

Planning Committee

Agenda 03 February 2023

10.00am

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

John Packman, Chief Executive – Friday 27 January 2023

Under the Openness of Local Government Bodies Regulations (2014), filming, photographing and making an audio recording of public meetings is permitted. These activities however, must not disrupt the meeting. Further details can be found on the [Filming, photography and recording of public meetings](#) page.

Introduction

1. To receive apologies for absence
2. To receive declarations of interest
3. **To receive and confirm the minutes of the Planning Committee meeting held on 09 December 2022** (Pages 3-12)
4. To note whether any items have been proposed as matters of urgent business
5. Chairman's announcements and introduction to public speaking
Please note that public speaking is in operation in accordance with the Authority's [Code of Practice for members of the Planning Committee and officers](#).
6. Request to defer applications include in this agenda and/or vary the order of the agenda

Planning and enforcement

7. **To consider applications for planning permission including matters for consideration of enforcement of planning control:**
 - 7.1. BA/2022/0416/FUL - Postwick, Blackwater Carr - Yurt (retrospective) (Pages 13-35)
8. **Enforcement update** (Pages 36-41)
Report by Head of Planning

Policy

9. **Issues and Options - Summary of consultation** (Pages 42-43)
Report by Planning Policy Officer

10. **Local Plan - Preferred Options - bitesize pieces** (Pages 44-70)
Report by Planning Policy Officer
11. **Consultation Responses** (Pages 71-76)
Report by Planning Policy Officer
12. **Levelling up Bill, Planning and the NPPF, including proposed consultation response**
(Pages 77-93)
Report by Planning Policy Officer

Matters for information

13. **Notes of the Heritage Asset Review Group meeting held on 16 December 2022** (Pages 94-99)
14. **Circular 28/83 Publication by Local Authorities of information about the handling of planning applications Q4 (1 October to 31 December 2022)** (Pages 100-106)
Report by Planning Technical Support Officer
15. **Appeals to the Secretary of State update** (Pages 107-113)
Report by Senior Planning Officer
16. **Decisions made by Officers under delegated powers** (Pages 114-125)
Report by Senior Planning Officer
17. **To note the date of the next meeting – Friday 03 March 2023 at 10.00am at Yare House, 62-64 Thorpe Road, Norwich**

Planning Committee

Minutes of the meeting held on 09 December 2022

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Present

Harry Blathwayt – in the Chair (except for item 7.1), Stephen Bolt, Nigel Brennan, Bill Dickson (items 1-9), Andrée Gee, Tony Grayling, Gail Harris, Tim Jickells – in the Chair for item 7.1, James Knight, Vic Thomson and Fran Whymark

In attendance

Natalie Beal – Planning Policy Officer, Jason Brewster – Governance Officer, Cheryl Peel – Senior Planning Officer and Cally Smith – Head of Planning.

Steven Bell (solicitor) of Birketts attended for items 7 & 8.

Members of the public in attendance who spoke

None.

1. Apologies and welcome

The Chair welcomed everyone to the meeting.

Apologies were received from Leslie Mogford and Melanie Vigo di Gallidoro.

Openness of Local Government Bodies Regulations 2014

The Chair explained that the meeting was being audio-recorded. All recordings remained the copyright of the Broads Authority and anyone wishing to receive a copy of the recording should contact the Governance Team. The minutes remained the record of the meeting. He added that the law permitted any person to film, record, photograph or use social media in order to report on the proceedings of public meetings of the Authority. This did not extend to live verbal commentary. The Chair needed to be informed if anyone intended to photograph, record or film so that any person under the age of 18 or members of the public not wishing to be filmed or photographed could be accommodated.

2. Declarations of interest and introductions

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

3. Minutes of last meeting

The minutes of the meeting held on 11 November 2022 were approved as a correct record and signed by the Chair.

4. Matters of urgent business

There were no items of urgent business

5. Chair's announcements and introduction to public speaking

No members of the public had registered to speak.

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

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

7. Applications for planning permission

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

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

(1) BA/2022/0321/FUL Reedham Marshes - engineering works for IDB

Proposed works including: 2km of new High Level Carrier, 2km of new open channel watercourse/linear scrapes, 6km of new earth embankments, 57,000m² of new island features, 207,000m² of new open surface waters/scrapes between islands and 10 new water control structures aiding longer term water level management plans.

Applicant: Broads Internal Drainage Board

The Senior Planning Officer provided a detailed presentation of the application that involved various works to extend the provision of freshwater via the High Level Carrier further to the east, within the Halvergate marshes. This work would improve the current habitat, creating new wetland features capable of supporting greater levels of biodiversity, improving the sustainability of farming within the marshes and reduce the vulnerability of the marshes to climate change.

The presentation provided photographs of the impacted areas showing an open expanse of low lying marsh and farm land and some of the existing managed water features. The presentation included maps showing the location of the site, a site map, the field locations (as per the table on page 4 of the report) within the site map and then the proposed works within the various field locations (as detailed in the table on page 4 of the report). Cross-sectional diagrams showing the proposed embankments, islands and scrapes were also presented.

The SPO confirmed that there were no specific policies within the Local Plan for the Broads which relate to this type of development and, given the environmental enhancements proposed by this development, Strategic Policy SP6 (Biodiversity) was deemed appropriate. The SPO concluded that the principle of development was considered acceptable given:

- The proposed extension to the High Level Carrier will make the whole landscape more resilient and adaptable to climate change.
- The associated environmental enhancements will improve the site's ability to support national and internationally important flora and fauna.

The SPO explained the impact on the landscape, which would be altered by the introduction of a new fairly linear watercourse, embankments and water control features although there

were similar elements within the wider landscape and therefore this impact was not deemed to be unacceptable. The SPO indicated that a detailed landscaping scheme had been suggested to be conditioned to ensure that these impacts were not significant in the long term and that this proposal complied with Local Plan Policy DM16 (Development and Landscape).

In terms of Heritage Assets, the SPO explained that the site was located within the Halvergate Marshes Conservation Area and in close proximity to Grade II listed building Lockgate Mill and encompassed many other non-designated heritage assets, in particular archaeological remnants of early field systems. For this reason a Heritage Statement had been submitted by the applicant which, the SPO indicated, acknowledged that the scheme had the potential to cause less than substantial harm to the designated heritage assets. The SPO explained that a series of mitigation measures had been proposed, and secured via condition, to reduce the extent of the harm to a level that was not unacceptable. In light of the public benefits of improved water management, adapting to climate change and increased bio-diversity the SPO confirmed that this proposal had been deemed to comply with Policy DM11 (Heritage Assets).

The SPO indicated that no concerns had been raised regarding increased flood risk elsewhere, bio-diversity or amenity and confirmed the recommendation to approve the application subject to the conditions specified.

Harry Blathwayt and Nigel Brennan left the meeting.

Members were concerned about the impact this work would have on ground nesting birds and grazing cattle. The SPO confirmed that the Authority's ecology team were supportive of this application and highlighted that landowners had been consulted and that the RSPB was a partner in this project.

Members acknowledged that this application was consistent with the Broads Plan and supported this application for the benefits it would bring to the marshes.

Bill Dickson proposed, seconded by James Knight and

It was resolved by 8 votes for and 1 abstention to approve the application subject to the following conditions:

- **Time Limit**
- **In accordance with plans and documents**
- **Archaeological Scheme of Investigation submitted prior to commencement of development.**
- **Prior to the first operation of the new works the site investigation and post investigation assessment shall be secured.**
- **Details of the exact location of the island features shall be submitted and agreed.**
- **Landscaping Scheme and Management Plan shall be submitted and agreed.**

- **Construction Management Plan and Method Statement shall be submitted and agreed.**
- **Any damage to the fabric of the mill or raceways within its curtilage resulting from the carrying out of the works hereby permitted shall be made good, to the reasonable satisfaction of the Local Planning Authority in writing within six months from the damage occurring.**

Harry Blathwayt and Nigel Brennan returned to the meeting.

(2) Enforcement – Beauchamp Arms

A static caravan being used as permanent residential dwelling without planning permission

The Head of Planning (HoP) introduced her report seeking authority to serve an Enforcement Notice (EN) requiring the cessation of the unauthorised use of a static caravan at the Beauchamp Arms. The HoP provided a detailed presentation, including location maps, a site map and various photographs of the site.

The HoP explained that two of the three static caravans located at the Beauchamp Arms were the subject of existing ENs (issued November 2021). Planning Contravention Notices (PCNs) served in April 2022 had confirmed that they were still occupied and hence the ENs had not been complied with.

At a site visit on 15 November 2022 it was ascertained that all 3 caravans were occupied, albeit with the two previous occupants having moved; the resident of the unit to the north-east of the property had moved to the unit to the west and the resident of the western unit had moved to the previously unoccupied middle unit. A third and new occupier was now resident in the north-eastern caravan.

The two caravans previously the subject of the EN were still occupied in contravention of the EN, and there was now a further breach due to the occupation of the middle caravan without planning permission.

A PCN had been served on 25 November 2022 seeking information on the occupation, including when the occupation of the middle caravan started. The operators had agreed to a meeting to provide a verbal response to the PCN and this meeting was due to occur early 2023. In the meantime the Local Planning Authority (LPA) had recourse to evidence from the site visits as well as the electoral roll and information relating to council tax receipts.

The HoP set out the planning issues making particular reference to the Authority's Enforcement Plan and emphasising the consideration to be given to whether the unauthorised development was capable of being made acceptable and, if unacceptable, the expediency of taking enforcement action.

The HoP provided a detailed assessment of the development and concluded that it was unacceptable as it conflicted with Adopted Local Plan Policy SP15 (Residential Development), Adopted Policy DM35 (Residential Development within Defined Development Boundaries),

Adopted Policy DM21 (Amenity), Adopted Policy DM5 (Development and Flood Risk) and Adopted Policy DM43 (Design) and could not be made acceptable.

The expediency of taking action was given detailed consideration relating to the harm resulting from the development, the impact of the development, the impacts and costs of taking action, as well as proportionality and consistency. The preferred approach was always to seek to negotiate a solution. Given the continued non-compliance associated with the existing ENs on this site it would be very unlikely that compliance could be achieved by negotiation and the LPA had not sought to engage with the landowner on this matter. The HoP recommended that an EN was served requiring the cessation of the unauthorised use and that a compliance period of four months would be appropriate.

Members were concerned about the duty of care associated with the occupants. The HoP explained that the LPA were liaising with South Norfolk District Council as the housing authority.

A member explained that they had had doubts over the outcomes of the previous ENs given the intransigence of the operator, who obviously believed they were being put upon by the LPA and for this reason they did not see any value to engaging with the LPA. The Authority was now engaged in a long drawn out legal process that would be costly in terms of time and resource, even more so given the uncooperative attitude of the operator. The member questioned the real harm given that these caravans were not visible beyond the boundary of the site itself. The member considered the Beauchamp Arms to be an iconic venue within the Broads and felt that the Authority should step back and consider, not a further EN, but what it would take to get this venue open and functioning again. The member indicated that they could not support the proposal and would abstain from the vote.

A member spoke in support of the EN highlighting that the operator had flouted the rules over a number of years and, given their non-compliance with the previous ENs, they were breaking the law and that nobody was exempt from following the law. The member highlighted that these caravans were visible to walkers (a Public Right of Way crosses the site).

Another member indicated that they had little confidence in a successful outcome to the EN; once the occupant had been removed, the caravan remained and, given the nature of the operator, the caravan would be re-occupied. The HoP explained that once the proposed EN had been served, the operator would most likely lodge an appeal and the HoP expected that appeal to fail and for the EN to be upheld. The HoP confirmed that if the operator was unwilling or unable to comply with the upheld EN then the LPA could consider a number of actions one of which was direct action to remove the caravan. This form of action would take time and would be expensive however, the HoP explained, it would resolve the planning breach and demonstrate that the LPA was committed to the planning enforcement system. A member agreed that enforcement matters took time and highlighted that East Suffolk Council were continuing to pursue cases that originated as far back as 2009.

A member highlighted that a person would be impacted by the proposed action and asked whether the LPA could be held liable for not looking after the occupant of the caravan

correctly. The solicitor for the Authority agreed that it was important that the people involved were treated correctly (pursuant to the duties under the Equality Act 2010, as amended) and that was why the HoP was working with South Norfolk District Council, as the housing authority, to ensure that the occupant was rehoused in accordance with the necessary legal obligations. A member also made reference to the duties generally under the Homelessness Reduction Act 2017 on South Norfolk District Council

A member countered the earlier suggestion that the Authority had failed to engage with the operator, they believed the Authority had made numerous attempts over the years to do so.

A member summarised that the vast majority of the public did their utmost to comply with the planning process and objected very strongly to people who chose to disregard the rules. It was the job of this committee to know the rules, apply the rules and, in this case, the rules were being broken and warranted the proposed action.

Tim Jickells proposed, seconded by Bill Dickson and

It was resolved by 9 votes for and 2 abstentions to authorise the serving of an Enforcement Notice requiring the cessation of the unauthorised use of the static caravan with a compliance period of four months.

8. Enforcement update

Members received an update report from the Head of Planning/Planning Officer (Compliance and Implementation) on enforcement matters previously referred to the Committee. Further updates were provided at the meeting for:

Land at the Beauchamp Arms (Unauthorised static caravans): The operator and caravan occupants had been invited to interviews under caution and these would take place before the Christmas break.

Blackgate Farm, High Mill Road, Cobholm: The HoP confirmed that of the original six caravans only two remained on site and were occupied by members of the landowner's family. These caravans had until 1 April 2023 to be removed.

Land east of Brograve Mill: The Authority had raised a complaint with the Planning Inspectorate (PINS) as no Inspector had been assigned in the 90 weeks that this case had been lodged with PINS (normally expect a response in 16-20 weeks). In reply PINS had indicated that this site was provisionally scheduled to be visited on 5 January 2023.

Land at the Beauchamp Arms (Unauthorised development): The appeals paperwork had been submitted and the HoP expected a decision next year.

Loddon Marina: The HoP confirmed that the appeal statements would be completed and submitted in the next week.

The report was noted.

9. Belton with Browston, Burgh Castle and Fritton and St Olaves Neighbourhood Plan – area designation consultation

The Planning Policy Officer (PPO) introduced the report, that provided the result of the consultation of an application for designation of a neighbourhood area associated with the parishes of Belton with Browston, Burgh Castle and Fritton and St Olaves. The PPO confirmed that only 2 responses were received during the consultation; one indicating no comment and the other in support of the designation.

A member commended this form of collaboration between smaller areas in order to produce a Neighbourhood Plan.

Fran Whymark proposed, seconded by Vic Thomson and

It was resolved unanimously to the designation of Belton with Browston, Burgh Castle and Fritton and St Olaves as a neighbourhood area.

Bill Dickson left the meeting.

10. Annual Monitoring Report

The Planning Policy Officer (PPO) introduced the report, that detailed key metrics associated with planning activity from 1 April 2021 to 31 March 2022, as well as an assessment on how policies in the Local Plan for the Broads were utilised. The PPO provided some headline results:

- The Authority permitted 21 dwellings in total that count towards the housing need
- The Authority had demonstrated a 5-year land supply (Note that the presumption in favour of sustainable development did not apply in the Broads)
- Self-build exemption from the duty to give enough suitable development permissions to meet the identified demand.
- The average number of dwellings permitted, since the adoption of the Local Plan, was 16.33 dwellings which is greater than the Local Plan average of 11.43 dwellings.

A member congratulated the PPO on a comprehensive report and wondered what actions were required to improve the two policy areas rated as Red, namely DM14: Energy demand and performance and DM45: Designing Places for Healthy Lives. The PPO indicated that the Building Regulations associated with the energy efficiency had changed in June 2022 and this would prove beneficial in the context of Policy DM14. The HoP added that the use of Building Regulations to improve energy efficiency was a more effective means of engendering change in this regard given that the regulations were simpler to change and they applied nationally. The PPO highlighted the need for these policies to be taken into account when assessing future planning applications.

A member asked, in relation to Table 7 of the Annual Monitoring Report, how self-contained tourism accommodation could count towards the Objectively Assessed Housing Need (OAN) set out in the Local Plan. The PPO explained that the consultants, who calculated the OAN, had taken into account empty homes which, in this context, included holiday homes. On this basis these holiday homes could then be included when assessing whether this need had been met. The PPO confirmed that this methodology had been applied in the production of the previous three annual reports and had been clarified with the Inspector at the examination.

Tim Jickells proposed, seconded by Harry Blathwayt and

It was resolved unanimously to endorse the Annual Monitoring Report 2021/22.

11. Notes of the Heritage Asset Review Group meeting held on 28 October 2022

The Committee noted the minutes of the Heritage Asset Review Group meeting held on 28 October 2022.

The Chair indicated that the next HARG meeting would be on Friday 16 December 2022.

12. Appeals to the Secretary of State

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

13. Decisions made by officers under delegated powers

The Committee received a schedule of decisions made by officers under delegated powers from 31 October 2022 to 25 November 2022 and any Tree Preservation Orders confirmed within this period.

14. Date of next meeting

Given that there were no matters for decision and no new policy matters scheduled for the 6 January 2023 meeting, it was agreed to cancel this meeting.

The next meeting of the Planning Committee would be on Friday 03 February 2023 10.00am at Yare House, 62-64 Thorpe Road, Norwich.

The meeting ended at 11:34am

Signed by

Chair

Appendix 1 – Declaration of interests Planning Committee, 09 December 2022

Member	Agenda/minute	Nature of interest
Harry Blathwayt, Nigel Brennan	7.1	Member of Broads Internal Drainage Board, the applicant, left the room for this item
Tony Grayling	7.1	Director, Sustainable Business and Development for the Environment Agency - chose to abstain as Environment Agency were a consultee

Planning Committee

03 February 2023

Agenda item number 7.1

BA/2022/0416/FUL - Postwick - Blackwater Carr - Retention of Yurt (retrospective)

Report by Planning Officer

Proposal

Retrospective consent for the retention of a yurt on a small, raised platform, securing a table and bench to the ground, the installation of a small staked and woven willow windbreak.

Applicant

Mr Steve Hooper & Ms Mary Alexander

Recommendation

Refusal

Reason for referral to committee

Material considerations of significant weight raised by District Councillor

Application target date

20 January 2023

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1. Description of site and proposals

- 1.1. The subject site is an area of peat fen located approximately 30 metres to the west of the River Yare, and approximately 800 metres east of the village of Postwick. Between the river and the eastern boundary of the site is a footpath accessed via a wooden gate, to the north is a private access road which runs from Ferry Lane to the western bank of Surlingham Ferry, opposite which is The Ferry Inn. The site area is broadly defined by drainage dykes along or adjacent to its boundaries, with a further dyke running east to west centrally across the site. There are well defined footways comprised of closely mown grass which provide access around the site. Located centrally is a domesticated area of closely mown grass, this provides the setting for a storage shed measuring 6.0m x 3.1m, next to which is a compostable toilet. Immediately south of the shed and toilet

is the yurt, table and benches and woven fence which are the subject of this application.

- 1.2. The site area is approximately 2.1 hectares and it comprises a mix of grassland, reeds, scrubland, and pockets of trees. The boundaries of the site are predominantly tree lined, with areas of woodland to the north and west. To the south-west and south are further peat fen areas with a similar appearance to the subject site. Access to the site is via a timber walkway across a drainage dyke, this is accessed via a short hardcored track leading from the access road to the riverside footpath.
- 1.3. The site is not within a conservation area nor is it nationally designated. The site is a Local Wildlife Site. It is noted that the opposite bank of the river is a Broadland Ramsar and Yare Broads and Marshes SSSI. The site lies within flood zone 3.
- 1.4. The application is for retrospective consent for the retention of the yurt, which would be used to provide overnight accommodation. The yurt is a circular structure with a diameter of 5.5 metres, with an overall height of 1.95 metres. It sits on a small wooden platform, to which it is attached. The outer layer of the yurt is described as 'natural canvas', this is of a pale yellow colour. The entrance to the yurt comprises double timber doors, which are reached via two wooden steps. The yurt has a shiny metal chimney flue protruding from the roof slope, this has an overall height slightly above the roof apex. Also included in the application is the securing of a table and bench to the ground within a domesticated area to the front of the yurt, and the installation of a small staked and woven willow windbreak which is adjacent to the table and bench, and provides a demarcation of the domesticated area.
- 1.5. Occupation of the yurt is described as being up to 200 days per year.

2. Site history

- 2.1. In 2022 planning permission was refused for the same works which are the subject of this application. There have been no physical changes at the site since the previous application was refused (planning ref BA/2022/0017/FUL).
- 2.2. In 2020 planning permission was granted with conditions for a replacement timber access bridge, geogrid-type ground reinforcement along existing trackways, and siting of a new storage shed (planning ref BA/2020/0011/FUL).

3. Consultations received

Parish Council

- 3.1. The Parish Council of Postwick with Witton discussed the above planning application and accepted this application, provided that there would be no further expansion beyond the existing activities for what the Yurt was used.

Environment Agency

- 3.2. We have reviewed the documents, as submitted, and we object to this application in principle because the proposed development falls into a flood risk vulnerability category that is inappropriate to the flood zone in which the site is located. We therefore recommend that the application is refused planning permission on this basis.
- 3.3. Through correspondence with the Case Officer as part of a previous application BA/2022/0017/FUL, the Local Planning Authority have confirmed that they consider the flood risk vulnerability classification of the proposed use to be 'more vulnerable'. Our objection position is based on this assessment. If this assessment changes, please reconsult the Environment Agency as this will impact our comments.

