u>	<u>Total Decisions</u>			<u>Total Decisions</u> <u>Time from application to decision</u>						
	<i>Total</i>	<i>Granted</i>	<i>Refused</i>	<i>Not more than 8 wks</i>	<i>More than 8 wks but not more than 13 wks</i>	<i>More than 13 wks and up to 16 wks</i>	<i>More than 16 wks and up to 26 wks</i>	<i>More than 26 wks and up to 52 wks</i>	<i>More than 52 wks</i>	<i>Agreed Extension</i>
<b><u>Large-scale Major</u></b>										
Dwellings	0	0	0	0	0	0	0	0	0	0
Offices/ light industry	0	0	0	0	0	0	0	0	0	0
Heavy industry/storage/warehousing	0	0	0	0	0	0	0	0	0	0
Retail distribution and servicing	0	0	0	0	0	0	0	0	0	0
Gypsy and Traveller Sites	0	0	0	0	0	0	0	0	0	0
All other large-scale major developments	0	0	0	0	0	0	0	0	0	0
<b><u>Small-scale Major</u></b>										
Dwellings	0	0	0	0	0	0	0	0	0	0
Offices/ light industry	0	0	0	0	0	0	0	0	0	0
Heavy industry/storage/warehousing	0	0	0	0	0	0	0	0	0	0
Retail distribution and servicing	0	0	0	0	0	0	0	0	0	0
Gypsy and Traveller Sites	0	0	0	0	0	0	0	0	0	0
All other small-scale major developments	0	0	0	0	0	0	0	0	0	0
<b><u>Minor</u></b>										
Dwellings	0	0	0	0	0	0	0	0	0	0
Offices/ light industry	0	0	0	0	0	0	0	0	0	0
Heavy industry/storage/warehousing	1	1	0	0	0	1	0	0	0	0
Retail distribution and servicing	2	2	0	0	0	0	0	0	0	0
Gypsy and Traveller Sites	0	0	0	0	0	0	0	0	0	0
All other minor developments	14	13	1	8	3	0	0	0	0	3
<b><u>Others</u></b>										
Minerals	0	0	0	0	0	0	0	0	0	0
Change of use	5	5	0	2	2	0	0	0	0	1
Householder developments	2	2	0	2	0	0	0	0	0	0
Advertisements	0	0	0	0	0	0	0	0	0	0
Listed building consent to alter/extend	3	3	0	3	0	0	0	0	0	0
Listed building consent to demolish	0	0	0	0	0	0	0	0	0	0
Conservation Area Consents	0	0	0	0	0	0	0	0	0	0
Certificates of lawful development	0	0	0	0	0	0	0	0	0	0
Notifications	0	0	0	0	0	0	0	0	0	0
<b>TOTAL</b>	<b>27</b>	<b>26</b>	<b>1</b>	<b>17</b>	<b>5</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>4</b>
<b>Percentage (%)</b>	<b>100%</b>	<b>96%</b>	<b>4%</b>	<b>63%</b>	<b>18%</b>	<b>4%</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>	<b>15%</b>

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