Flood Risk

- 3.4. The Planning Practice Guidance (PPG) classifies development types according to their vulnerability to flood risk and gives guidance on which developments are appropriate in each flood zone. In this case, the application site lies within the fluvial & tidal Flood Zone 3b, the functional floodplain, as delineated within The Broads Authority's Strategic Flood Risk Assessment.
- 3.5. The proposed development is classified as 'more vulnerable' in Table 2: Flood Risk Vulnerability Classification of the PPG. Table 3 of the PPG makes clear that this type of development is not compatible with Flood Zone 3b and should not therefore be permitted.
- 3.6. If you are minded to approve the application contrary to this advice, we request that you contact us to allow further discussion and/or representations from us in line with the Town and Country Planning (Consultation) (England) Direction 2009.

Other Sources of Flooding

- 3.7. In addition to the above flood risk, the site may be within an area at risk of flooding from surface water, reservoirs, sewer and/or groundwater. We have not considered these risks in any detail, but you should ensure these risks are all considered fully before determining the application.

Natural England

- 3.8. Summary of Natural England's Advice
- 3.9. Further information required to determine impacts on designated sites.
- 3.10. As submitted, the application could have potential significant effects on:
- Broadland Ramsar
 - Broadland Special Protection Area (SPA)
 - The Broads Special Area of Conservation (SAC)
 - Yare Broads and Marshes Site of Special Scientific Interest (SSSI)

3.11. Natural England requires further information in order to determine the significance of these impacts and the scope for mitigation. Natural England advise that the Local Planning Authority (LPA) undertakes a Habitats Regulations Assessment (HRA) and record their decision regarding the assessment of the development with respect to recreational disturbance and water quality/nutrient neutrality.

3.12. The following information is required:

- Robustly evidenced mitigation for the increase in nutrient load created by the development

3.13. Without this information, Natural England may need to object to the proposal.

3.14. Please re-consult Natural England once this information has been obtained. Natural England's further advice on designated sites/landscapes and advice on other issues is set out below.

Cllr Davis

3.15. I am writing to support the comments made by my fellow Broadland councillor, Cllr Eleanor Laming, regarding the planning application for Blackwater Carr, No: BA/2022/0416/FUL. I have read the planning application and visited the site. I understand the Authority may have some concerns about the application and could be minded to refuse it. If this is the case then I add my support to the request made by Cllr Laming that the application be determined by the Planning Committee.

3.16. The project at Blackwater Carr is so clearly designed to preserve and enhance biodiversity as encouraged under the National Planning Policy Framework (NPPF):

3.17. "Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas and should be given great weight in National Parks and the Broads". NPPF, para 176

3.18. This planning application is specifically aimed at the conservation and enhancement of wildlife in the Broads and, therefore, "an important consideration".

3.19. Furthermore, para 2 of the NPPF states, "The National Planning Policy Framework must be taken into account in preparing the development plan and is a material consideration in planning decisions."

3.20. The application is clearly for a very limited development, sensitive to the local environment, and which does not adversely impact on the local landscape or views from either the river or public footpaths.

3.21. I therefore support the request to call in the application for consideration by the planning committee.

Cllr Knight

- 3.22. I have been made aware of the above application for retrospective consent for the use of a yurt at Blackwater Carr near Postwick.
- 3.23. I have read the planning statement carefully and believe that there are sufficient material planning considerations for this application to be considered by the planning committee. In particular, the proposal supports important conservation and ecological work which support the objectives of both the Broads Plan and Broads Local Plan.
- 3.24. I therefore request that the application be determined by committee and look forward to receiving your positive response.

Cllr Laming

- 3.25. Having looked at the planning application and visited the site I would like to make the following comments and request that if the Broads Authority is minded to refuse this application, that it is determined by the Planning Committee.
- 3.26. This is not a case where a suburban appearance which detracts from the landscape character of the Broads is being created. It is a leisure plot, and Policy DM50 states that for existing leisure and mooring plots, permission will not normally be granted for the erection of buildings, enclosures or structures. The words "will not normally" do apply in this case, which in my view is an exception, due to valuable conservation work being carried out here without detrimental impact environmentally to the surrounding plots or neighbours. Indeed, this work supports the NPPF Section 15 policies of conserving and enhancing the natural environment.
- 3.27. Policy DM16 states that development proposals which conserve and enhance the key landscape characteristics of the Broads and comply with other relevant policies, in particular Policy DM43 (design) will be permitted. This development therefore fits in with this policy as the use is not detrimental to the character of the site, but instead is enhancing the amenity value and character of the site, and the design is sympathetic to the site.
- 3.28. The yurt is a non-permanent structure which is hidden from view and therefore not visually intrusive on the landscape. I note that a retrospective planning application was approved, BA/2022/0115/CU in May 2022 subject to conditions, for change of use to a Community Wellness Facility with retention of existing structures which is also on a leisure plot on Flood Zone 3b at Yare Wood, Bittern Meadow off Ferry Lane, Postwick. This site is allowed overnight camping under permitted development rights, for a fewer number of days than are being requested in this application but is visited by a larger number of people when in use. The application states that up to 300 people can visit in a year as part of small groups. It also has a compost toilet, a kitchen tent, storage caravan, storage shed and poly tunnel on site.
- 3.29. A flood warning and evacuation plan has been submitted (August 2022) which addresses concerns about flood risk and recognises that the site is in a 3b functional

floodplain. As this is a nature conservation site and the occasional overnight accommodation is in a temporary structure, I do not see this as a concern.

3.30. Work has been done to monitor and manage the area for biodiversity to flourish. Work has also been done to manage the landscape to address climate change and increase carbon capture. An ecological Management Plan (September 2022) has been submitted which addresses previous concerns raised about the potential impact of overnight accommodation on the site.

3.31. I have studied the reasons the Broads Authority gave for refusal of the initial planning application, however, on balance I feel that these objections have been addressed by the applicants and the application is of more benefit than detriment to the landscape.

3.32. I therefore support this application but would like to see the following conditions applied:

- A condition should be placed on the land so that it is only used in perpetuity for conservation purposes.
- No further extension of existing activities is to be undertaken.
- The maximum number of overnight stays should be limited to 150 in a calendar year.
- Should the land be sold or ownership transferred, all of the existing structures should be comprehensively removed. Planning permission, if given, should only be linked to the existing ownership and should not be transferable.
- Conditions on lighting and noise restriction should be imposed.
- A mid-term (5year) management plan should be submitted and approved.

3.33. With the deadline for submission being tomorrow, I have looked again at the application and the requirements, and would like to request again that the application is called in for the following reasons:

3.34. Paragraph 2 of the National Planning Policy Framework states that:

- "Planning law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise. The National Planning Policy Framework must be taken into account in preparing the development plan and is a material consideration in planning decisions."

3.35. Furthermore, paragraph 176 of the NPPF stipulates that:

- "Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important

considerations in these areas and should be given great weight in National Parks and the Broads.

3.36. Paragraph 176 of the NPPF continues that:

- The scale and extent of development within all of these designated areas should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas.

3.37. The main purpose of this planning application proposal is the conservation and enhancement of wildlife in the Broads. This has been clearly demonstrated by the applicants by the extent of their work over recent years.

3.38. The extent of built form proposed is temporary and will solely serve the purpose of the conservation and enhancement of wildlife and the Broads Landscape.

3.39. The number of species recorded and protected by their work is significant and preserves these for ensuring sustainable ecosystems and for research and study by current and future generations. It is sustainable development which should be supported and approved.

BA Ecologist

3.40. No habitat and species surveys required.

Biodiversity Mitigation

3.41. Conditions: The Ecological Management Plan by Bench Ecology to be implemented. Please take particular note of the following sections in the report;

- **2.4.1** Water voles burrow in the earth banks of slow-moving rivers, streams and ditches. An inspection for water vole burrows/signs can be carried out prior to work. If evidence of water voles is found, a minimum 10m buffer should be left either side of the burrow/signs to minimise disturbance and/or displacement. Where management along ditches requires intrusion into the ditches themselves and where management of reedbeds is necessary, this should be undertaken in October to minimise the impact on water voles when water vole populations are still high (Sussex Wildlife Trust, 2013). Water voles are common in the Broads it would be prudent to do a survey for signs before any ditch management as they are protected in the UK under the Wildlife and Countryside Act, 1981.
- **2.4.11** No permanent lighting is currently proposed for the site which would potentially affect protected species including bats and breeding birds. Any lighting utilised at the site should follow the current Bat Conservation Trust (2018) Guidance Note 08/18, Bats and artificial lighting in the UK. No artificial lighting installed on the site.

Conclusion

3.42. I have no objections to the yurt, table, bench and willow wind break if the above conditions are followed.

BA Landscape Architect

Context

- 3.43. The site is located within The Broads Landscape Character Area 12 Yare Valley - Kirby/Postwick to Rockland/Strumpshaw River Yare. The Assessment notes that it is a remarkably diverse area in the patterns in the landscape and the various habitats.
- 3.44. The area has an enclosed and inaccessible feel due to Carr woodland which is a significant feature of the area. The area as a whole is relatively tranquil. Much of the land is under the ownership or management of nature conservation bodies and is subject to many nature conservation designations covering most of the area.
- 3.45. Landscape sensitivity is also high due to the site's location within the BA area, with sensitive receptors present nearby; users of Public Rights of Way, [Wherryman's Way follows opposite riverbank], river boat users, visitors to Ferry Boat PH, fishing platforms and moorings.

Proposals

- 3.46. The proposals for a yurt and associated features would add to the existing approved compost toilet, access track with geotextile grid and storage shed.
- 3.47. According to the elevation drawing the yurt structure is over 3.5m in height, with a diameter of 5m.
- 3.48. The location for car parking [2 spaces] is presumably at the end of Ferry Lane, with vehicle access to the existing shed via a track. It would be useful to clarify this together with the frequency of vehicles using the site to access the shed.
- 3.49. I understand that no external lighting is proposed.
- 3.50. The Planning Statement [3.4] envisages up to 200 days per annum of 'occupation' would be needed. It is assumed that this would involve overnight accommodation. Clarification would be useful.
- 3.51. The application proposes temporary installation of the yurt. However, the duration of this temporary period is not clear and should be clarified.

Landscape effects

- 3.52. It is not entirely clear what natural habitat or other landscape features may have been removed to enable construction of the yurt and associated elements. However, due to the relatively limited scale of the yurt it is not likely that direct landscape effects are significant.

Visual effects

- 3.53. Given that the surrounding context is very natural, the introduction of any man-made element would tend to be noticeable. The existing approved storage shed has a characteristic appearance and is somewhat visually recessive.

- 3.54. Although not a large structure, the yurt has an exterior of light-coloured canvas material and an unusual form which together create an eye-catching appearance.
- 3.55. The roof has a window through which perhaps light may spill during hours of darkness making the structure more visible.
- 3.56. Sensitive receptors may not expect to see a yurt in an area characterised by mainly natural habitat. Although the site is relatively well screened by vegetation, nevertheless sensitive receptors nearby could gain views of the site from several locations, especially during the half of the year when vegetation would not be in leaf.

Landscape character

- 3.57. The form, appearance and design of the yurt show little reference to Broads' vernacular and local detailing.
- 3.58. The proposals together with the existing on-site structures form an assemblage of domestic paraphernalia that detracts from local landscape character.
- 3.59. The provision of accommodation for up to 200 days per annum on the site raises concerns about intensity of use (albeit for ecological, and biodiversity works), for a site only 2.1 hectares in size.
- 3.60. Without clarification of the duration of the development and no timescale for removal of the structure, it is difficult to fully assess overall effects on landscape character. If the development were to be long term or permanent, the adverse effects would be more significant.
- 3.61. The high landscape value and sensitivity suggest that there would be low potential for mitigation.
- 3.62. The location has very limited capacity to accommodate the proposed development without affecting the baseline conditions.

Summary

- 3.63. Clarification of some aspects of the development would be helpful.
- 3.64. The potential visibility to sensitive receptors and incongruous appearance of the development would undermine landscape character.
- 3.65. The design, form, and appearance of the yurt would not be appropriate to the local context of the site.
- 3.66. I am therefore unfortunately unable to support the application.

4. Representations

Ms Kim Adam- 22 Riverway, London

- 4.1. The need for temporary accommodation on site has been explained in the agent's statement. I have read the Broads Society comments and fully agree with them.

- 4.2. The application is unusual, if not unique, and a balance is needed between the Development Plan Policies and other material considerations, which is the statutory test the Planning Authority must carry out. The officers did not adequately carry out this balance on the previous application, as evidenced by the report online. A number of important considerations were not mentioned.
- 4.3. Please also refer to my previous comments in support of this application.
- 4.4. I understand that the applicants are also planning to introduce badgers, slow worms and hedgehogs to increase the biodiversity even further.
- 4.5. Everything the applicants have enhanced on this site are in line with the recently agreed aims of the Conference regarding biodiversity held in Canada.

Alan Foster- 68 Quarry Road, Winchester

- 4.6. I commented in support of the previous application (2022/0017). My key comments were:
- 4.7. "The need for some form of temporary accommodation on site has been explained in the agent's statement. I firmly believe in this case the conservation and biodiversity objectives of the owners and the BA are broadly the same. I consider these clearly outweigh the normal policy objectives of preventing scattered residential accommodation in the countryside, particularly in this case where the periods of occupation are geared to ecological management and education.
- 4.8. "At the same time I acknowledge the LPA may need to safeguard the future use of the land so that the conservation objectives continue in the long term. If this is a concern I trust that the BA will take a positive approach to a unilateral undertaking or a S106 agreement."
- 4.9. These are equally relevant to this resubmitted application.
- 4.10. I have read the strong supportive comments by The Broads Society and fully agree with them.
- 4.11. This is an unusual, if not unique, proposal and should be determined by the Board's Planning Committee, not under delegated powers of officers. It is essential that a proper balance is struck in the Board's statutory responsibility to determine applications in accordance with the Development Plan UNLESS MATERIAL CONSIDERATIONS INDICATE OTHERWISE. In this case, the material consideration set out in the application weigh in favour of permission being granted.

Mr Henry Cator- Broad Farm, Upper Street

- 4.12. The work that Steve Hooper and his wife are doing to record the wildlife, flora and fauna and manage this site are to be applauded.
- 4.13. They need their Yurt as a workstation. The fact that it is in the floodplain is irrelevant as it is not for residential use. It is a base from which to carry out their management of the

site. I urge the Planning Officer to approve this Yurt as a temporary structure. Management of the Blackwater Carr site is an exemplar of the work of two dedicated individuals within the National Park. To enforce the removal of this small tent would be completely contrary to the stated aims and principles of management and conservation within the Authority's Broads Plan. In determining this planning application regard must be had to the benefits of having this temporary structure which enables management to continue as against what harm or damage its existence is causing. If it was not there the owners would not be able to continue their valuable management activities and recording of species. This is a one off application and is not setting any precedent. Please may common sense prevail and this application be approved. Thank you. Henry Cator - President of The Broads Society.

Michael Allen- 17 Ropes Walk, Blofield

- 4.14. There is high biodiversity at this site which would not be possible without the work being carried out there, nothing that has been built is disruptive to wildlife. A place to analyse data and store sensitive equipment is crucial to the continuation of this work. Monitoring of multiple endangered species is carried out at all times day and night so somewhere to rest overnight is important for this work to be carried out.

The Broads Society- 3 Rosebery Road, Great Plumstead

- 4.15. The Broads Society FULLY SUPPORTS this application which includes the retention of the yurt and other ancillary structures.
- 4.16. Members of the Society have met with the applicants on site to view the work already carried out and to discuss the future management plans for its long term restoration. The commitment of the applicants to the beneficial ecological restoration of the site and their deep knowledge of the local eco-system, habitats and bio-diversity potential of the site was evident at the meeting. The plot is clearly NOT a 'leisure plot' and the provision of the yurt on site (along with existing structures already benefiting from planning permission) is clearly required to effectively manage the site, particularly as the applicants do not live locally. The site is an exemplar of what can be achieved by knowledge, hard work and commitment and the applicants should be applauded for what they have already achieved in such a short space of time. The Society also notes that it is the intention to use the site for managed educational activities which can do nothing but have a positive impact on the environmental knowledge and understanding of local school children and students. Furthermore, the provision of the yurt has absolutely no detrimental visual impact on this part of the Broads as it is so well screened to be invisible from any external viewpoint (both water based and land based).
- 4.17. For the above reasons, the Society has no hesitation in supporting this proposal which it feels complies fully with OBJ4 and Policies SP6 and DM13 of the current Broads Local Plan.

5. Policies

- 5.1. The adopted development plan policies for the area are set out in the [Local Plan for the Broads](#) (adopted 2019).
- 5.2. The following policies were used in the determination of the application
- DM5 - Development and Flood Risk
 - DM13 - Natural Environment
 - DM16 - Development and Landscape
 - DM21 - Amenity
 - DM23 - Transport, highways and access
 - DM43 - Design
 - DM50 - Leisure plots and mooring plots
- 5.3. Material Considerations
- National Planning Policy Framework
 - Planning Practice Guidance
 - The Conservation of Species and Habitats Regulations 2017
 - Natural England - Advice for development proposals with the potential to affect water quality resulting in adverse nutrient impacts on habitats sites.
 - Broads Landscape Character Area 12 Yare Valley - Kirby/Postwick to Rockland/Strumpshaw River Yare

6. Assessment

- 6.1. The application is for retrospective consent for the retention of a yurt on a small, raised platform to be used in connection with the management of the site, securing a table and bench to the ground, the installation of a small staked and woven willow windbreak.

Background

- 6.2. The subject site has been privately managed for conservation purposes since at least 2012, it was well established prior to the current incumbent purchasing it and continuing with this endeavour. Whilst previously owned and managed by a local resident, the current owners do not live locally and thus have different needs pertaining to the ongoing ecological management of the site. This was reflected in a 2020 planning approval which sought to improve access and provide secure storage at the site (planning ref BA/2020/0011/FUL).

6.3. In 2021 the Local Planning Authority (LPA) were made aware of a yurt at the site by a member of the public walking past the site on the Environment Agency riverside path. In investigating this matter it was also found that a fence had been erected and a table with benches secured to the ground. Following correspondence with the site owners a retrospective planning application was received in early 2022 seeking to regularise this unauthorised development. The LPA assessed the application on its merits and refused planning permission for the following reasons:

1. The yurt, by virtue of its size, siting, and appearance has a detrimental impact on the character and appearance of the Broads landscape, and a detrimental impact on the enjoyment of neighbouring plots of land, contrary to Policies DM16, DM43, and DM50 of the Local Plan for the Broads.
 2. The provision of overnight accommodation on land classified as a leisure plot conflicts with that land classification and results in a use which is detrimental to the character of the site and the perception of acceptable uses on leisure plots, contrary to Policies DM16 and DM50 of the Local Plan for the Broads.
 3. Planning Practice Guidance to the National Planning Policy Framework classifies development types according to their vulnerability to flood risk and gives guidance on which developments are appropriate in each Flood Zone. In this case the application falls within Flood Zone 3b functional floodplain as defined by the Greater Norwich Strategic Flood Risk Assessment (SFRA) as having a high probability of flooding. The development type in the proposed application is classified as more vulnerable in accordance with table 2 of the Planning Practice Guidance to the NPPF. Tables 1 and 3 of the Planning Practice Guidance to the NPPF make clear that this type of development is not compatible with this Flood Zone and should not therefore be permitted.
 4. The retention of the yurt would result in overnight accommodation within the catchment of protected habitats. The Local Planning Authority cannot lawfully conclude that development within the catchment of the Broads Special Area of Conservation and Ramsar site will not have an adverse effect.
- 6.4. Following the refusal of planning permission an appeal was lodged against that decision with the Secretary of State. The appeal was subsequently withdrawn and a second planning application made promptly, this being the matter currently under consideration. It should be noted that there are no changes to the works that have taken place on site, but additional supporting information has been submitted.

Principle of development

- 6.5. In considering the principle of the development it is important to note that the LPA is not looking at the principle of the management of the site for ecological benefit. This management is underway, continuing the management of the previous owner, and is not something that requires planning permission as it is not 'development'. The principle of development which needs to be considered in this case is whether the

principle of the retention of the structures, as allegedly needed to facilitate the management of the site, is acceptable.

- 6.6. It is clear that the current owners have had to employ a different approach to the ongoing ecological management of the site to the previous owner as they do not live locally. Whilst the previous site owner was largely able to manage the site with hand tools using his own expertise, time and enthusiasm, and with the occasional help of volunteers and the loan/hire of specialist equipment (such as a fen harvester, mowers, chainsaws and brush cutters), that method of management is time and labour intensive and the current owners have not continued this approach. Their management of the site involves the use of large pieces of equipment and what is described as 'expensive survey equipment', which results in a need to store equipment on site and provide improved access to and within the site resulting from the need to access the site by vehicle, as well as transport equipment to the site. These needs were carefully considered in response to a previous application which sought to improve access and provide secure storage at the site (planning ref BA/2020/0011/FUL). Planning permission was granted for both of these in order to support the management of the site.
- 6.7. The Local Plan for the Broads considers this site as a leisure plot and assessed the 2020 application for the storage shed and improved access as such; the planning statement supporting the application described it as such. The relevant policy, which covers leisure plots, is DM50 which stipulates that permission will not normally be granted for the erection of buildings, enclosures or structures on leisure plots. This was a key consideration in the assessment of the previous application. Whilst the policy states 'permission will not normally be granted for the erection of buildings', the proposal at that time was considered in relation to the specific needs presented by the applicant, and, having concluded that it was reasonably in accordance with planning policy in all other aspects, the storage shed was considered to represent a suitable example of an exception to the policy due to the particular site-specific factors here and, accordingly, was granted planning permission.
- 6.8. It should be noted that a conclusion of an 'exception' to a policy must be very carefully made as a policy which clearly states that 'permission will not normally be granted for the erection of buildings enclosures or structures' should not be undermined. There is a need to word policy in this a way in order to prevent overdevelopment of leisure plots and the policy must be applied sensibly to sites across the Broads area.
- 6.9. In reaching the conclusion that the storage shed was both in principle necessary and in detail acceptable, the LPA took into account the management needs of the site, the size and design of the shed, the materials used and the resulting appearance. The overall size and height, the siting on the edge of a pocket of trees, and the recessive nature of the materials and colour have allowed the shed to be a reasonably subtle addition to the site, the BA Landscape Architect commenting that 'the existing approved storage shed has a characteristic appearance and is somewhat visually recessive'.

- 6.10. The rationale for the proposal is to support the management of the site for ecological purposes. Planning permission has already been granted for the provision of a storage shed to provide space for tools and equipment, with the applicant arguing at that time the works are necessary to ensure the continued proper management of the site and it being the case that a lack of proper management would simply lead to further scrub encroachment and a loss of ecological diversity across the site. There is a policy presumption against the erection of structures on leisure plots and the existing shed was allowed in response to the particular circumstances here. It is not considered that additional space of the size and nature proposed is justified and the principle of the development is unacceptable.

Need

- 6.11. If it is the case that the applicants need additional storage on the site, or a more secure form of storage, there is a question of whether the only way to provide that is via a 5.5m diameter yurt. There is no information in the application detailing either the need for additional machinery or what the equipment is which cannot be stored in the shed and what other options the applicant has considered. A justification for the need should be provided before permission is granted for something which is contrary to development plan policy.
- 6.12. There is a further question as to whether the management of a 2.1 hectare site for biodiversity requires the owners to stay on site for up to 200 days per annum. The LPA considers that this appears disproportionate given the size of the site, as this in effect makes it a 0.5 full-time equivalent (FTE) role for one person, or more if two people are working there. It is noted that the supporting documents state they carry out scientific work, including night surveys, but there is no detail of what this is, what it involves or why it is essential for the management of the site. It is also noted that the carrying out of night surveys does not require the provision of overnight accommodation, as the participants will be awake, and there are no restrictions on access so arrivals and departures for a night time survey are as reasonable as they are for day time. Further details have been requested and these will be reported orally.
- 6.13. It should also be noted that there are a number of references in the application supporting documents to the yurt potentially being a 'temporary' and 'moveable' structure and these are worth considering in the context of 'need'.
- 6.14. Looking first at 'temporary', when the application was submitted it was described as 'temporary installation of a yurt', but upon seeking clarification of what the temporary period would be it was agreed to remove the word 'temporary' from the proposal wording. The siting of the yurt is therefore understood to be permanent. In response to queries about its use, recently the applicant has informally suggested that a temporary period of 7 years for the retention of the yurt would be acceptable. The arguments regarding the need for the yurt to be retained on site as vital to the ongoing management of the site appear to be somewhat undermined by the suggestion that in 7 years' time this form of management will be no longer required.

- 6.15. Considering the description of the yurt as ‘moveable’, this is important, because if the yurt is a moveable structure then it is not development and planning permission would not be required. Whilst this is what is stated in the application, it is not the intention of the applicants to use the yurt in this way, it is not easily moveable and to date the yurt has not moved from the current position, which is where it was erected in May 2020. It is also noted that, taking into account the management of the site, there are no suitable areas to move the yurt to outside of the domesticated part of the site where it is located. On the basis of the above, the yurt is not considered a moveable structure.
- 6.16. The rationale for the proposal is to facilitate the management of the site for ecological purposes. Planning permission has already been granted for the provision of a storage shed to provide space for tools and equipment, with the applicant arguing at that time the works are necessary to ensure the continued proper management of the site and it is the case that a lack of proper management will simply lead to further scrub encroachment and a loss of ecological diversity across the site. There is a policy presumption against the erection of structures on leisure plots and the existing shed was allowed in response to the particular circumstances here. The LPA considers that there is no justification provided to overcome the clear objections to the principle of development. It is noted that whilst the provision of a yurt is certainly convenient, it has not been demonstrated as essential.

Impact upon the landscape

- 6.17. In considering the site setting and wider landscape, the BA Landscape Architect has observed that ‘the surrounding context is very natural, the introduction of any man-made element would tend to be noticeable. Although not a large structure, the yurt has an exterior of light-coloured canvas material and an unusual form which together create an eye-catching appearance’.
- 6.18. The site is reasonably well screened and was assessed as such in the previous applications, but the introduction of the subject yurt has emphasised that this screening is not comprehensive and is susceptible to seasonal variations. The LPA was first alerted to the presence of the yurt by a person walking along the footpath which runs adjacent to the site boundary.
- 6.19. The large shiny white structure draws unnecessary attention to itself and is a noticeable presence in the landscape. The BA Landscape Architect in this respect has commented that ‘The form, appearance and design of the yurt show little reference to Broads’ vernacular and local detailing’. They then continue with their assessment commenting that ‘Sensitive receptors may not expect to see a yurt in an area characterised by mainly natural habitat. Although the site is relatively well screened by vegetation, nevertheless sensitive receptors nearby could gain views of the site from several locations, especially during the half of the year when vegetation would not be in leaf’.
- 6.20. This presence is dramatically lessened when leaves appear on the trees, shrubs, and bushes, and whilst still detectable is not considered to be an obvious addition to the site. However, it would not be reasonable or acceptable to assess the site on a seasonal

basis, if the presence of the yurt has an unacceptable impact on landscape character and appearance at a particular time of year then the conclusion must be that the presence of the yurt has an unacceptable impact on landscape character and appearance.

- 6.21. The perceived presence of the yurt is not confined to the public footpath and is visible from land to the south, itself a leisure plot. With no boundary screening between the two plots the presence of the yurt is clear and obvious. This in itself undermines the character and appearance of the natural habitat, resulting in an unacceptable impact on landscape character and appearance. In addition, the existence of such a stark presence which stands out so clearly in its natural setting is of detriment to the enjoyment of an otherwise unspoilt site for the custodians of the adjacent site.
- 6.22. The proposal overall results in a domestication of the site. The appearance is most obvious when considering the yurt, but is accentuated by the provision of a domesticated lawn area, complete with boundary fence and a demarcated picnic area featuring a table and bench in a traditional style. The combination of these elements results in a particularly over-domesticated appearance, lacking the feeling or perception of being temporary. This approach is unfortunate on leisure plot of this kind, however given the limited area it covers, the keeping of a well mowed area and provision of a low level seating area is on its own not unacceptable. The boundary fence, despite being less formalised than a closeboard fence for example, draws the eye by virtue of its siting not linking with a particular element or even being sited on a boundary, but its appearance and fairly squat stature result in an appearance which on its own is not unacceptable.
- 6.23. Without the yurt the domesticated area could arguably be akin to a space for relaxation which would not be unexpected on a leisure plot. It is, however, the presence of the yurt which determines the character of the area as a whole, because, alongside the yurt, the combined elements result in an over-domestication of the site to the detriment of landscape character and appearance, with the BA Landscape Architect making the clear point that the 'assemblage of domestic paraphernalia that detracts from local landscape character'.
- 6.24. In concluding their assessment of the development at the site, the BA Landscape Architect advises that 'The potential visibility to sensitive receptors and incongruous appearance of the development would undermine landscape character. The design, form, and appearance of the yurt would not be appropriate to the local context of the site. I am therefore unfortunately unable to support the application'.
- 6.25. With regard to the above assessment, the retention of the yurt alongside the fenced area with table and bench would have a detrimental impact on the character and appearance of the site, contrary to Policies DM16, DM43, and DM50 of the Local Plan for the Broads.

Flood risk

- 6.26. The Environment Agency (EA) have confirmed that the site is located in Flood Zone 3b, the functional floodplain. With regard to the flood risk vulnerability classification, as the yurt is required in order to provide overnight accommodation it is considered to be classed as a 'more vulnerable' form of development. With reference to the Planning Practice Guidance (PPG), which accompanies the National Planning Policy Framework (NPPF), flood risk vulnerability and flood zone 'compatibility' table, a 'more vulnerable' use within flood zone 3b is shown as 'Development should not be permitted'. This relates to danger posed to life by allowing overnight accommodation in an area susceptible to flooding and where flood water will lie until dissipated, the potential impact on emergency services in response to flooding, and the damage to possessions as a result of the structure not being sited above the predicted flood levels.
- 6.27. Tables 1 (flood zones) and 3 (flood risk vulnerability and flood zone 'compatibility') of the PPG make clear that this type of development is not compatible with this Flood Zone and should not therefore be permitted. The proposed retention of the yurt is therefore considered to be unacceptable and contrary to Policy DM5 of the Local Plan for the Broads, Paragraph 159 of the NPPF and the PPG.

Ecology

- 6.28. The BA Ecologist has assessed the development and raised no objections subject to planning conditions. The LPA would like to make it clear that the efforts by the applicants to enhance biodiversity at the site, continuing the efforts of the previous custodian, are supported and are considered to be laudable. The objection to the yurt is not a reflection on the management of the site, but reflects a clear position where the introduction of the yurt has clear and unacceptable planning impacts as discussed above.

Designated sites and nutrient neutrality

- 6.29. The proposed development requires a Habitats Regulations Assessment to assess the impact on protected sites and species. This has been completed and concluded that the proposal requires a proportionate financial contribution secured in line with the Norfolk RAMS requirements. Provided this mitigation is secured, it can be concluded that this planning application will not have an adverse effect on the integrity of the European designated sites from recreational disturbance, when considered 'in combination' with other development. The applicants have been advised of the RAMS tariff of £185.93 which would need to be paid prior to the issuing of any planning approval.
- 6.30. With regard to European designated sites and nutrient neutrality, the documents submitted with the application include a nutrient neutrality statement. This outlines the approach taken for providing the assessment, which has not used either the calculator devised by Natural England or the Royal Haskoning version developed on behalf of all Norfolk LPAs. The statement concludes the following:

- The proposed development will lead to minor increases in nutrient loads of 0.0528 kg TP / year and 0.4608 kg TN / year, based on the site being used for up to 200 days per year.
- There are currently no providers of 'nutrient credits' within the Yare catchment which could be purchased to offset the nutrient loads. Upgrading an existing septic tank/PTP in a location higher in the catchment is deemed financially unviable for the proposed development.
- On this basis, it cannot be demonstrated the proposed development would be nutrient neutral.

6.31. Natural England have advised in relation to nutrient neutrality mitigation that 'work is still being done by Natural England to establish a National nutrient neutrality mitigation scheme and I understand Norfolk Local Planning Authorities are working together to find their own mitigation solutions'. At present these potential forms of mitigation are not in place, so an objection on the basis of nutrient impacts to European designated sites must be maintained.

Other issues

- 6.32. The erection of the yurt and its proposed retention has arisen as a result of the landowners not being local and needing to travel to the site to maintain it. Whilst their intentions are laudable, the LPA cannot put aside the various impacts simply to provide a more convenient situation for the applicants. The submitted planning statement observes that 'Blackwater Carr is a prime example of how local residents can actively work alongside the Broads Authority and other relevant bodies in preserving, enhancing, and building up the resilience of The Broads to the wider climate change emergency whilst delivering increased biodiversity', however it is the fact that the applicants are not local that is the issue, because they deem a yurt as a necessary addition to the site as opposed to seeking local accommodation. When looked after by a local resident, the necessity of overnight accommodation was simply not a consideration.
- 6.33. It should be noted that were the LPA to accept the justification for the yurt purely on the basis of the ecologically positive management of the land, this would have significant ramifications for all similar plots across the Broads area. Whilst the management of the subject site in terms of biodiversity and ecology could be considered as high, such a measure could not form a suitable approach to the use and development of such sites in the wider Broads area.
- 6.34. It is also noted that within the supporting documents the applicants state that 'We aim to provide opportunities for graduate and post graduate students which will be beneficial for all involved', and 'We are in touch with primary and secondary schools to offer outdoor education'. Whilst these are commendable aspirations to encourage educational benefits of the work being carried out at the site, these are not sufficient to outweigh the policy objection.

7. Conclusion

- 7.1. The site is categorised as being within the wider category of leisure plots and an assessment has been undertaken in relation to Policy DM50 of the Local Plan for the Broads. The policy outlines a presumption against the erection of structures at such sites. In support of the management of the site for ecological purposes the LPA considered provision of a storage shed to be justifiable under a previous planning application. The provision of an addition structure at the same site in the form of a yurt is not justifiable under the relevant policy and the principle of the development is unacceptable.
- 7.2. Local and National planning policies seek to protect the character and appearance of the Broads area and its protected landscapes. Whilst there are clearly varying levels of impact on this character and appearance, any impact must be considered in terms of the site location and characteristics. The provision of a large shiny white structure on an otherwise low key site with a predominantly unspoilt natural appearance, is not considered to be acceptable with regard to the character and appearance of that site and the surrounding area.
- 7.3. Whilst it is accepted that the site is largely screened from public views in the summer months, such screening is not satisfactory in masking the structure during winter months.
- 7.4. Furthermore the structure will have an impact on the enjoyment of neighbouring plots of land as it detracts from the character and appearance of the site and surrounding area.
- 7.5. The provision of overnight accommodation on a site defined as a leisure plot is at odds with that site classification, detrimental to the character and perception of the site. The site is within flood zone 3b and being a 'more vulnerable use' is assessed by the PPG as 'Development should not be permitted'; an objection to the development has been maintained by the Environment Agency.
- 7.6. It cannot be demonstrated the development is nutrient neutral, and in the absence of mitigation for the rise in nutrient levels through the provision of overnight accommodation the application must be refused due to nutrient impacts to European designated sites.

Recommendation

- 7.7. That planning permission be refused.

8. Reason for recommendation

- 8.1. The proposal is considered to be contrary Policies DM2, DM5, DM16, DM43, and DM50 of the Local Plan for the Broads the National Planning Policy Framework (2021) and Planning Practice Guidance which are a material consideration in the determination of

this application, and The Conservation of Species and Habitats Regulations 2017 (the Habitats Regulations).

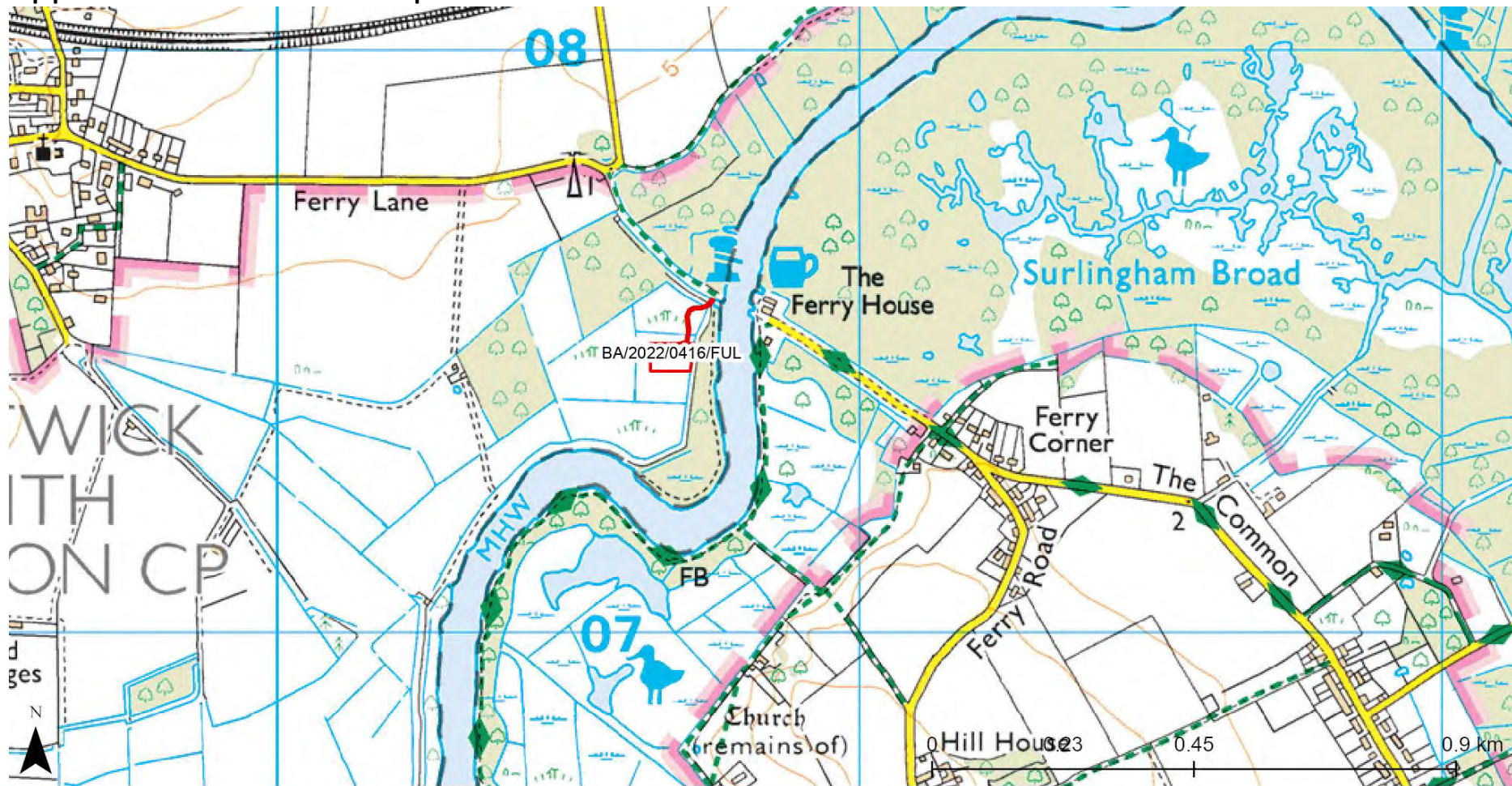
Author: Nigel Catherall

Date of report: 24 January 2023

Background papers: BA/2022/0416/FUL and BA/2022/0017/FUL

Appendix 1 – Location map

Appendix 1 – Location map



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Planning Committee

03 February 2023

Agenda item number 8

Enforcement update

Report by Head of Planning

Summary

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

Recommendation

To note the report.

Committee date	Location	Infringement	Action taken and current situation
14 September 2018	Land at the Beauchamp Arms Public House, Ferry Road, Carleton St Peter	Unauthorised static caravans (Units X and Y)	<ul style="list-style-type: none">• Authority given to serve an Enforcement Notice requiring the removal of unauthorised static caravans on land at the Beauchamp Arms Public House should there be a breach of planning control and it be necessary, reasonable and expedient to do so.• Site being monitored. October 2018 to February 2019.• Planning Contravention Notices served 1 March 2019.• Site being monitored 14 August 2019.• Further caravan on-site 16 September 2019.

Committee date	Location	Infringement	Action taken and current situation
			<ul style="list-style-type: none"> • Site being monitored 3 July 2020. • Complaints received. Site to be visited on 29 October 2020. • Three static caravans located to rear of site appear to be in or in preparation for residential use. External works requiring planning permission (no application received) underway. Planning Contravention Notices served 13 November 2020. • Incomplete response to PCN received on 10 December. Landowner to be given additional response period. • Authority given to commence prosecution proceedings 5 February 2021. • Solicitor instructed 17 February 2021. • Hearing date in Norwich Magistrates Court 12 May 2021. • Summons issued 29 April 2021. • Adjournment requested by landowner on 4 May and refused by Court on 11 May. • Adjournment granted at Hearing on 12 May. • Revised Hearing date of 9 June 2021. • Operator pleaded 'not guilty' at Hearing on 9 June. Trial scheduled for 20 September at Great Yarmouth Magistrates Court. • Legal advice received in respect of new information. Prosecution withdrawn and new PCNs served on 7 September 2021. • Further information requested following scant PCN response and confirmation subsequently received that caravans 1 and 3 occupied on Assured Shorthold Tenancies. 27 October 2021 • Verbal update to be provided on 3 December 2021

Committee date	Location	Infringement	Action taken and current situation
			<ul style="list-style-type: none"> • Enforcement Notices served 30 November, with date of effect of 29 December 2021. Compliance period of 3 months for cessation of unauthorised residential use and 4 months to clear the site. 6 Dec. 2021 • Site to be visited after 29 March to check compliance – 23 March 2022 • Site visited 4 April and caravans appear to be occupied. Further PCNs served on 8 April to obtain clarification. There is a further caravan on site. 11 April 2022 • PCN returned 12 May 2022 with confirmation that caravans 1 and 3 still occupied. Additional caravan not occupied. • Recommendation that LPA commence prosecution for failure to comply with Enforcement Notice. 27 May 2022 • Solicitor instructed to commence prosecution. 31 May 2022 • Prosecution in preparation. 12 July 2022 • Further caravan, previously empty, now occupied. See separate report on agenda. 24 November 2022 • Planning Contravention Notice to clarify occupation served 25 November 2022. 20 January 2023. • Interviews under caution conducted 21 December 2022. 20 January 2023
8 November 2019	Blackgate Farm, High Mill Road, Cobholm	Unauthorised operational development – surfacing of site, installation of services and	<ul style="list-style-type: none"> • Delegated Authority to Head of Planning to serve an Enforcement Notice, following liaison with the landowner at Blackgate Farm, to explain the situation and action. • Correspondence with solicitor on behalf of landowner 20 Nov. 2019. • Correspondence with planning agent 3 December 2019.

Committee date	Location	Infringement	Action taken and current situation
		standing and use of 5 static caravan units for residential use for purposes of a private travellers' site.	<ul style="list-style-type: none"> • Enforcement Notice served 16 December 2019, taking effect on 27 January 2020 and compliance dates from 27 July 2020. • Appeal against Enforcement Notice submitted 26 January 2020 with a request for a Hearing. Awaiting start date for the appeal. 3 July 2020. • Appeal start date 17 August 2020. • Hearing scheduled 9 February 2021. • Hearing cancelled. Rescheduled to 20 July 2021. • Hearing completed 20 July and Inspector's decision awaited. • Appeal dismissed with minor variations to Enforcement Notice. Deadline for cessation of caravan use of 12 February 2022 and 12 August 2022 for non-traveller and traveller units respectively, plus 12 October 2022 to clear site of units and hardstanding. 12 Aug 21 • Retrospective application submitted on 6 December 2021. • Application turned away. 16 December 2021 • Site visited 7 March 2022. Of non-traveller caravans, 2 have been removed off site, and occupancy status unclear of 3 remaining so investigations underway. • Further retrospective application submitted and turned away. 17 March 2022 • Further information on occupation requested. 11 April 2022 • No further information received. 13 May 2022 • Site to be checked. 6 June 2022 • Site visited and 2 caravans occupied in breach of Enforcement Notice, with another 2 to be vacated by 12 August 2022. Useful discussions held with new solicitor for landowner. 12 July 2022.

Committee date	Location	Infringement	Action taken and current situation
			<ul style="list-style-type: none"> • Further site visited required to confirm situation. 7 September 2022 • Site visit 20 September confirmed 5 caravans still present. Landowner subsequently offered to remove 3 by end October and remaining 2 by end April 2023. 3 October 2023. • Offer provisionally accepted on 17 October. Site to be checked after 1 November 2022. • Compliance with terms of offer as four caravans removed (site visits 10 and 23 November). Site to be checked after 31 March 2023. 24 November 2022
8 January 2021	Land east of Brograve Mill, Coast Road, Waxham	Unauthorised excavation of scrape	<ul style="list-style-type: none"> • Authority given for the service of Enforcement Notices. • Enforcement Notice served 29 January 2021. • Appeal against Enforcement Notice received 18 February 2021. • Documents submitted and Inspector's decision awaited. September 2021 • PINS contacted; advised no Inspector allocated yet. 20 October 2022. • Appeal dismissed 9 January 2023 and Enforcement Notice varied. Compliance required by 9 October 2023. 20 January 2023.
13 May 2022	Land at the Beauchamp Arms Public House, Ferry Road, Carleton St Peter	Unauthorised operation development comprising erection of workshop, kerbing and lighting	<ul style="list-style-type: none"> • Authority given by Chair and Vice Chair for service of Temporary Stop Notice requiring cessation of construction 13 May 2022 • Temporary Stop Notice served 13 May 2022. • Enforcement Notice and Stop Notice regarding workshop served 1 June 2022 • Enforcement Notice regarding kerbing and lighting served 1 June 2022 • Appeals submitted against both Enforcement Notices. 12 July 2022

Committee date	Location	Infringement	Action taken and current situation
21 September 2022	Land at Loddon Marina, Bridge Street, Loddon	Unauthorised static caravans	<ul style="list-style-type: none"> • Authority given to serve an Enforcement Notice requiring the cessation of the use and the removal of unauthorised static caravans. • Enforcement Notice served. 4 October 2022. • Enforcement Notice withdrawn on 19 October due to minor error; corrected Enforcement Notice re-served 20 October 2022. • Appeals submitted against Enforcement Notice. 24 November 2022
9 December 2022	Land at the Beauchamp Arms Public House, Ferry Road, Carleton St Peter	Unauthorised static caravan (Unit Z)	<ul style="list-style-type: none"> • Planning Contravention Notice to clarify occupation served 25 November 2022. • Authority given to serve an Enforcement Notice requiring the cessation of the use and the removal of unauthorised static caravan • Enforcement Notice served 11 January 2023. 20 January 2023.

Author: Cally Smith

Date of report: 20 January 2023

Background papers: Enforcement file

Planning Committee

03 February 2023

Agenda item number 9

Issues and Options- summary of consultation

Report by Planning Policy Officer

Summary

The report gives a high-level summary of the consultation on the Issues and Options version of the Local Plan.

Recommendation

The report is noted.

1. Introduction

- 1.1. The Issues and Options consultation ran from 3 October to 4pm on 9 December 2022. This report gives headlines relating to the consultation as well as setting out next steps.

2. Consultation - headlines

- 2.1. 604 individual comments received.
- 2.2. 34 organisations or individuals responded.
- 2.3. We attended two Youth Advisory Boards and spoke to a total of 22 young people.
- 2.4. We met with service users, carers and staff at the Nancy Oldfield Trust.
- 2.5. 39 people in total attended the three drop-in events held in the Broads in October and November 2022.
- 2.6. We engaged with service users from New Routes¹ in January.
- 2.7. 11 sites were put forward for varying uses (residential dwellings, residential moorings, Class E).
- 2.8. Youth Survey completed by 5 young people (one won a free trip on one of the BA's trip boats for a family of 4).

¹ Since 2004 we have been working with and supporting refugees, asylum seekers and isolated migrants, and promoting cross-cultural integration and community awareness in Norwich. We work with individuals and families from over 80 countries, speaking 60+ different languages. [New Routes Integration | Supporting & Empowering Refugees, Asylum Seekers & Migrants.](#)

3. Next steps

- 3.1. The comments are being logged and responded to. The comments will be reported to a future Planning Committee.
- 3.2. We will undertake site visits to the proposed site allocations put forward, and we will engage with key stakeholders (internal and external) on the merits and issues of the sites. The findings and proposals will be reported to a future Planning Committee.
- 3.3. Sections of the Preferred Options Local Plan are being produced and will be brought to Planning Committee meetings as bitesize pieces for discussion and decision. The policies will be assessed from a Sustainability Appraisal and Habitats Regulation Assessment point of view.
- 3.4. Further evidence is being gathered and will be reported to future Planning Committees.

Author: Natalie Beal

Date of report: 20 January 2023

Planning Committee

03 February 2023

Agenda item number 10

Local Plan- Preferred Options- bitesize pieces

Report by Planning Policy Officer

Summary

This report introduces some new or amended policies that are proposed to form part of the Preferred Options version of the Local Plan. The policies are Amenity, Pubs, Rail stations/halts, the Trinity Broads and Upper Thurne.

Recommendation

Members' comments on the policies are requested.

1. Introduction

- 1.1. Members have seen bite size pieces of the Issues and Options version of the Local Plan. The production stages of the Issues and Options are now complete and work has begun on the Preferred Options version, which will contain proposed policies. This will also be presented in bite size pieces.
- 1.2. This report introduces some amended or new policies for Members to consider for inclusion in the Preferred Options version of the Local Plan.
- 1.3. It is important to note that until such time as the Local Plan is adopted, our current policies are still in place and will be used to guide and determine planning applications.
- 1.4. Members' comments are requested on the policies and amendments. The policies considered in this report at this Planning Committee are: Amenity, Pubs, Rail stations/halts, Trinity Broads and Upper Thurne.

Author: Natalie Beal

Date of report: 19 January 2023

Appendix 1 – Draft Amenity Policy

Appendix 2 – Draft Pubs policy

Appendix 3 – Draft Rail Stations policy

Appendix 4 – Draft Trinity Broads policy

Appendix 5 – Draft Upper Thurne policy



**Local Plan for the Broads - Review
Preferred Options bitesize pieces
February 2023**

Amenity

This is a proposed draft section/policy for the Preferred Options Local Plan. Member's comments and thoughts are requested. This policy is already in the local plan, but some amendments are proposed.

Amendments to improve the policy are shown as follows: ~~text to be removed~~ and added text.

There is an assessment against the UN Sustainable Development Goals at the end of the policy.

The proposed Sustainability Appraisal of the policy is included at the end of the document. This would not be included in the Preferred Options Local Plan itself; this table would be part of the Preferred Options Sustainability Appraisal, but is included here to show how the policy and options are rated.

The currently adopted policy remains in place – these are proposed amendments and this section will form part of the Preferred Options version of the Local Plan.

Policy PODMxx: Amenity

1. All new development, including alterations and extensions to existing buildings, will be expected to provide the occupiers/users with a ~~satisfactory level of amenity~~ high standard of amenity to ensure a suitable living environment. Development will not be permitted if it would have an unacceptable impact on the amenity of existing or potential neighbouring properties or uses.
2. When assessing the impact of the occupation, operation and construction of a development on amenity, consideration will be given to the following:
 - a) Overlooking of windows of habitable rooms and private amenity space;
 - b) Loss of privacy;
 - c) Overshadowing of private amenity space;
 - d) Loss of daylight and/or sunlight to existing windows of habitable rooms;
 - e) Overbearing impact/visual dominance;
 - f) Light pollution;
 - g) Airborne pollutants;
 - h) Odours;
 - i) Noise pollution and disturbance;
 - j) Vibration;

- k) Insects and vermin; and
 - l) Provision of a satisfactory and usable external amenity space to residential properties in keeping with the character of immediate surrounding development.
3. Where existing amenity is poor, improvements will be sought in connection with any development.
4. On large scale and other developments where construction operations are likely to have a significant and ongoing or long-term impact on local amenity, a construction management plan covering such issues as hours of working, access points of access and methods of construction will be required.

Reasoned Justification

Protecting the amenity of both the future occupiers of new development and the occupiers of existing developments is vital for the sustainability of communities in the Broads. The NPPF seeks high standards of amenity for existing and future users. Amenity can include many factors such as traffic, smell, loss of privacy, outlook, noise and overlooking. This policy lists the general issues that should be considered by applicants when developing schemes.

The policy applies to situations where new development would affect the amenity of an existing land use, and where a new development may lead to complaints about an existing land use which is not currently an issue because there are no neighbours.

The impact of construction is often raised as a concern in relation to planning applications, but this is a short-term impact – the impacts of construction stop when the scheme is in place. We are able to control hours of work and delivery hours for example. We will consider the impact of construction and put in place controls on a case by case basis.

Proximity to waste management and mineral sites can lead to amenity issues. As such, the Authority will liaise with Norfolk and Suffolk County Councils for sites that are near to mineral and waste sites in line with Norfolk and Suffolk County Council minerals and waste policies ~~(currently CS16 of NCC Minerals and Waste Core Strategy, WDM1 of the SCC Waste Core Strategy, policy 5 of SCC Minerals Core Strategy).~~

In assessing compliance with this policy, the Authority will draw on expert advice from statutory consultees and the Environmental Services Sections of the relevant Council.

Reasonable alternative options

- a) The original policy, with no amendments.

Given the importance of Amenity, not to have a policy is seen as an unreasonable alternative.

Sustainability appraisal summary

The two options (of the amended policy and the original policy) have been assessed in the SA. The following is a summary.

A: Keep original policy	5 positives. 0 negatives. 0 ? Overall, positive.
B: Preferred Option - amend policy.	5 positives. 0 negatives. 0 ? Overall, positive.

How has the existing policy been used since adoption in May 2019?

According to recent Annual Monitoring Reports, the policy has been used and applications have been determined in accordance with the policy.

Why have the alternative options been discounted?

The amendments to the original policy fundamentally reinforce the importance of amenity. Adding loss of privacy as well as the need for construction management plan are positive improvements and will help ensure the health and wellbeing of the community.

UN Sustainable Development Goals check

This policy meets these [UN SD Goals](#):

3 GOOD HEALTH
AND WELL-BEING



11 SUSTAINABLE CITIES
AND COMMUNITIES



Sustainability Appraisal

SA objectives:

- ENV1: To reduce the adverse effects of traffic (on roads and water).
- ENV2: To safeguard a sustainable supply of water, to protect and improve water quality and to use water efficiently.
- ENV3: To protect and enhance biodiversity and geodiversity.
- ENV4: To conserve and enhance the quality and local distinctiveness of landscapes and towns/villages.
- ENV5: To adapt, become resilient and mitigate against the impacts of climate change
- ENV6: To avoid, reduce and manage flood risk and to become more resilient to flood risk and coastal change.
- ENV7: To manage resources sustainably through the effective use of land, energy and materials.
- ENV8: To minimise the production and impacts of waste through reducing what is wasted, and re-using and recycling what is left.
- ENV9: To conserve and enhance the cultural heritage, historic environment, heritage assets and their settings
- ENV10: To achieve the highest quality of design that is innovative, imaginable, and sustainable and reflects local distinctiveness.
- ENV11: To improve air quality and minimise noise, vibration and light pollution.
- ENV12: To increase the proportion of energy generated through renewable/low carbon processes without unacceptable adverse impacts to/on the Broads landscape
- SOC1: To improve the health and wellbeing of the population and promote a healthy lifestyle.
- SOC2: To reduce poverty, inequality and social exclusion.
- SOC3: To improve education and skills including those related to local traditional industries.
- SOC4: To enable suitable stock of housing meeting local needs including affordability.
- SOC5: To maximise opportunities for new/ additional employment
- SOC6: To improve the quality, range and accessibility of community services and facilities and to ensure new development is sustainability located with good access by means other than a private car to a range of community services and facilities.
- SOC7: To build community identity, improve social welfare and reduce crime and anti-social activity.
- ECO1: To support a flourishing and sustainable economy and improve economic performance in rural areas.
- ECO2: To ensure the economy actively contributes to social and environmental well-being.
- ECO3: To offer opportunities for Tourism and recreation in a way that helps the economy, society and the environment.

	A: Keep original policy		B: Preferred Option - amend policy	
ENV1	+	Amenity is an aspect to consider in terms of the adverse impacts of traffic – some of the aspects of the policy could result from traffic.	+	Amenity is an aspect to consider in terms of the adverse impacts of traffic – some of the aspects of the policy could result from traffic.
ENV2				
ENV3				
ENV4				
ENV5				
ENV6				
ENV7				
ENV8				
ENV9				
ENV10	+	Good design is linked to protecting amenity.	+	Good design is linked to protecting amenity.
ENV11	+	These issues are mentioned specifically in the policy.	+	These issues are mentioned specifically in the policy.
ENV12				
SOC1	+	Fundamentally, by protecting amenity, there will be benefits to physical and mental health.	+	Fundamentally, by protecting amenity, there will be benefits to physical and mental health.
SOC2				
SOC3				
SOC4				
SOC5				
SOC6				
SOC7				
ECO1				
ECO2	+	Amenity is an aspect to consider if the economy is to actively contribute to social wellbeing.	+	Amenity is an aspect to consider if the economy is to actively contribute to social wellbeing.
ECO3				



Local Plan for the Broads - Review
Preferred Options bitesize pieces
February 2023
Pubs

This is a proposed draft section/policy for the Preferred Options Local Plan. Member's comments and thoughts are requested. This policy is already in the local plan, but some amendments are proposed.

Amendments to improve the policy are shown as follows: ~~text to be removed~~ and added text.

There is an assessment against the UN Sustainable Development Goals at the end of the policy.

The proposed Sustainability Appraisal of the policy is included at the end of the document. This would not be included in the Preferred Options Local Plan itself; this table would be part of the Preferred Options Sustainability Appraisal, but is included here to show how the policy and options are rated.

The currently adopted policy remains in place – these are proposed amendments and this section will form part of the Preferred Options version of the Local Plan.

Policy POSSPUBS: Pubs network

Main Map (NE, NW, & S), and various Inset Maps

1. The following establishments, identified on the Adopted Policies Map, will be protected in their public house use as key parts of a network of community, visitor, and boating facilities, as well as for their individual contribution to such facilities.
2. The Authority will support appropriate proposals in accordance with other policies in this Local Plan that:
 - a) contribute to the retention and viability of these businesses;
 - b) enhance the appearance of these businesses;
 - c) provide benefits to river/water users (such as canoe slipways and electric charging points);
 - d) provide well-designed cycle parking facilities;
 - e) upgrade/improve foul drainage arrangements;
 - f) make the pubs more energy and water efficient;
 - g) address crime or fear of crime;
 - h) improve resilience to flood risk;
 - i) address/do not cause light pollution;
 - j) have no adverse impact upon the integrity of any Habitats site either alone or in-combination; and
 - k) protect and enhance their visual contribution/ heritage value/ architectural merits as appropriate.

3. YARE

- 22 a) Rushcutters [Arms](#), Thorpe Green
 - 23 b) Rivergarden, Thorpe Green
 - 24 c) Town House, Thorpe Green
 - 25 d) ~~Woods End~~ Water's Edge, Bramerton
 - 26 e) Ferry House, Surlingham
 - 27 f) Coldham Hall, Surlingham
 - 28 g) Yare, Brundall Riverside
 - 29 h) New Inn, Rockland
 - 30 i) Beauchamp Arms, Claxton
 - 31 j) Reedcutter, Cantley
 - 32 k) Reedham Ferry Inn, Reedham
 - 33 l) Lord Nelson, Reedham
 - 34 m) Berney Arms, [Breydon Water](#)
 - 35 n) The Ship, Reedham
-
- 36 4. BURE
 - 37 a) Norfolk Mead Hotel, Coltishall
 - 38 b) King's Head, Coltishall
 - 39 c) Rising Sun, Coltishall
 - 40 d) King's Head, Hoveton
 - 41 e) Hotel Wroxham, Hoveton
 - 42 f) Swan, Horning
 - 43 g) New Inn, Horning
 - 44 h) Ferry Inn, Horning
 - 45 i) [Acle](#) Bridge Inn, Acle
 - 46 j) Hermitage, Acle
 - 47 k) Ferry Inn, Stokesby
 - 48 l) Maltsters, Ranworth
-
- 49 5. ANT
 - 50 a) Cross Keys Inn, Dilham
 - 51 b) Wayford Bridge [Inn](#) ~~Hotel~~, Wayford Bridge
 - 52 c) Sutton Staithe Hotel, Sutton Staithe
 - 53 d) Dog [Inn](#), Johnson Street (Ludham Bridge)
-
- 54 6. THURNE
 - 55 a) Pleasure Boat [Inn](#), Hickling
 - 56 b) ~~Broadshaven Hotel~~ [Norada Grill and Tavern](#), Potter Heigham Bridge
 - 57 c) Lion, Thurne
-
- 58 7. TRINITY
 - 59 a) The Boathouse, Ormesby
 - 60 b) Filby Bridge Inn, Filby
-
- 61 8. WAVENEY
 - 62 a) Locks Inn [Community Pub](#), Geldeston
 - 63 b) Waveney House Hotel, Beccles
 - 64 c) Waveney Inn, Burgh St. Peter

- 65 d) Duke's Head, Somerleyton
 - 66 e) Bell Inn, St Olaves
 - 67 f) Fisherman's ~~Inn Bar~~, Burgh Castle
 - 68 g) Haddiscoe Tavern, Haddiscoe
- 69 9. OULTON BROAD
- 70 a) Wherry Hotel, Oulton Broad
 - 71 b) Commodore, Oulton Broad
 - 72 c) Ivy House Country Hotel, Oulton Broad

73 **Parishes affected**

74 Acle CP, Beccles CP, Bramerton CP, Brundall CP, Burgh Castle CP, Burgh St. Peter CP, Cantley CP,
 75 Carleton St. Peter CP, Coltishall CP, Dilham CP, Fritton and St. Olaves CP, Geldeston CP, Halvergate
 76 CP, Hickling CP, Horning CP, Hoveton CP, Ludham CP, Ormesby St. Michael CP, Oulton Broad CP,
 77 Potter Heigham CP, Reedham CP, Rockland St. Mary CP, Rollesby CP, Somerleyton, Ashby and
 78 Herringfleet CP, Stalham CP, Stokesby with Herringby CP, Surlingham CP, Sutton CP, Thorpe St.
 79 Andrew CP, Thurne CP, Woodbastwick CP.

80 **Constraints and features**

- 81 • Almost all these premises are in zones of high flood risk.
- 82 • Some are in conservation areas, or areas of archaeological interest. Some are themselves of
 83 historic interest, including listed buildings.
- 84 • Some are within or close to SAC, SPA, SSSI, Ramsar, CWS, etc.

85 **Reasoned Justification**

86 The waterside pub network is very important, especially for recreational boating but also to local
 87 communities and non-boating visitors. While this can be said about a very wide range of
 88 establishments and locations public houses, for a variety of reasons, have been especially
 89 vulnerable to closure in recent years.

90 The loss of any particular pub (or other establishment) can sometimes be difficult to resist.
 91 Specifying in the Local Plan that these are part of a defined network will strengthen the planning
 92 case against any individual closure. It also signals the planning stance and helps owners and
 93 prospective developers get consistent messages about the identified establishments, to guide their
 94 own plans.

95 The policy seeks the retention of the pubs as public houses and supports appropriate
 96 improvements to the pub to make sure it remains viable. Such improvements could include the
 97 appearance of the pub as well as provision of specific facilities for water and road users (such as
 98 canoe slipways and well-designed and located Sheffield Stand cycle parking). ~~The Safety by the~~
 99 ~~Water policy (DM46) may be of relevance.~~ Indeed, applicants should consider water safety
 100 provisions as part of their schemes.

101 The policy also addresses the issue of drainage, due to the seasonality, proximity to the
 102 watercourse, and the nature of the effluent that can pose a significant local risk to the water
 103 environment. Ensuring there is no deterioration in water quality is an important requirement under
 104 the Water Framework Directive, which applies to all surface water bodies and groundwater bodies.

105 As set out in policy **DM22**, addressing light pollution in the Broads is an important aspect of the
 106 Local Plan. These establishments can be in rural areas, sometimes away from or on the edge of
 107 settlements, and any external lighting can have a significant impact on the tranquillity of the area.
 108 Proposals therefore need to address light pollution.

109 Many of the pubs are historic assets or have an impact on the landscape or townscape, which is
 110 another reason people go to them. The policy seeks to recognise this. For example, when historic
 111 pubs have their historic value eroded through inappropriate alterations such as upvc windows/ loss
 112 of architectural detailing/unsympathetic hardstandings, it can be detrimental to both their heritage
 113 value but also their attractiveness to customers.

114 In cases where owners wish to pursue other forms of use of the public houses, they will be required
 115 to submit a report undertaken by an independent Chartered Surveyor, which meets the tests as set
 116 out in the CAMRA Public House Viability Test,¹ with any planning application. The Authority will
 117 need to verify the content of the report and may need to employ external expertise to do so (the
 118 applicant will need to meet the cost of this). The Broads Authority's Viability and Marketing Guide²
 119 will also be of relevance.

120 In relation to addressing any issues relating to crime, the Licensing Security and Vulnerability
 121 Initiative may be of relevance. Licensing SAVI is a confidential self-assessment tool designed to help
 122 the owners and operators of licensed premises provide a safe and secure environment for their
 123 managers, staff, customers and local communities - <https://www.licensingravi.com/>.

124 **Reasonable alternative options**

- 125 a) No policy on pubs - An alternative option could be to have no specific policy relating to pubs;
 126 any application would be considered using existing policies.
 127 b) Another option would be to not amend the policy in relation to light pollution, efficiency or
 128 historic and architectural assets.

129 **Sustainability appraisal summary**

130 The three options (of the amended policy, the original policy or not having a policy on pubs) have
 131 been assessed in the SA. The following is a summary.

A: No policy	Not having a policy does not mean that these issues will not be considered or addressed. A policy does however provide more certainty.
B: Keep original policy (other than updating the pub names).	7 positives. 0 negatives. 1 ? Overall, positive.
C: Preferred Option - amend policy to improve reference to light pollution (and update pub names)	10 positives. 0 negatives. 1 ? Overall, positive.

132 **How has the existing policy been used since adoption in May 2019?**

¹ CAMRA Public House Viability Test : <https://pubs.camra.org.uk/dl.php?id=57295>

² https://www.broads-authority.gov.uk/_data/assets/pdf_file/0019/407404/Marketing-and-Viability-SPD.pdf

133 According to recent Annual Monitoring Reports, the policy has been used and applications have
134 been determined in accordance with the policy.

135 **Why have the alternative options been discounted?**

136 The pubs in the Broads are so important to the community, visitors and local economy. Pubs, for a
137 variety of reasons, are at risk if being lost. This policy seeks to ensure the continued existence of the
138 pubs in the Broads whilst promoting/enabling appropriate changes to ensure the long-term viability
139 of the pubs. As such, it seems prudent to continue to have this policy in the Local Plan. In terms of
140 preferring the slightly amended policy, this will strengthen the protection of dark skies as often,
141 these pubs are directly on waterways in rural or edge of urban areas where lighting, if installed
142 incorrectly or excessively, can cause light pollution. The amendments also cover issues such as
143 water and energy efficiency which are important given the cost of living rise, climate change and
144 water resource issues. The amendments relating to the pubs being assets is preferred as in some
145 cases, the building itself is an attraction and asset to the area.

146 **UN Sustainable Development Goals check**

147 This policy meets these [UN SD Goals](#):

Sustainability Appraisal

SA objectives:

- ENV1: To reduce the adverse effects of traffic (on roads and water).
- ENV2: To safeguard a sustainable supply of water, to protect and improve water quality and to use water efficiently.
- ENV3: To protect and enhance biodiversity and geodiversity.
- ENV4: To conserve and enhance the quality and local distinctiveness of landscapes and towns/villages.
- ENV5: To adapt, become resilient and mitigate against the impacts of climate change
- ENV6: To avoid, reduce and manage flood risk and to become more resilient to flood risk and coastal change.
- ENV7: To manage resources sustainably through the effective use of land, energy and materials.
- ENV8: To minimise the production and impacts of waste through reducing what is wasted, and re-using and recycling what is left.
- ENV9: To conserve and enhance the cultural heritage, historic environment, heritage assets and their settings
- ENV10: To achieve the highest quality of design that is innovative, imaginable, and sustainable and reflects local distinctiveness.
- ENV11: To improve air quality and minimise noise, vibration and light pollution.
- ENV12: To increase the proportion of energy generated through renewable/low carbon processes without unacceptable adverse impacts to/on the Broads landscape
- SOC1: To improve the health and wellbeing of the population and promote a healthy lifestyle.
- SOC2: To reduce poverty, inequality and social exclusion.
- SOC3: To improve education and skills including those related to local traditional industries.
- SOC4: To enable suitable stock of housing meeting local needs including affordability.
- SOC5: To maximise opportunities for new/ additional employment
- SOC6: To improve the quality, range and accessibility of community services and facilities and to ensure new development is sustainability located with good access by means other than a private car to a range of community services and facilities.
- SOC7: To build community identity, improve social welfare and reduce crime and anti-social activity.
- ECO1: To support a flourishing and sustainable economy and improve economic performance in rural areas.
- ECO2: To ensure the economy actively contributes to social and environmental well-being.
- ECO3: To offer opportunities for Tourism and recreation in a way that helps the economy, society and the environment.

		A: No policy		B: Keep original policy (other than updating the pub names).		C: Amend policy to improve reference to light pollution (and update pub names)
ENV1	?	Not having a policy does not mean that these issues will not be considered or addressed. A policy does however provide more certainty.	+	Policy seeks benefits to river/water users	+	Policy seeks benefits to river/water users
ENV2	?		+	Policy includes a criterion on foul drainage	+	Policy includes a criterion on foul drainage
ENV3						
ENV4					+	Policy highlights how some pubs are important assets in terms of the building itself.
ENV5					+	Policy refers to energy efficiency
ENV6	?		+	Policy includes a criterion on flood risk.	+	Policy includes a criterion on flood risk.
ENV7						
ENV8						
ENV9					+	Policy highlights how some pubs are important assets in terms of the building itself.
ENV10						
ENV11	?		+	Policy includes a criterion on light pollution.	+	Policy includes a stronger criterion on light pollution.
ENV12						
SOC1	?		?	On one hand pubs could enable unhealthy lifestyles but on the other hand are a place to socialise.	?	On one hand pubs could enable unhealthy lifestyles but on the other hand are a place to socialise.
SOC2						
SOC3						
SOC4						
SOC5						
SOC6	?		+	Pubs are an important facility to the community.	+	Pubs are an important facility to the community.
SOC7	?		+	Pubs are a place to socialise.	+	Pubs are a place to socialise.
ECO1	?		+	Pubs are a business in themselves and this policy seeks their protection and changes which are acceptable in relation to other policies as well as improve the viability of the pubs.	+	Pubs are a business in themselves and this policy seeks their protection and changes which are acceptable in relation to other policies as well as improve the viability of the pubs.
ECO2						
ECO3						



Local Plan for the Broads - Review
Preferred Options bitesize pieces
February 2023
Railway stations/halts

This is a proposed draft section/policy for the Preferred Options Local Plan. Member's comments and thoughts are requested. This policy is already in the local plan, but some amendments are proposed.

Amendments to improve the policy are shown as follows: ~~text to be removed~~ and added text.

There is an assessment against the UN Sustainable Development Goals at the end of the policy.

The proposed Sustainability Appraisal of the policy is included at the end of the document. This would not be included in the Preferred Options Local Plan itself; this table would be part of the Preferred Options Sustainability Appraisal, but is included here to show how the policy and options are rated.

The currently adopted policy remains in place – these are proposed amendments and this section will form part of the Preferred Options version of the Local Plan.

Policy POSSSTATIONS: Railway stations/halts

Main Map (NE, NW, & S), and various Inset Maps

1. The following railway stations/halts, identified on the Adopted Policies Map, will be protected in their railway station use as key parts of the local railway network:

- i) Berney Arms rail halt
- ii) Haddiscoe rail halt
- iii) Somerleyton southern platform
- iv) Buckenham Station
- v) Hoveton and Wroxham Station

2. The Authority will support appropriate and well-designed proposals that:

- a) contribute to their continued/improved use;
- b) reflect and respect their heritage value and architecture;
- c) enhance their appearance;
- d) address/not cause light pollution;
- e) aid interpretation of the local area;
- f) provide improved facilities for passengers;
- g) provide biodiversity enhancements;
- h) have no adverse impact upon the integrity of any Habitats site either alone or in combination;
and
- i) improve access by sustainable modes of transport.

21 **Constraints**

- 22 • Flood zone 2 and 3 (EA Mapping) and indicative 3b by SFRA 2017 mapping (except Hoveton and
23 Wroxham Station)
- 24 • Buckenham Station: near to Mid Yare National Nature Reserve, Broadland Ramsar Site, Yare
25 Broads and Marshes SSSI, The Broads SAC, Broadland SPA.
- 26 • Berney Arms Halt: Halvergate Marshes SSSI, Breydon Water SPA, Breydon Water Ramsar Site

27 **Reasoned Justification**

28 There are five railway stations/halts (or parts of) within the Broads Authority Executive Area and
29 these are shown on the policies map.

30 While some stations are used more than others, all are important to the local community and
31 visitors. The more remote stations or halts offer a unique opportunity for visitors to access the
32 wilder parts of the Broads without the need of a private car.

33

34 Some of the stations/halts are part of a network of historic railway stations. They have heritage and
35 their architectural value as good examples of railway architecture. Our historic
36 environment/heritage asset policies will be used to ensure protection and preservation of assets or
37 seek to reinstate historic features as appropriate.

38 The policy seeks retention of railway stops and supports appropriate improvements to the facilities
39 that reflect, but do not impact on, the special qualities of the Broads. In particular, in line with
40 policy xxx, proposals will be expected to provide biodiversity enhancements, as appropriate. And
41 given that some stations/halts are isolated or on the edge of built up areas, lighting can have a big
42 impact on the area and so particular care and attention will be given to any lighting.

43 With regard to improving access by sustainable modes of transport, example improvements could
44 include the provision of well-designed and located secure cycle parking facilities and electric
45 charging points for electric vehicles.

46 **Reasonable alternative options**

- 47 a) No policy on stations/halts - an alternative option could be to have no specific policy relating to
48 stations/halts; any application would be considered using existing policies.
- 49 b) Another option would be to not amend the policy in relation to light pollution and biodiversity
50 enhancements.

51 **Sustainability appraisal summary**

52 The three options (of the amended policy, the original policy or not having a policy on
53 stations/halts) have been assessed in the SA. The following is a summary.

A: No policy	Not having a policy does not mean that these issues will not be considered or addressed. A policy does however provide more certainty. With stations/halts an essential element to the tourist network in the Broads it seems prudent to have a policy. As such, not having a policy was discounted.
B: Keep original policy	5 positives. 0 negatives. 0? Overall, positive.

C: Preferred Option - amend policy to improve reference to light pollution and biodiversity enhancements	8 positives. 0 negatives. 0? Overall, positive.
--	--

54 **How has the existing policy been used since adoption in May 2019?**

55 According to recent Annual Monitoring Reports, the policy has not need used.

56 **Why have the alternative options been discounted?**

57 The stations/halts in the Broads are so important to the community, visitors and local economy.
58 This policy seeks to ensure the continued existence of the stations/halts in the Broads whilst
59 promoting/enabling appropriate changes to ensure their long-term viability. As such, it seems
60 prudent to continue to have this policy in the Local Plan. In terms of preferring the slightly
61 amended policy, this will strengthen the protection of dark skies as often, these stations/halts are
62 in rural or edge of urban areas where lighting, if installed incorrectly or excessively, can cause light
63 pollution. Indeed, given their location, and given the importance of biodiversity recovery, the
64 amended wording relating to biodiversity enhancements is preferred.

65 **UN Sustainable Development Goals check**

66 This policy meets these [UN SD Goals](#):

13 CLIMATE
ACTION



15 LIFE
ON LAND



67 **Sustainability Appraisal**

68 SA objectives:

- 69 • ENV1: To reduce the adverse effects of traffic (on roads and water).
- 70 • ENV2: To safeguard a sustainable supply of water, to protect and improve water quality and to
- 71 use water efficiently.
- 72 • ENV3: To protect and enhance biodiversity and geodiversity.
- 73 • ENV4: To conserve and enhance the quality and local distinctiveness of landscapes and
- 74 towns/villages.
- 75 • ENV5: To adapt, become resilient and mitigate against the impacts of climate change
- 76 • ENV6: To avoid, reduce and manage flood risk and to become more resilient to flood risk and
- 77 coastal change.
- 78 • ENV7: To manage resources sustainably through the effective use of land, energy and materials.
- 79 • ENV8: To minimise the production and impacts of waste through reducing what is wasted, and
- 80 re-using and recycling what is left.
- 81 • ENV9: To conserve and enhance the cultural heritage, historic environment, heritage assets and
- 82 their settings
- 83 • ENV10: To achieve the highest quality of design that is innovative, imaginable, and sustainable
- 84 and reflects local distinctiveness.
- 85 • ENV11: To improve air quality and minimise noise, vibration and light pollution.
- 86 • ENV12: To increase the proportion of energy generated through renewable/low carbon
- 87 processes without unacceptable adverse impacts to/on the Broads landscape
- 88 • SOC1: To improve the health and wellbeing of the population and promote a healthy lifestyle.
- 89 • SOC2: To reduce poverty, inequality and social exclusion.
- 90 • SOC3: To improve education and skills including those related to local traditional industries.
- 91 • SOC4: To enable suitable stock of housing meeting local needs including affordability.
- 92 • SOC5: To maximise opportunities for new/ additional employment
- 93 • SOC6: To improve the quality, range and accessibility of community services and facilities and to
- 94 ensure new development is sustainability located with good access by means other than a
- 95 private car to a range of community services and facilities.
- 96 • SOC7: To build community identity, improve social welfare and reduce crime and anti-social
- 97 activity.
- 98 • ECO1: To support a flourishing and sustainable economy and improve economic performance in
- 99 rural areas.
- 100 • ECO2: To ensure the economy actively contributes to social and environmental well-being.
- 101 • ECO3: To offer opportunities for Tourism and recreation in a way that helps the economy,
- 102 society and the environment.

103 Assessment of policy

		A: No specific policy.	B: Keep original policy	C: Preferred Option - amend policy to improve reference to light pollution and biodiversity enhancements
ENV1	?	Not having a policy does not mean that these issues will not be considered or addressed. A policy does however provide more certainty. With stations/halts an essential element to the tourist network in the Broads it seems prudent to have a policy.	+ The policy seeks to protect and enables appropriate enhancements of the halts and stations that will benefit modal shift.	+ The policy seeks to protect and enables appropriate enhancements of the halts and stations that will benefit modal shift.
ENV2				
ENV3				+ The policy specifically refers to biodiversity enhancements.
ENV4	?		+ The policy specifically refers to improving their appearance.	+ The policy specifically refers to improving their appearance.
ENV5	?		+ The stations/halts will enable modal shift.	+ The stations/halts will enable modal shift.
ENV6				
ENV7				
ENV8				
ENV9				+ The policy highlights that some stations/halts have heritage value.
ENV10	?		+ The policy specifically refers to improving their appearance.	+ The policy specifically refers to improving their appearance.
ENV11				+ The policy requires light pollution to be addressed.
ENV12				
SOC1				
SOC2				
SOC3				
SOC4				
SOC5				
SOC6	?		+ Halts/stations enable modal shift.	+ Halts/stations enable modal shift.
SOC7				
ECO1				
ECO2				
ECO3				



Local Plan for the Broads - Review
Preferred Options bitesize pieces
February 2023

Trinity Broads

This is a proposed draft section/policy for the Preferred Options Local Plan. Member's comments and thoughts are requested. This policy is already in the local plan, but some amendments are proposed.

Amendments to improve the policy are shown as follows: ~~text to be removed~~ and added text.

There is an assessment against the UN Sustainable Development Goals at the end of the policy.

The proposed Sustainability Appraisal of the policy is included at the end of the document. This would not be included in the Preferred Options Local Plan itself; this table would be part of the Preferred Options Sustainability Appraisal, but is included here to show how the policy and options are rated.

The currently adopted policy remains in place – these are proposed amendments and this section will form part of the Preferred Options version of the Local Plan.

Policy POSSTRI: Trinity Broads

Main Map North East and Policy Maps 8 and 13

1. The Trinity Broads area defined on the Adopted Policies Map will be protected for its special nature, character and tranquillity.
2. The volume, extent and nature of boating on these broads will be strictly controlled for the purposes of quiet recreation and to reflect the importance of the area as a wild bird refuge.
3. Applicants for planning permission will need to demonstrate that proposed development is compatible with these aims.
4. Particular care needs to be made to lighting schemes in recognition of the area having very good dark skies.
5. The specifics of a proposal could mean that a project level Habitats Regulation Assessment could be needed.

Parishes affected

Filby CP, Fleggburgh CP, Hemsby CP, Martham CP, Mautby CP, Ormesby St. Michael CP, Rollesby CP, Stokesby with Herringby CP.

Constraints and features

- 18 • Much of area in, variously, SAC, SPA, SSSIs, CWS, and/or LNRs.
- 19 • Flood risk and open water (zones 1, 2 & 3 by EA mapping; zones 1, 2, 3a & indicative 3b by SFRA
- 20 2017 mapping).
- 21 • Ormesby Water Works (see ORM1).

22 **Reasoned Justification**

23 This area of the Broads, although not alone in either tranquillity or nature value, is especially
24 susceptible to change.

25 Essex & Suffolk Water abstracts more than five million litres of water (on average) a day from
26 Ormesby Broad, which helps to supply more than 80,000 people in the Great Yarmouth area. Good
27 water quality is vital to this role. The Trinity Broads are separated from the main navigation so
28 there is an absence of through boat traffic, and access and ownership restrictions limit the number
29 and type of craft (for example, petrol- and diesel-powered craft are prohibited with the exception
30 of safety vessels). These factors contribute to the special tranquillity of the area. The Trinity Broads
31 Project (a partnership of Essex & Suffolk Water, the Broads Authority, Natural England, Norfolk
32 Wildlife Trust and the Environment Agency) has, over a period of ~~16~~ 20 years, been highly
33 successful in restoring and managing the biodiversity of the area, improving water quality,
34 managing recreation, and involving local people.

35 When considering planning applications in this area, the Authority will consider if a trial period with
36 a temporary planning permission and a funded programme of monitoring is appropriate or
37 necessary. The specifics of a proposal could mean that a project level Habitats Regulation
38 Assessment could be needed.

39 This area of the Broads in particular has dark skies. In accordance with policy **DM22**, the darkness of
40 the skies will therefore be maintained through addressing potential light pollution arising from
41 proposals.

42 **Reasonable alternative options**

43 Considering the importance of the Trinity Broads and the constraints in the area and features of the
44 site, the option of no policy is not considered reasonable.

45 **No reasonable alternative options.**

46 **Sustainability appraisal summary**

47 The original policy has been assessed in the SA. The following is a summary.

A: Keep original policy	6 positives. 0 negatives. 1 ? Overall, positive.
-------------------------	---

48 **How has the existing policy been used since adoption in May 2019?**

49 According to recent Annual Monitoring Reports, the policy has not been used.

50 **UN Sustainable Development Goals check**

51 This policy meets these [UN SD Goals](#):

6 CLEAN WATER
AND SANITATION



14 LIFE
BELOW WATER



Sustainability Appraisal

SA objectives:

- ENV1: To reduce the adverse effects of traffic (on roads and water).
- ENV2: To safeguard a sustainable supply of water, to protect and improve water quality and to use water efficiently.
- ENV3: To protect and enhance biodiversity and geodiversity.
- ENV4: To conserve and enhance the quality and local distinctiveness of landscapes and towns/villages.
- ENV5: To adapt, become resilient and mitigate against the impacts of climate change
- ENV6: To avoid, reduce and manage flood risk and to become more resilient to flood risk and coastal change.
- ENV7: To manage resources sustainably through the effective use of land, energy and materials.
- ENV8: To minimise the production and impacts of waste through reducing what is wasted, and re-using and recycling what is left.
- ENV9: To conserve and enhance the cultural heritage, historic environment, heritage assets and their settings
- ENV10: To achieve the highest quality of design that is innovative, imaginable, and sustainable and reflects local distinctiveness.
- ENV11: To improve air quality and minimise noise, vibration and light pollution.
- ENV12: To increase the proportion of energy generated through renewable/low carbon processes without unacceptable adverse impacts to/on the Broads landscape
- SOC1: To improve the health and wellbeing of the population and promote a healthy lifestyle.
- SOC2: To reduce poverty, inequality and social exclusion.
- SOC3: To improve education and skills including those related to local traditional industries.
- SOC4: To enable suitable stock of housing meeting local needs including affordability.
- SOC5: To maximise opportunities for new/ additional employment
- SOC6: To improve the quality, range and accessibility of community services and facilities and to ensure new development is sustainability located with good access by means other than a private car to a range of community services and facilities.
- SOC7: To build community identity, improve social welfare and reduce crime and anti-social activity.
- ECO1: To support a flourishing and sustainable economy and improve economic performance in rural areas.
- ECO2: To ensure the economy actively contributes to social and environmental well-being.
- ECO3: To offer opportunities for Tourism and recreation in a way that helps the economy, society and the environment.

Assessment of policy

A: Keep original policy		
ENV1	+	Policy refers to controlling boat use.
ENV2	+	The policy will result in the protection of the Broad which is used for water supply.
ENV3	+	The policy will result in benefits to biodiversity.
ENV4	+	The policy seeks protection of the character of the area.
ENV5		
ENV6		
ENV7		
ENV8		
ENV9		
ENV10		
ENV11	+	The policy specifically refers to light pollution.
ENV12		
SOC1	+	Tranquillity benefits mental wellbeing.
SOC2		
SOC3		
SOC4		
SOC5		
SOC6		
SOC7		
ECO1		
ECO2		
ECO3	?	On one hand the controlling of boating activity could be seen as a negative against this objective, but on the other hand, the policy seeks to protect the tranquillity which people may come to the Broads to experience.



Local Plan for the Broads - Review
Preferred Options bitesize pieces
February 2023

Sites specifics - Upper Thurne

This is a proposed draft section/policy for the Preferred Options Local Plan. Member's comments and thoughts are requested. This policy is already in the local plan, but some amendments are proposed.

Amendments to improve the policy are shown as follows: ~~text to be removed~~ and added text.

There is an assessment against the UN Sustainable Development Goals at the end of the policy.

The proposed Sustainability Appraisal of the policy is included at the end of the document. This would not be included in the Preferred Options Local Plan itself; this table would be part of the Preferred Options Sustainability Appraisal, but is included here to show how the policy and options are rated.

The currently adopted policy remains in place – these are proposed amendments and this section will form part of the Preferred Options version of the Local Plan.

Policy POSSUT: Upper Thurne

Main Map North East and Policy Map 15

1. The Upper River Thurne area defined on the Adopted Policies Map will be protected for its special nature, character and tranquillity.
2. Development likely to lead to a significant increase in the volume or extent of boating, or a change in its nature (particularly an increase in the proportion of motorised craft) in this area will be strictly controlled to reflect the importance of the area for quiet recreation and as a wild bird refuge.
3. Applicants for planning permission will need to demonstrate that proposed development is compatible with these aims.
4. In recognition of the area being the darkest in the Broads, particular attention will be paid to lighting schemes in order to protect the dark skies of the Upper River Thurne area.
5. The specifics of a proposal could mean that a project level Habitats Regulation Assessment could be needed.

Parishes affected

Catfield CP, Hickling CP, Horsey CP, Ingham CP, Martham CP, Potter Heigham CP, Repps with Bastwick CP, Sea Palling CP, Somerton CP, Winterton-on-Sea CP.

19 Constraints and features

- 20 • Much of area in, variously, SAC, SPA, SSSI, CWS.
- 21 • Flood risk, including serious risk of coastal inundation (zone 3, with some zones 1 & 2, by EA
- 22 mapping; zone indicative 3b by SFRA 2017 mapping).

23 Reasoned Justification

24 This area, although not alone within the Broads in either tranquillity or nature value, is especially

25 susceptible to change. It is also likely to be in the forefront of climate change impacts.

26 It differs from most other parts of the Broads in that there are relatively low levels of boat traffic, in

27 part because of the restriction to navigation of the bridge at Potter Heigham. The water quality is

28 vulnerable to change, as limited water flow in this part of the network limits the dispersal of

29 agriculture related pollution and the salinity arising from seawater intrusion through the ground.

30 The Upper Thurne Working Group (made up of statutory, charity, user group and parish

31 representatives) has, over a period of 20 years, been highly successful in restoring and managing

32 the biodiversity of the area, improving water quality, managing recreation and involving local

33 people.

34 This area of the Broads in particular has very dark skies, with the majority of the area being the

35 darkest in the Broads. In accordance with policy **DM22**, the darkness of the skies will be maintained

36 through addressing potential light pollution arising from proposals.

37 **Reasonable alternative options**

38 Considering the importance of the Upper Thurne and the constraints in the area and features of the

39 site, the option of no policy is not considered reasonable.

40 **No reasonable alternative options.**

41 **Sustainability appraisal summary**

42 The policy has been assessed in the SA. The following is a summary.

A: Keep original policy	6 positives. 0 negatives. 1 ? Overall, positive.
-------------------------	---

43 **How has the existing policy been used since adoption in May 2019?**

44 According to recent Annual Monitoring Reports, the policy has not been used.

45 **UN Sustainable Development Goals check**

46 This policy meets these [UN SD Goals](#):

6 CLEAN WATER
AND SANITATION



14 LIFE
BELOW WATER



Sustainability Appraisal

SA objectives:

- ENV1: To reduce the adverse effects of traffic (on roads and water).
- ENV2: To safeguard a sustainable supply of water, to protect and improve water quality and to use water efficiently.
- ENV3: To protect and enhance biodiversity and geodiversity.
- ENV4: To conserve and enhance the quality and local distinctiveness of landscapes and towns/villages.
- ENV5: To adapt, become resilient and mitigate against the impacts of climate change
- ENV6: To avoid, reduce and manage flood risk and to become more resilient to flood risk and coastal change.
- ENV7: To manage resources sustainably through the effective use of land, energy and materials.
- ENV8: To minimise the production and impacts of waste through reducing what is wasted, and re-using and recycling what is left.
- ENV9: To conserve and enhance the cultural heritage, historic environment, heritage assets and their settings
- ENV10: To achieve the highest quality of design that is innovative, imaginable, and sustainable and reflects local distinctiveness.
- ENV11: To improve air quality and minimise noise, vibration and light pollution.
- ENV12: To increase the proportion of energy generated through renewable/low carbon processes without unacceptable adverse impacts to/on the Broads landscape
- SOC1: To improve the health and wellbeing of the population and promote a healthy lifestyle.
- SOC2: To reduce poverty, inequality and social exclusion.
- SOC3: To improve education and skills including those related to local traditional industries.
- SOC4: To enable suitable stock of housing meeting local needs including affordability.
- SOC5: To maximise opportunities for new/ additional employment
- SOC6: To improve the quality, range and accessibility of community services and facilities and to ensure new development is sustainability located with good access by means other than a private car to a range of community services and facilities.
- SOC7: To build community identity, improve social welfare and reduce crime and anti-social activity.
- ECO1: To support a flourishing and sustainable economy and improve economic performance in rural areas.
- ECO2: To ensure the economy actively contributes to social and environmental well-being.
- ECO3: To offer opportunities for Tourism and recreation in a way that helps the economy, society and the environment.

Assessment of policy

A: Keep original policy		
ENV1	+	Policy refers to controlling boat use.
ENV2	+	The policy will result in the protection of the Broad which is used for water supply.
ENV3	+	The policy will result in benefits to biodiversity.
ENV4	+	The policy seeks protection of the character of the area.
ENV5		
ENV6		
ENV7		
ENV8		
ENV9		
ENV10		
ENV11	+	The policy specifically refers to light pollution.
ENV12		
SOC1	+	Tranquillity benefits mental wellbeing.
SOC2		
SOC3		
SOC4		
SOC5		
SOC6		
SOC7		
ECO1		
ECO2		
ECO3	?	On one hand the controlling of boating activity could be seen as a negative against this objective, but on the other hand, the policy seeks to protect the tranquillity which people may come to the Broads to experience.

Planning Committee

03 February 2023

Agenda item number 11

Consultation Responses

Report by Planning Policy Officer

Summary

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

Recommendation

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

1. Introduction

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

Author: Natalie Beal

Date of report: 20 January 2023

Appendix 1 – Planning Policy consultations received

Appendix 1 – Planning Policy consultations received

Trowse Parish Council

Document: [Neighbourhood Plan - Trowse with Newton Parish Council \(norfolkparishes.gov.uk\)](https://www.norfolkparishes.gov.uk)

Due date: 12 February 2023

Status: Regulation 14

Proposed level: Planning Committee Endorsed

Proposed response

Generally, the Neighbourhood Plan is welcomed. There are areas where clarity is needed and some areas where reference to the Broads and its status needs improving. The evidence base should also be updated. In terms of the design guide, this needs better assessment of the Broads for it to apply to development in the Broads.

General

- Please can you check the accessibility of documents? The images need to have alt text for example.
- I suggest numbering each part of a policy so it is easy for reference.

Plan

- Para 10 – there is a specific policy for Whitlingham Country Park in the Local Plan for the Broads which could be referenced.
- Para 21 says ‘The proportion of three-bedrooms homes in Trowse will, reduce as a result of the Norfolk Homes development, to just below one-third.’ – I don’t think the two commas are needed.
- Para 27 – please say that the Broads Authority are producing their design guide and recently consulted on it (end of 2022).
- Figure 4 could do with being a bit bigger so the key can be read easier.
- Policy 2 – Please see comments on the design guide – we feel that as written, the design guide does not adequately reflect the Broads, but if our comments are taken on board, that issue will be addressed. In some other areas where the design guide does not address the Broads well, it does not apply to the Broads.
- Policy 2 – Para 3 – I am a bit confused as to why you have brought out four areas of the design code. The code has guidance for the entire parish, so why only talk about 4 areas?
- Para 39 last sentence just ends and seems to not be finished.
- Para 4- ‘known as May Gurney **site**’?
- Figure 9- could do with being bigger as it is hard to read the key and other writing.

- Para bottom of page 20 – para number missing,
- Para 44 – and the May Gurney site is immediately adjacent to the BA Executive Area.
- Para 52 – Would suggest: ‘This is particularly important for parts of the site adjacent the river as there are key views across the river from Trowse *and it is immediately adjacent to the Broads Authority Executive Area.*’
- Para 53 – the second sentence – is quite long and I am not sure it reads well – for example the wording about County Hall does not link to the rest of the para it seems.
- Policy 3 – ‘May Gurney **site**’?
- Policy 3 is written like a vision by saying things like ‘The development will have high quality design...’ but there is no instruction here. You might want to say ‘will need to’ or ‘must’ or ‘will be required to’.
- Policy 3 and supporting text – you may want to refer to the setting of the Broads as that is protected through the NPPF.
- Policy 3 – when you talk about trees, you might want to say ‘the right tree in the right place’.
- Policy 3, first para under transport links title – says ‘Where adjacent spaces or buildings, the visual impact of this should be mitigated through planting.’ – does this refer to cycle parking still? It is not clear.
- Policy 3 under transport links, second para says ‘this is a condition of planning permission’ – do you mean this must be a condition or already is – as written, it is not clear.
- Policy 3 – general check of the use of should and the use of the word encouraged as well as the use of will as mentioned above.
- Policy 3 - should perhaps contain some reference to the site being immediately adjacent to the BA Executive Area and the protected setting of this.
- Para 62 – BNG is set for November 2023.
- Para 63 – suggest you refer to our Biodiversity Enhancements Guide,
- Policy 4 – suggest you need to set a threshold to which the BNG requirement will apply – all new and replacement buildings perhaps? It could apply to a sign or replacement windows as written.
- Policy 4 – I can guess that you want applicants and DM officers to use the NE metrics (3.1 and small sites), but you do not say this in the text. You say it in the policy, but only in relation to 10 to 25% BNG.
- Policy 4, f – something we are looking into is, given the changing climate such as the hot summers, is it best to have native species? That being said, non-native species may suffer in the cold. No answers yet, but it is an issue we are thinking about.

- Policy 5 – is the sentence starting with ‘new buildings are inappropriate’ meant to be the first bullet point? It is not at the moment.
- Section 6.3 – if you are talking about landscape, you might want to mention the Broads here.
- Policy 14 – should it seek the re-use and retention of the non-designated heritage assets?

Evidence base

- The date on the front is February 2020. I would suggest that the evidence needs checking and updating where possible and the date on the front updated.
- Section 1 does not really explain about the Broads and that part of the area. Would suggest this needs improving.
- Section 3 – I can’t see the source for much of the information in here.
- Figure 8 could be updated.
- Page 11 – is the school open?
- Page 12 – you could update the completions data. Think that is 3 years old now.
- Does section 5 need updating?
- Figure 11 – what is the source and year (and does it need updating)?
- Figure 21 – is the red line the conservation area – don’t think it is on the key

Views document

- Does it matter that the last view discussed does not have a photo?

Design Code

Whilst the Guide has considered the context of the Broads, the omission of reference to the status of the Broads, policy WHI1 and the emerging design guide are worrying and need to be addressed in order for the Design Guide to apply to the Broads.

Here are some detailed comments:

- 1.3 – this section needs to mention the Broads and its status as an equivalent to a National Park.
- Map on page 7 needs to show the Broads Authority Executive Area
- 2.5 – needs to mention the policy WHI1: Whitlingham Country Park
- 2.5 needs to mention our planning guides: [Broads planning guides \(broads-authority.gov.uk\)](https://broads-authority.gov.uk/broads-planning-guides)
- 2.5 needs to mention our emerging Design Guide that was out for consultation in October and November 2022: [Consultations \(broads-authority.gov.uk\)](https://broads-authority.gov.uk/consultations)
- 2.5 needs to refer to our review of the Local Plan: [Consultations \(broads-authority.gov.uk\)](https://broads-authority.gov.uk/consultations)
- 3.1 – also the area is a registered park and garden
- 3.1 – 2 – do the parked cars slow vehicle speeds?

- 3.1 – 5 – this is too simplistic. The Parish has areas of surface water flooding as well. And the main approach to flood risk is to not develop in flood zones in line with the NPPF. This section needs addressing as it is misleading and not in line with national policy.
- Figure 05 – needs to show the area of the registered park and garden
- Figure 05 – a good map, but would benefit from having its own page.
- Fig 05 should also show the BA boundary.
- 3.1 – no mention of the Broads and its status in this section.
- 3.2 – part of the TNCA is in the Broads and that needs to be mentioned.
- Page 18 – bullet above ‘green corridor’ – for consistency, does this need to start with ‘opportunity’?
- Page 18 under 4 – says ‘a network existing the hedgerows and trees’ – does not make sense as written.
- Figure 07 – needs to show the area of the registered park and garden
- Figure 07 – a good map and on its own page, but could be bigger and utilise the blank space on the page.
- Figure 07 – the numbers do not appear on the key – what do they depict?
- Page 20 – the dates have been and gone and so suggest this section needs updating
- 3.3 – this area seems to be in the setting of the Broads which is protected in the NPPF and therefore the setting of the Broads needs to be mentioned here.
- Figure 12 – needs to show the Broads for context
- Figure 12 – a good map, but would benefit from having its own page
- DC1.2 – an ideal place to refer to the fact that part of the parish is in the Broads, yet there is no reference.
- Generally, in reference to trees, should the guidance be ‘the right tree in the right place’?
- Again, in relation to trees, an issue we are talking about – given the changing climate (hotter summers in particular), should trees be native? Will they survive? That being said, will non-native trees cope with the cold? We don’t have an answer yet, but this is something we are looking into and the consultants may have some thoughts?
- DC1.3 – how about the country park? Isn’t that a landmark? Does that relate to views?
- DC1.4 – an ideal place to refer to the fact that part of the parish is in the Broads, yet there is no reference.
- DC1.4 ‘New development should avoid threatening existing ecological assets e.g. Whitlingham Park’ etc’ add the Broads National Park?
- DC2.1 – should there be mention of and reference to Manual for Streets here?
- Page 29, third bullet in first green box – there is an end bracket, but no start bracket
- Figure 18 – a good map and on its own page, but could be bigger and utilise the blank space on the page.
- Figure 19 does not look like a tertiary road – it looks more like a mews
- 2.3 – also the ski slope and the campsite are reasons to visit the area. Does it need to mention the demand from Norwich City supporters when there is a home match?
- Figure 26 – why is this a bad example? Some explanation would help.
- Figure 55 is quite blurry.
- Page 63 and Figure 70 and 71 Character Areas – there is an area shown as ‘The Broads’ character area. However the actual Broads area is larger than this. Could there be a note to clarify this so as not to lead to confusion?
- Page 65 is the first real reference to the Broads and its status.

- Page 65 section on TB-The Broads – this should explain that the TB area shown on the plans is not the actual area of the Broads, which extends almost into the village or alternatively the plans should be amended to show the Broads Executive area.
- DC5.5.2 – should the setting of the Broads be referred to here?
- Section 6 – there is no mention of the Broads anywhere in the general questions section and it seems prudent to do so given the status of the Broads.
- There seems to be nothing about light pollution in the Guide.

Planning Committee

03 February 2023

Agenda item number 12

Levelling up Bill, Planning and the NPPF, including proposed consultation response

Report by Planning Policy Officer

Summary

The Government are consulting on changes to the planning system as well as changes to the National Planning Policy Framework (NPPF). This Paper discusses the proposed changes to the planning system and NPPF and proposes a response to the consultation.

Recommendation

Members note the report and endorse the proposed consultation response.

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1. Introduction

- 1.1. Please note that this paper uses content from this article [Levelling-up and Regeneration Bill: reforms to national planning policy | Planning Resource](#) (log in required).
- 1.2. The government has released the [Levelling-up and Regeneration Bill: reforms to national planning policy](#). As well as seeking views on the government's proposed approach to the NPPF, the consultation also canvasses opinion on its proposed approach to preparing National Development Management Policies. Alongside it, the government published a [proposed text of the NPPF revisions](#). The consultation on them ends at 11.45pm on 2 March 2023. The government says it will respond to this consultation by Spring 2023, publishing the framework revisions as part of this, "so that policy changes can take effect as soon as possible".
- 1.3. The government also promises a wider review of the NPPF, to follow Royal Assent of the Levelling Up and Regeneration Bill. "The government will consult on the detail of these wider changes next year, reflecting responses to this consultation", the planning reforms consultation says.
- 1.4. The following is a summary of the key points made in Levelling-up and Regeneration Bill: reforms to national planning policy.
- 1.5. The main consultation document can be found here: [Levelling-up and Regeneration Bill: reforms to national planning policy - GOV.UK \(www.gov.uk\)](#)
- 1.6. The tracked changed NPPF can be found here: [National Planning Policy Framework: draft text for consultation \(publishing.service.gov.uk\)](#)
- 1.7. The proposed response to the consultation can be found at Appendix 1.

2. Policy objectives

- 2.1. The stated objectives of the proposals are to support the Government's wider objectives of making the planning system work better for communities, delivering more homes through sustainable development, building pride in place and supporting levelling up more generally. There are a number of themes identified, as follows:
 - Building beautiful and refusing ugliness;
 - Securing the infrastructure needed to support development;
 - More democratic engagement with communities on local plans;
 - Better environmental outcomes;
 - Empowering communities to shape their neighbourhoods; and
 - Delivering more homes in the right places.
- 2.2. These themes are referred to under many of the topics and are intended as a thread running through the document.

- 2.3. The consultation makes it clear that it is the Government's intention to retain the planned system, which is useful to note given the previous suggestions of a more generic zone-type approach, and reiterates the importance of up to date Local Plans and Neighbourhood Plans.
- 2.4. Much of the technical detail in the consultation is around housing development, the assessment of need and how this is delivered and details of this are provided below.

3. How housing need should be assessed and the resulting figures applied.

- 3.1. The government says it will review the implications for the standard method of new household projections data based on the 2021 Census, which is due to be published in 2024. But it is not proposing any changes to the standard method formula itself through this consultation. *Note that the Standard Method does not apply to the Broads Authority – we calculate our need in a bespoke study.*
- 3.2. More explicit indications will be given in planning guidance about the types of local characteristics which may justify the use of an alternative method of assessing housing need, the document says. Examples could include islands with a high percentage of elderly residents, or university towns with an above-average proportion of students.
- 3.3. The need to avoid development that would be uncharacteristically dense for the area can outweigh the requirement to meet local housing need, the draft NPPF revision says. This calculation should be made taking into account the principles in local design guides or codes.
- 3.4. Authorities would not need to review their green belts, even if meeting housing need would be impossible without such a review. A draft NPPF revision is intended to make clear that local planning authorities are not required to review and alter Green Belt boundaries if this would be the only way of meeting need in full.
- 3.5. Councils would be able to take past over-delivery of housing into account when assessing housing need. The draft NPPF is intended to make clear that, if permissions that have been granted exceed the provision made in the existing plan, that surplus may be deducted from what needs to be provided in the new plan.
- 3.6. The test of 'soundness' for local plans is to be softened. The draft NPPF revisions say that plans will no longer be required to be 'justified'. Instead, the examination would assess whether the local planning authority's proposed target meets need so far as possible, takes into account other policies in the Framework, and will be effective and deliverable. For the purposes of the changes to the test of soundness, the government proposes "that these will not apply to plans that have reached pre-submission consultation stage, plans that reach that stage within three months of the introduction of this policy change, or plans that have been submitted for independent examination".

- 3.7. The government intends to retain the uplift of 35 per cent to the assessed housing need for the 20 largest towns and cities in England. The draft NPPF revisions would require that this uplift is, “so far as possible”, met by the towns and cities concerned rather than exported to surrounding areas, except where there is voluntary cross-boundary agreement to do so.
- 3.8. The duty to co-operate is to be replaced with an as-yet-unformulated “alignment policy”. The duty will remain in place until those provisions come into effect, and “further consultation on what should constitute the alignment policy will be undertaken”.
- 3.9. Some authorities with emerging local plans will benefit from a reduced housing land supply requirement. For the purposes of decision-making, where emerging local plans have been submitted for examination or where they have been subject to a Regulation 18 or 19 consultation which included both a policies map and proposed allocations towards meeting housing need, those authorities will benefit from a reduced housing land supply requirement, the consultation says. This will be a requirement to demonstrate a four-year supply of land for housing, instead of the usual five. These arrangements would apply for a period of two years from the point that these changes to the Framework take effect, the document adds.

4. Changes to the housing delivery test and 5 year land supply test

- 4.1. Authorities with an up-to-date local plan will no longer need to continually show a deliverable five-year housing land supply. In this case, “up-to-date” means where the housing requirement as set out in strategic policies is less than five years old, the document says. The government proposes the change to take effect when it publishes the revised National Planning Policy Framework, “expected in Spring 2023”. *Note that the Local Plan for the Broads was adopted May 2019.*
- 4.2. Local Planning Authorities would no longer have to provide five-year housing land supply buffers.
- 4.3. Local planning authorities would be allowed to include historic oversupply in their five-year housing land supply calculations. This would be implemented by amending the Framework and planning practice guidance, the document says.
- 4.4. Evidence of sufficient deliverable permissions could save Local Planning Authorities from the most severe Housing Delivery Test sanction. The document proposes to add to the test an additional permissions-based test. This will ‘switch off’ the application of ‘the presumption in favour of sustainable development’ as a consequence of under-delivery, where a local planning authority can show sufficient permissions for enough deliverable homes to meet their own annual housing requirement or, where lacking an up-to-date plan, local housing need, plus an additional contingency based on the number of planning permissions that are not likely to be progressed or are revised

(which the government proposes defining as 115 per cent of the housing requirement or local housing need). *The Housing Delivery Test does not apply to the Broads Authority.*

- 4.5. The government is considering suspension or amendment of the usual consequences of failure of the 2022 Housing Delivery Test. “Given our proposed changes,” the document says, “we would like to receive views on whether the test’s consequences should follow from the publication of the 2022 Test or if they should be amended, suspended until the publication of the 2023 Housing Delivery Test, or frozen to reflect the 2021 Housing Delivery Test results while work continues on our proposals to improve it”.

5. Measures to tackle slow build-out of permissions

- 5.1. Past “irresponsible planning behaviour” by applicants could in future be taken into account when applications are being determined. As examples of such applicant behaviour, the document cites “persistently breaching planning controls or failing to deliver their legal commitments to the community”. Primary legislation would be needed to enact such measures, on which the government is seeking views.
- 5.2. Government data will be published on developers of sites over a certain size who fail to build out according to their commitments.
- 5.3. Developers will be required to explain how they propose to increase the diversity of housing tenures to maximise a development scheme’s absorption rate (which is the rate at which homes are sold or occupied).
- 5.4. Delivery will become a material consideration in planning applications. “This could mean that applications with trajectories that propose a slow delivery rate may be refused in certain circumstances,” the document says.
- 5.5. A financial penalty for developers that are building out too slowly will be consulted on separately.

6. Onshore wind development/energy efficiency

- 6.1. Onshore wind power schemes would in future be able to go ahead on sites that have not been designated in the local plan. The government says its proposed changes to the existing NPPF footnote 54 will ensure that “local authorities have a range of routes to demonstrate their support for certain areas in their boundaries to be suitable for onshore wind”.
- 6.2. Replacing the old turbines with more powerful and efficient models will be made easier. Changes to paragraphs 155 and 158 of the existing NPPF will enable the re-powering of renewable and low carbon energy schemes where planning permission is needed, and providing that the impacts of any development proposal are or can be made acceptable in planning terms, the document says.

- 6.3. The NPPF will be amended with a new paragraph 161 to give “significant weight” to the importance of energy efficiency through adaptation of buildings. But the document says that this will be done in a way that ensures that local amenity and heritage continues to be protected.

7. Environmental protection and tackling climate change

- 7.1. Steps will be taken to prevent developers ‘gaming’ Biodiversity Net Gain rules by clearing habitats before submitting applications. “We will work with Defra to review the current degradation provisions for Biodiversity Net Gain”, the document says, “to reduce the risk of habitat clearances prior to the submission of planning applications, and before the creation of off-site biodiversity enhancements”.
- 7.2. Use of artificial grass by developers in new development would be clamped down on. “We will consider how we can halt “the threat to wildlife created by the use of artificial grass by developers in new development (noting the importance of some uses of artificial grass such as on sports pitches)”, the document says.
- 7.3. The possibility of embedding a broad form of carbon assessment in planning policy will be explored. “We are interested in whether effective and proportionate ways of deploying a broad carbon assessment exist, including what they should measure, what evidence could underpin them ... and how they may be used in a plan- making context or as a tool for assessing individual developments”, the document says.
- 7.4. Policy and guidance in relation to the production of Strategic Flood Risk Assessments will be reviewed. “This will be done to encourage maximum coverage and more frequent updates”.

8. Plan making

- 8.1. Steps are being taken to maximise the amount of authorities who can make use of policy changes around plan-making intended to be introduced by NPPF revisions in the Spring, before the revised plan-making system set out in the Levelling Up Bill is introduced in late 2024. Plan-makers will have until 30 June 2025 to submit their local plans, neighbourhood plans, minerals and waste plans, and spatial development strategies for independent examination under the existing legal framework. The government is also proposing that, to be examined under existing legislation, all independent examinations of local plans, minerals and waste plans and spatial development strategies must be concluded, with plans adopted by 31 December 2026.
- 8.2. Authorities will be required to start work on new plans by, at the latest, five years after adoption of their previous plan, and to adopt that new plan within 30 months. “Under the reformed system, which we expect to go live in late 2024, there will be a requirement for local planning authorities and minerals and waste planning authorities to start work on new plans by, at the latest, five years after adoption of their previous plan, and to adopt that new plan within 30 months,” the document says.

- 8.3. Authorities that do not meet the 30 June 2025 submission deadline for 'old-style' plans will need to prepare plans under the new plan-making system.
- 8.4. Plans that will become more than five years old during the first 30 months of the new system will continue to be considered 'up-to-date' for decision-making purposes for 30 months after the new system starts. Where a plan has been found sound subject to an early update requirement, and the Inspector has given a deadline to submit an updated plan within the first 30-months of the new system going live, this deadline will be extended to 30-months after the new system goes live, the document says.
- 8.5. Authorities will no longer be able to prepare supplementary planning documents (SPDs) in the revised planning system. Instead, they will be able to prepare Supplementary Plans, the document says, which will be afforded the same weight as a local plan or minerals and waste plan. The government proposes that, when the new system comes into force (expected late 2024), existing SPDs will remain in force for a time-bound period; until the local planning authority is required to adopt a new-style plan. Current SPDs will automatically cease to have effect at the point at which authorities are required to have a new-style plan in place.

9. National Development Management Policies

- 9.1. There is intended to be a consultation next year on how National Development Management Policies (NDMPs) are implemented. They will cover planning considerations that apply regularly in decision-making across England or significant parts of it, the document says, such as general policies for conserving heritage assets, and preventing inappropriate development in the Green Belt and areas of high flood risk. Before any NDMP was designated by the secretary of state, there would be a public consultation.
- 9.2. The starting point for creating NDMPs would be existing parts of the NPPF that apply to decision-making. "However, we welcome views on whether there are other topics that should be added," the document says. Two other categories for NDMPs, in the government's "initial view", are firstly, "selective new additions to reflect new national priorities, for example net zero policies that it would be difficult to develop evidence to support at a district level, but which are nationally important", and secondly "selective new additions to close 'gaps' where existing national policy is silent on planning considerations that regularly affect decision-making across the country (or significant parts of it)". Indicative examples of 'gaps' where national policy is silent on common decision-making issues, which NDMPs would address, are: carbon reduction in new developments; allotments and housing in town centres and built-up areas.
- 9.3. NDMPs will cover "only matters that have a direct bearing on the determination of planning applications. Other key principles, according to the consultation, are that they would be "limited to key, nationally important issues commonly encountered in making decisions on planning applications across the country (or significant parts of the

country); and that they would solely address planning issues, “in other words that concern the development and use of land”.

10. Other

- 10.1. Authorities will be expected to take particular care to ensure that they meet need for retirement housing, housing-with-care and care homes. The government proposes to do this by adding an additional specific expectation to the NPPF.
- 10.2. Authorities will be encouraged to use planning conditions to require clear details of a scheme’s design and materials. The document says: “We propose to amend the Framework to encourage local planning authorities to consider how they can ensure that planning conditions associated with applications reference clear and accurate plans and drawings which provide visual clarity about the design of development, as well as clear conditions about the use of materials where appropriate, so they can be referred to as part of the enforcement process”.
- 10.3. Mansard roofs would be encouraged. The government is proposing that “a reference to mansard roofs as an appropriate form of upward extension ... where appropriate” should be added to the NPPF.
- 10.4. Protection against development that conflicts with neighbourhood plans is to be extended to older such plans. The NPPF currently says that the adverse impact of allowing development that conflicts with the Neighbourhood Plan is likely to outweigh the benefits, but not if that plan is more than two years old. The government is proposing that the protection should be extended to plans that are up to five years old. It is also proposing removing tests which currently mean local planning authorities need to demonstrate a minimum housing land supply and have delivered a minimum amount in the Housing Delivery Test for Neighbourhood Plans to benefit from the protection.
- 10.5. Planning for provision of social rent homes would be given higher priority in the NPPF.

11. Conclusion

- 11.1. There has been uncertainty in the last year around the direction of national planning policy with conflicting messages, and the publication of the revised NPPF has been delayed. The publication of these documents is welcome.
- 11.2. Members will be aware that the Broads Authority is in the early stages of reviewing its Local Plan, which was adopted in 2019. Some of the changes proposed may impact on how we do this, but there is nothing in the consultation documents which requires any major change at this point.

Author: Natalie Beal

Date of report: 24 January 2023

Appendix 1 – Proposed response to the consultation on planning and the NPPF.

Appendix 1 – Proposed response to the consultation on planning and the NPPF.

1 Do you agree that local planning authorities should not have to continually demonstrate a deliverable 5-year housing land supply (5YHLS) as long as the housing requirement set out in its strategic policies is less than 5 years old?

- Agreed.

2 Do you agree that buffers should not be required as part of 5YHLS calculations (this includes the 20% buffer as applied by the Housing Delivery Test)?

- Agreed.

3 Should an oversupply of homes early in a plan period be taken into consideration when calculating a 5YHLS later on or is there an alternative approach that is preferable?

- Yes.

4 What should any planning guidance dealing with oversupply and undersupply say?

- The guidance needs to include a formula for all LPAs to use when producing their 5-year land supply statement.

5 Do you have any views about the potential changes to paragraph 14 of the existing Framework and increasing the protection given to neighbourhood plans?

- No, but guidance needs to be provided on when Neighbourhood Plans need to be reviewed.

6 Do you agree that the opening chapters of the Framework should be revised to be clearer about the importance of planning for the homes and other development our communities need?

- No comment.

7 What are your views on the implications these changes may have on plan-making and housing supply?

- No comment.

8 Do you agree that policy and guidance should be clearer on what may constitute an exceptional circumstance for the use of an alternative approach for assessing local housing needs? Are there other issues we should consider alongside those set out above?

- Other than National Parks and the Broads, which already need to use an alternative approach, no.

9 Do you agree that national policy should make clear that Green Belt does not need to be reviewed or altered when making plans, that building at densities significantly out of

character with an existing area may be considered in assessing whether housing need can be met, and that past over-supply may be taken into account?

- No comment.

10 Do you have views on what evidence local planning authorities should be expected to provide when making the case that need could only be met by building at densities significantly out of character with the existing area?

- No comment.

11 Do you agree with removing the explicit requirement for plans to be 'justified', on the basis of delivering a more proportionate approach to examination?

- How would removing this test ensure that the Examiner can check and ensure that proposals and policies have the necessary evidence to justify their inclusion in Local Plans? Say a poorly constructed approach with little justification or proof that it is needed and will make a positive difference to the area was included in a Local Plan, what powers would the Inspector have to challenge or remove it?

12 Do you agree with our proposal to not apply revised tests of soundness to plans at more advanced stages of preparation? If no, which if any, plans should the revised tests apply to?

- Agreed.

13 Do you agree that we should make a change to the Framework on the application of the urban uplift?

- No comment.

14 What, if any, additional policy or guidance could the department provide which could help support authorities plan for more homes in urban areas where the uplift applies?

- No comment.

15 How, if at all, should neighbouring authorities consider the urban uplift applying, where part of those neighbouring authorities also functions as part of the wider economic, transport or housing market for the core town/city?

- No comment as Norwich is not in the top 20.

16 Do you agree with the proposed 4-year rolling land supply requirement for emerging plans, where work is needed to revise the plan to take account of revised national policy on addressing constraints and reflecting any past over-supply? If no, what approach should be taken, if any?

- Disagree – those Authorities will have met their housing need in their Local Plan and will have an up to date Local Plan so should benefit from the same rule as all other subsequent local plans – 5 (or 4) year land supply not apply. There seems to be no logical reason to require this.

17 Do you consider that the additional guidance on constraints should apply to plans continuing to be prepared under the transitional arrangements set out in the existing Framework paragraph 220?

- No comment.

18 Do you support adding an additional permissions-based test that will 'switch off' the application of the presumption in favour of sustainable development where an authority can demonstrate sufficient permissions to meet its housing requirement?

- Agreed.

19 Do you consider that the 115% 'switch-off' figure (required to turn off the presumption in favour of sustainable development Housing Delivery Test consequence) is appropriate?

- Disagree. The wording in the consultation document talks about 'permissioned enough housing' not 'permissions more than enough housing'. The 15% seems to be a made-up figure with no justification. It should therefore be 100% - if they can prove they have met at least their annual amount, the HDT is disengaged.

20 Do you have views on a robust method for counting deliverable homes permissioned for these purposes?

- Ask for the number of net new dwellings permitted each year using a survey similar to the self-build survey from DELTA.

21 What are your views on the right approach to applying Housing Delivery Test consequences pending the 2022 results?

- If you are going to change things in the next few months then it seems wait until 2023 HDT is logical.

22 Do you agree that the government should revise national planning policy to attach more weight to Social Rent in planning policies and decisions? If yes, do you have any specific suggestions on the best mechanisms for doing this?

- No comment. We are not the Housing Authority for our area.

23 Do you agree that we should amend existing paragraph 62 of the Framework to support the supply of specialist older people's housing?

- No comment other than this is already addressed by the current wording of the NPPF – 'ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations'.

24 Do you have views on the effectiveness of the existing small sites policy in the National Planning Policy Framework (set out in paragraph 69 of the existing Framework)?

- No comment.

25 How, if at all, do you think the policy could be strengthened to encourage greater use of small sites, especially those that will deliver high levels of affordable housing?

- Affordable Housing can be required on schemes of 10 dwellings or more, generally. Small sites could be below that threshold. So, care needs to be taken in linking small sites with delivery of affordable housing – the two objectives will not always go hand in hand.

26 Should the definition of “affordable housing for rent” in the Framework glossary be amended to make it easier for organisations that are not Registered Providers – in particular, community-led developers and almshouses – to develop new affordable homes?

- No comment. We are not the Housing Authority for our area.

27 Are there any changes that could be made to exception site policy that would make it easier for community groups to bring forward affordable housing? And 28 Is there anything else that you think would help community groups in delivering affordable housing on exception sites?

- Whilst policy does allow for exception sites, we wonder whether this is the right thing to do. Given the drive for net zero, given that some places where exception sites are proposed do not have any key services and given that transport is a key emitter of Carbon Dioxide, is allowing housing in remote areas, under the exceptions sites policies, the right thing to do? Indeed, later on in the consultation document you talk about ‘pursuing sustainable patterns of development’. Further, given the cost of living crisis and the cost of diesel and the impacts that social isolation can have on people and their wellbeing, again, are exception sites the right thing to do?

29 Is there anything else national planning policy could do to support community-led developments?

- No comment.

30 Do you agree in principle that an applicant’s past behaviour should be taken into account into decision making?

- Agreed, but what kind of past behaviour will be considered? Failing to build in line with the permission? Not getting permission in the first place? And will this apply to all types of development of all scale? We are a small LPA for a protected landscape and have a busy Enforcement Officer, but the kind of things that we are looking at may seem small scale to others, but are very important to the local area. This policy approach will need to ensure all types of development of all scale are included.

31 Of the two options above, what would be the most effective mechanism? Are there any alternative mechanisms?

- It is not clear how option 1 will work consistently across the country; how much bad behaviour and to what extent would, for example, merit a refusal on those grounds? Option 2 seems a more consistent approach, subject to guidance.

- You also need to consider how a developer or applicant can resolve their past behaviour. Perhaps if they rectify their past ‘mistakes’, the slate is wiped clean? Afterall, the community and LPA want that discrepancy or unauthorised development authorised, removed or improved.

32 Do you agree that the 3 build out policy measures that we propose to introduce through policy will help incentivise developers to build out more quickly? Do you have any comments on the design of these policy measures?

- You talk about reporting to the LPA when they commence, but it would be useful if they were to report to the LPA when a dwelling is completed as well.

33 Do you agree with making changes to emphasise the role of beauty and placemaking in strategic policies and to further encourage well-designed and beautiful development?

- Agreed, but query the title of this section; rather than ‘ask for beauty’ wouldn’t ‘expect beauty’ be better?

34 Do you agree to the proposed changes to the title of Chapter 12, existing paragraphs 84a and 124c to include the word ‘beautiful’ when referring to ‘well-designed places’, to further encourage well-designed and beautiful development?

- No comment.

35 Do you agree greater visual clarity on design requirements set out in planning conditions should be encouraged to support effective enforcement action?

- Agreed.

36 Do you agree that a specific reference to mansard roofs in relation to upward extensions in Chapter 11, paragraph 122e of the existing framework is helpful in encouraging LPAs to consider these as a means of increasing densification/creation of new homes? If no, how else might we achieve this objective?

- Disagree to a nation-wide policy that requires or encourages mansard roofs. In some areas it would significantly change the character of the place (detrimentally) and other forms of roof extension would be more appropriate.

37 How do you think national policy on small scale nature interventions could be strengthened? For example, in relation to the use of artificial grass by developers in new development?

- We have a biodiversity enhancements guide: [Broads Authority biodiversity enhancements \(broads-authority.gov.uk\)](https://broads-authority.gov.uk/biodiversity-enhancements)

38 Do you agree that this is the right approach making sure that the food production value of high value farm land is adequately weighted in the planning process, in addition to current references in the Framework on best most versatile agricultural land?

- 3a and indeed 3b land is scarcely mapped. That needs to be the first exercise – nationally map 3a and 3b (as well as check the areas which are other grades) and then share that dataset.
- The proposed amendment to the NPPF is through a footnote. That seems to not give the issue as much weight as it would have in the actual text. Suggest it is included in the main text of the NPPF.

39 What method or measure could provide a proportionate and effective means of undertaking a carbon impact assessment that would incorporate all measurable carbon demand created from plan-making and planning decisions?

- The method could include:
 - Embedded CO2
 - CO2 in use
 - Savings from deployment of renewables such as rooftop solar
 - Transport emissions from development.
- But LPAs are not likely to have the internal expertise for such an assessment and would need to contract that out probably at an additional cost which will need to be met somehow, at times where budgets are tight.

40 Do you have any views on how planning policy could support climate change adaptation further, specifically through the use of nature-based solutions that provide multi-functional benefits?

- New schemes that come forward are few in number when compared to the buildings that are already out there. Changes to the NPPF need to explore how planning policy can tackle the efficiency (water, energy) of the existing stock of dwellings somehow.

41 Do you agree with the changes proposed to Paragraph 155 of the existing National Planning Policy Framework?

Agreed.

42 Do you agree with the changes proposed to Paragraph 158 of the existing National Planning Policy Framework?

Agreed.

43 Do you agree with the changes proposed to footnote 54 of the existing National Planning Policy Framework? Do you have any views on specific wording for new footnote 62?

- There are no changes proposed to footnote 54 or paragraph 54 or paragraph 154 (new or old) or on page 54. Therefore, it is not clear what this question is referring to.
- Footnote 62 – it is not clear how allowing these orders to deliver turbines fits in areas where local plans do not identify areas for wind turbine. This needs greater explanation and justification.

- Footnote 63 – a SPD cannot make policy and if a SPD identifies areas where wind turbines can go, that is making policy. Also, the document proposes the removal of SPDs so it is not clear why SPDs are seen as a way of addressing this issue, if they are to be removed.

44 Do you agree with our proposed Paragraph 161 in the National Planning Policy Framework to give significant weight to proposals which allow the adaptation of existing buildings to improve their energy performance?

- The proposed NPPF wording does not ‘give significant weight to proposals’, which would make more sense – it says ‘gives significant weight to the need to’. As worded, 161 is not clear in what it actually wants to happen.

45 Do you agree with the proposed timeline for finalising local plans, minerals and waste plans and spatial development strategies being prepared under the current system? If no, what alternative timeline would you propose?

- Para 5 above this question – is that linked to the para 4 plans – ones that have until 30 June to be submitted? Does para 5 apply to those plans submitted now to 30 June? It does not say that and therefore is not clear if that is the case. If that is saying that all examination of plans submitted between now and 30 June 2025 needs to be finished by 31 December 2026, then that 18 month period seems suitable and logical.
- Para 6 under ‘Setting out the timeline for preparing local plans, spatial development strategies, minerals and waste plans and supplementary plans under the reformed system’ says ‘and to adopt that new plan within 30 month’ – that implies the 30 month period would include the examination. The examination stage is totally out of LPA’s hands. Examinations can take up to 14 months or even more; the 30 month limit leaves little time for preparing a good plan. In fact, one would have to guess how long they have to prepare a plan by guessing how long an examination would take place. If examination time is included, that time frame is unreasonable and unachievable and unrealistic.

46 Do you agree with the proposed transitional arrangements for plans under the future system? If no, what alternative arrangements would you propose?

- No comment.

47 Do you agree with the proposed timeline for preparing neighbourhood plans under the future system? If no, what alternative timeline would you propose?

- No comment.

48 Do you agree with the proposed transitional arrangements for supplementary planning documents? If no, what alternative arrangements would you propose?

- Disagree. These SPDs should have weight until the new Local Plan is adopted. They contain important information and guidance and are therefore instrumental to good planning. By affording some weight until the new Local Plan is adopted, this gives time

for what is written in the SPD to become part of the Local Plan and so the guidance and requirements are not lost. It is unreasonable to erase such important information without allowing it to be part of another document so there is continuation.

49 Do you agree with the suggested scope and principles for guiding National Development Management Policies? And 50 What other principles, if any, do you believe should inform the scope of National Development Management Policies?

- The devil will be in the detail. When writing these, the Government will need to have all LPAs and their areas in mind when coming up with these National Development Management Policies – city, rural, protected landscape – all are different.
- It is imperative that the Government remembers protected landscapes when coming up with these.
- Taking permitted development rights as an example, which could be classed as National Development Management policies, there are many exemptions to certain rights – could that be the case for these National Development Management Policies?
- Also, how will you get the engagement from members of the public and local groups that LPAs are able to do when consulting on these?
- When will the National Development Management Policies be reviewed? Every five years like Local Plans? Will they be subject to HRA and SA like local plan policies?
- Can the National Development Management Policies be ‘added’ or supplemented to through Local Plan policies?

51 Do you agree that selective additions should be considered for proposals to complement existing national policies for guiding decisions?

- No comment.

52 Are there other issues which apply across all or most of England that you think should be considered as possible options for National Development Management Policies?

- Flood risk, SuDS, heritage.

53 What, if any, planning policies do you think could be included in a new framework to help achieve the 12 levelling up missions in the Levelling Up White Paper?

- No comment.

54 How do you think that the framework could better support development that will drive economic growth and productivity in every part of the country, in support of the Levelling Up agenda?

- No comment.

55 Do you think that the government could go further in national policy, to increase development on brownfield land within city and town centres, with a view to facilitating gentle densification of our urban cores?

- Brownfield first in areas with good access to key services by modes other than single occupancy car use seems logical.

56 Do you think that the government should bring forward proposals to update the framework as part of next year's wider review to place more emphasis on making sure that women, girls and other vulnerable groups in society feel safe in our public spaces, including for example policies on lighting/street lighting?

- No comment.

57 Are there any specific approaches or examples of best practice which you think we should consider to improve the way that national planning policy is presented and accessed?

- No comment.

Heritage Asset Review Group

Notes of the meeting held on 16 December 2022

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Present

Harry Blathwayt – in the Chair, Bill Dickson, Andrée Gee, Tony Grayling, Tim Jickells and Melanie Vigo di Gallidoro

In attendance

Jason Brewster – Governance Officer, Kayleigh Judson – Heritage Planning Officer and Kate Knights – Historic Environment Manager

1. Notes of HARG meeting held on 28 October 2022

The notes of the meeting held on 28 October 2022 (originally scheduled for 9 September) were received. These had been submitted to the Planning Committee on 09 December 2022.

2. Historic Environment Team progress report

The Historic Environment Management and the Heritage Planning Officer presented the report providing an update on progress with key items of work by the Historic Environment Team between the end of 10 September and 16 December 2022.

Conservation areas – update

The Historic Environment Manager (HEM) confirmed that the re-appraisal of the Halvergate and Tunstall Conservation Area was nearly complete with the first draft of the appraisal

nearing completion. When finished, the appraisal would be issued to Broadland District Council and Halvergate and Tunstall Parish Council for their initial comments before being issued for wider consultation.

The presentation included photographs of buildings within the Conservation Area showing mature trees and a member asked whether the trees were or would need to be protected by Tree Preservation Orders. The HEM confirmed that the fact that the trees were within a Conservation Area would require any proposed tree work to be agreed beforehand with the Authority or Broadland District Council.

Listed buildings

Quinquennial Survey

The Historic Environment Manager (HEM) provided an update on listed buildings surveyed since the last meeting with photographs of various buildings included in the presentation.

Tunstall Dyke Drainage Mill was surveyed and, as demonstrated by the photograph (left hand side slide 4), there was work required to remove the ivy covering the building which had penetrated the interior between the cap and the top of the brickwork tower.

West Somerton Marsh Draining Pump had been visited and this building was deemed to be in good repair, as seen in the photograph on right hand side of slide 4. The owner, Norfolk Wildlife Trust, had recently replaced the timber cladding on the cap and replaced the wooden gantry. The HEM explained that the replacement metal version was of a high quality with detailing very similar to that of the original. The HEM added that the timber used for the cladding had been funded via a grant from the Farming in Protected Landscapes programme.

The HEM indicated the Historic Environment Team (HET) had attempted to survey Tunstall Dyke Smock Mill, however they were not prepared for the thick reed bed surrounding this structure; the team will attempt to identify the owner and then liaise with them to secure better access.

Other buildings surveyed by the HET were Horsey Mill, the Church of St Edmund at Thurne, the Thurne War Memorial, Thurne Dyke Windpump and another property in Somerton; these buildings were found to be in good condition.

The HET had also been liaising with property owners from previous quinquennial surveys where repairs were required.

Water, Mills and Marshes - update

The Heritage Environment Manager (HEM) provided an update on the Water, Mills and Marshes (WMM) project.

Heritage Skills Training

Decorating students from City College had been engaged in the tar work at Muttons Mill. The Heritage Skills Coordinator had confirmed that they would not be renewing their contract. This would mean that, in the short term, there would be no-one to supervise students on site unless their tutors attended to provide some supervision. As a result the HEM expected fewer

students to be on-site after Christmas. The project was due to complete in 5-6 months and the HEM explained that the WMM Carpenter would, after some training, take on the role of site foreman.

Land of the Windmills

The HEM explained that work on the exterior of Muttons Mill had been delayed by the recent cold weather although repair work to internal joist ends had been undertaken.

The HEM was pleased to announce that work at Strumpshaw Steam Engine House would continue following a grant of £60,000 from Defra. The HEM showed photographs of the damage to the retaining wall of the outflow drainage channel, from an extremely high tide in February, and the resulting temporary repair using sand bags. The HEM explained that the drainage channel would be repaired and restored, the pipe would be extended to the river and the channel backfilled. This should mitigate damage from future flooding, simplify maintenance and remove any ongoing risk to the wildlife and public presented by the drainage channel.

The Defra funding had to be committed before the end of March 2023 and, given that a number of permissions would be required to complete the work at Strumpshaw, this was the priority activity for the HET.

The Chair and Vice-Chair of the Planning Committee both indicated that they would support an additional ad-hoc committee meeting if it would help to expedite the planning application associated with work at Strumpshaw.

Matters for information

Shoal's Cottage, Irstead

The Heritage Planning Officer (HPO) discussed recent planning applications at Shoal's Cottage, Irstead and the possible implications on thatched properties in the Broads. The presentation showed various photographs of the property and included architectural drawings of the front, rear and side elevations of the property and proposed extension.

The existing property, located on the river Ant to the south of Barton Broad, dated back to the 1920's when it was a quite small waterside chalet. It had since been extended quite significantly over time although the original Arts and Crafts character had been retained; the dwelling had been constructed in half timber and render panelling, with a brick plinth, all under a thatched roof, with brick chimneys in a 'mock Tudor' style.

Planning permission had been granted, under delegated powers, for a substantial, almost two-storey, extension to be erected on the southern elevation (BA/2022/0030/HOUSEH). The proposed extension retained the Arts and Crafts character of the original building. Thatched roofs are typical of the Arts and Crafts movement (which uses raw, truthful materials with a focus on their natural qualities) and makes a significant positive contribution to the character of this property specifically. The use of thatch on the extension was considered essential and a planning condition was imposed to ensure this.

When work commenced the owners failed to secure a thatcher and subsequently submitted a planning application (BA/2022/0309/COND) to change the proposed thatched roof covering the new extension from thatch to tile, with a thought to also changing the existing roof from thatch to tile under permitted development. Given the loss of thatch, and the impact on the wider Broads area and on this property in particular, the application was refused under delegated powers. The HPO expected this decision would potentially result in the owners submitting an appeal, and it would be interesting to see how the Planning Inspectorate would respond.

This application highlighted the risk to existing thatched properties in the Broads area and the HPO explained that the Development Management team had begun to use conditions to remove permitted development rights that allowed thatch to be removed from properties without first seeking planning consent. Although these conditions would address new developments (including extensions), they would not be applicable for thatched roofs on existing properties.

This had prompted the officers to consider Article 4 directions as a means of restricting permitted development rights in the context of particular sites and/or areas; in this case removing the permitted development right to replace thatch with another material.

In conjunction to Article 4 directions the Authority was also considering the wider issues such as the supply of local reed, the reduction in local thatchers and reed cutters, the associated low wages and the lack of affordable housing in the Broads. The HPO concluded by seeking members' feedback on this matter.

Members were keen to understand whether there was any advantage to bringing more applications relating to Heritage Assets to committee; this would highlight the risks to these properties to all members of the Planning Committee. The HEM explained that members could call in applications under certain criteria as detailed in the Scheme of Delegation. The HEM didn't think it would be possible to bring listed building consent applications to planning committee unless there were reasons that would require it, as set out in the Scheme of Delegation and, by appearing to treat some applications differently, this action could prove counterproductive. The HEM confirmed that whether a planning decision was taken by committee or under delegated powers had no bearing on decisions made by the Planning Inspectorate.

Members acknowledged the commitment and expense associated with owning a thatched property and sympathised with the owners of Shoal's Cottage. Members recognised the need to protect the cultural heritage of the Broads and therefore supported the refusal of the planning application. Members were supportive of any policy changes that would preserve Heritage Assets within the Broads; the proposed use of Article 4 directions was consistent with that taken by the Authority in the context of solar panels within the Belaugh Conservation Area.

A member suggested lobbying government to reform permitted development rights in the circumstances presented by Shoal's Cottage thereby removing the risk to existing thatched

properties when they are extended. The member recommended other members contacting their local MP to highlight this risk to thatched properties within the Broads.

Given the heritage skills training provided by the Water, Mills and Marshes (WMM) project members were keen to understand whether an equivalent project could be initiated in this context. The HEM confirmed that a successor to the WMM project(s) was being investigated and that the provision of further/wider heritage skills training (e.g. millwrighting, thatching, flintwork) would be a factor when considering the scope of a future project.

Manor House, Lodge and Cottage, Yarmouth Road, Thorpe St Andrew

The Heritage Planning Officer (HPO) presented an approved application, under delegated powers, for the Grade II listed dwelling Manor House (including Manor Lodge and Well Cottage) to restore the property to a single residence. The presentation included location maps, a site map, various photographs of the interior and exterior of the properties, floorplans of the ground and first floor and historic development plans of both floors.

The main building, the Manor House, had a Georgian façade with 7 bays facing the river to the South, with a long linear garden in between. The other properties, Well Cottage and Manor Lodge, are to the rear of the main building running to the North along the eastern boundary with Yarmouth Road forming the northern boundary. The property slopes North to South down towards the river with a driveway leading off Yarmouth to the main access of the three properties to the rear of Manor House. Manor House is the southernmost structure, Well Cottage is in the middle and Manor Lodge abuts the Northern boundary.

The owners had submitted floorplans that had been colour coded to show the development history of the building. These had revealed that the western half of Manor House dated back to probably the 17th century. The eastern half of Manor House and what is now Well Cottage and the southern part of Manor Lodge were added sometime in 17th – 18th century. The northern part of Manor Lodge was added in the 19th century and the property was subdivided into the current three dwelling during the 20th century. The HPO indicated that these diagrams had proved useful when assessing the appropriateness of the proposed alterations.

Planning permission had been sought for the physical alterations required to remove the previous partitions associated with the three dwellings. This work would restore ground floor and first floor access between Manor House and Well Cottage. The ground floor changes would facilitate a better entrance to Manor House and a snug. The first floor change would provide a dressing room to the now adjoining master bedroom in Manor House.

The application included alterations to the Well Cottage bedroom to improve the energy efficiency of the property. This work would add internal insulation to the external facing wall and the installation of secondary glazing to the two historic windows. The internal wall insulation would cover exposed timbers however it was consistent with previous work in the master bedroom. Sheep's wool would be used for the wall insulation and this natural breathable material was deemed appropriate.

Externally the owners intended to regrade the driveway from Yarmouth Road and formalise it using granite paving leading to a gravel parking area with York stone to delineate the property

entrance. The application proposed to re-render Well Cottage and Manor Lodge to match the previously lime rendered Manor House. The HPO explained that the external wall of Well Cottage had a modern breeze block construction on the ground floor while the first floor was the original timber frame construction with lath and plaster. For this reason detailing of the rendering had been conditioned to enable the most appropriate method to be assessed.

The HPO confirmed that this development work had commenced and she would provide updates on progress at future meetings.

Members thanked the Heritage Environment Manager and Heritage Planning Officer for their comprehensive reports and presentation.

3. Any other business

Venue for next meeting

The Heritage Environment Manager (HEM) indicated that the intention was to hold the next meeting at the Lowestoft Museum. The Museum is set within Nicholas Everitt Park which is adjacent to Oulton Broad and the railway journey from Norwich provides a wonderful opportunity to admire the Broads landscape.

4. Date of next meeting

The next HARG meeting would be held on Friday 10 March 2023 at 10am.

The meeting ended at 10:58am.

Signed by

Chair

Planning Committee

03 February 2023

Agenda item number 14

Circular 28/83 Publication by Local Authorities of information about the handling of planning applications Q4 1 Oct to 31 Dec 2022

Report by Planning Technical Support Officer

Summary

This report sets out the development control statistics for the quarter ending 31 December 2022.

Recommendation

To note the report.

1. Development control statistics

- 1.1. The development control statistics for the quarter ending 31 December 2022 are summarised in the tables below.

Table 1

Number of applications

Category	Number of applications
Total number of applications determined	51
Number of delegated decisions	46
Numbers granted	49
Number refused	2
Number of Enforcement Notices	1
Consultations received from Neighbouring Authorities	24

Table 2

Speed of decision

Speed of decision	Number	Percentage of applications
Under 8 weeks	35	68.6
8-13 weeks	1	2.0
13-16 weeks	0	0
16-26 weeks	0	0
26-52 weeks	0	0
Over 52 weeks	0	0
Within agreed extension ¹	15	29.4
Outside of agreed extension	0	0

- 1.2. Extensions of time were agreed for fifteen applications. Eleven of these were required because further information was awaited, amendments had been made to the scheme, there had been other discussions which had taken it over time or because a re-consultation was underway. Four were due to the applications being taken to Planning Committee.

Table 3

National performance indicators: BV 109 The percentage of planning applications determined in line with development control targets to determine planning applications.

National target	Actual
60% of Major applications ¹ in 13 weeks (or within agreed extension of time)	100%
65% of Minor applications ² in 8 weeks (or within agreed extension of time)	93.3%
80% of other applications ³ in 8 weeks (or within agreed extension of time)	100%

Author: Thomas Carter

Date of report: 20 January 2023

Appendix 1 – PS1 returns

Appendix 2 – PS2 returns

¹ Majors refers to any application for development where the site area is over 1000m²

² Minor refers to any application for development where the site area is under 1000m² (not including Household/ Listed Buildings/Changes of Use etc.)

³ Other refers to all other applications types

Appendix 1 – PS1 returns

Measure	Description	Number of applications
1.1	On hand at beginning of quarter	43
1.2	Received during quarter	61
1.3	Withdrawn, called in or turned away during quarter	2
1.4	On hand at end of quarter	51
2.	Number of planning applications determined during quarter	2
3.	Number of delegated decisions	46
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	1
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

Table 1

Major applications

Application type	Total	Granted	Refused	8 weeks or less	More than 8 and up to 13 weeks	More than 13 and up to 16 weeks	More than 16 and up to 26 weeks	More than 26 and up to 52 weeks	More than 52 weeks	Within agreed extension of time
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	1	1	0	0	0	0	0	0	0	1
Total major applications	1	1	0	0	0	0	0	0	0	1

Table 2

Minor applications

Application type	Total	Granted	Refused	8 weeks or less	More than 8 and up to 13 weeks	More than 13 and up to 16 weeks	More than 16 and up to 26 weeks	More than 26 and up to 52 weeks	More than 52 weeks	Within agreed extension of time
Dwellings	4	4	0	3	0	0	0	0	0	1
Offices/Light Industry	0	0	0	0	0	0	0	0	0	0
General 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 Minor Developments	11	10	1	6	1	0	0	0	0	4
Minor applications total	15	14	1	9	1	0	0	0	0	5

Table 3

Other applications

Application type	Total	Granted	Refused	8 weeks or less	More than 8 and up to 13 weeks	More than 13 and up to 16 weeks	More than 16 and up to 26 weeks	More than 26 and up to 52 weeks	More than 52 weeks	Within agreed extension of time
Minerals	0	0	0	0	0	0	0	0	0	0
Change of Use	3	3	0	1	0	0	0	0	0	2
Householder Developments	25	24	1	20	0	0	0	0	0	5
Advertisements	2	2	0	1	0	0	0	0	0	1
Listed Building Consent to Alter/Extend	5	5	0	4	0	0	0	0	0	1
Listed Building Consent to Demolish	0	0	0	0	0	0	0	0	0	0
Certificates of Lawful Development ⁴	1	1	0	1	0	0	0	0	0	0
Notifications ⁴	2	2	0	1	0	0	0	0	1	0
Other applications total	38	37	1	28	0	0	0	0	1	9

⁴ Applications for Lawful Development Certificates and Notifications are not counted in the statistics report for planning applications. As a result, these figures are not included in the total row in Table 4.

Table 4

Totals by application category

Application type	Total	Granted	Refused	8 weeks or less	More than 8 and up to 13 weeks	More than 13 and up to 16 weeks	More than 16 and up to 26 weeks	More than 26 and up to 52 weeks	More than 52 weeks	Within agreed extension of time
Major applications	1	1	0	0	0	0	0	0	0	1
Minor applications total	15	14	1	9	1	0	0	0	0	5
Other applications total	35	34	1	26	0	0	0	0	0	9
TOTAL	51	49	2	35	1	0	0	0	0	15
Percentage (%)		96.1	3.8	68.7	1.9	0	0	0	0	29.4

Planning Committee

03 February 2023

Agenda item number 15

Appeals to the Secretary of State update

Report by Senior Planning Officer

Summary

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

Recommendation

To note the report.

Application reference number	Applicant	Start date of appeal	Location	Nature of appeal/ description of development	Decision and dates
APP/E9505/C/21/3269284 BA/2017/0035/UNAUP3	Mr Henry Harvey	Appeal received by the BA on 18 February 2021 Appeal start date 26 April 2021	Land East Of Brograve Mill Coast Road Waxham	Appeal against Enforcement Notice	Committee Decision 8 January 2021 LPA statement submitted 7 June 2021 Appeal Dismissed & Enforcement Notice is upheld (Subject to correction and variation) - 9 January 2023
APP/E9505/W/22/3291736 BA/2021/0244/FUL	Messrs T.A. Graham	Appeal received by the BA on 31 January 2022 Appeal start date 22 June 2022	The Shrublands, Grays Road, Burgh St Peter	Appeal against refusal of planning permission: Proposed retention of timber tepee structure and use as glamping accommodation as farm diversification scheme.	Delegated Decision 31 August 2021 LPA statement submitted 27 July 2022

Application reference number	Applicant	Start date of appeal	Location	Nature of appeal/ description of development	Decision and dates
APP/E9505/W/22/3291822 BA/2021/0253/COND	Mr P Young	Appeal received by the BA on 1 February 2022 Appeal start date 1 July 2022	Marshmans Cottage Main Road A1064 Billockby Fleggburgh	Appeal against refusal of planning permission: Revised width of building and change use of loft space, variation of conditions 2 and 7 of permission BA/2020/0083/HOUSEH	Delegated Decision 7 December 2021 LPA statement submitted 5 August 2022
APP/E9505/W/22/3292450 BA/2021/0239/FUL	Mr Gavin Church	Appeal received by the BA on 9 February 2022 Appeal start date 30 June 2022	Priory Cottage St. Marys Road, Aldeby	Appeal against the refusal of planning permission: Use of land for siting 4 No. Bell Tents and 4 No. wash sheds with compostable toilets (retrospective)	Delegated Decision 24 August 2021 LPA statement submitted 2 August 2022
APP/E9505/W/22/3294205 BA/2021/0211/FUL	Mr Alan Gepp	Appeal received by the BA on 8 March 2022 Appeal start date 1 July 2022	Broadgate, Horsefen Road, Ludham	Appeal against the refusal of planning permission: Change of use to dwelling and retail bakery (sui generis mixed use) including the erection of a single storey extension.	Committee Decision 8 February 2022 LPA statement submitted 5 August 2022

Application reference number	Applicant	Start date of appeal	Location	Nature of appeal/ description of development	Decision and dates
APP/E9505/W/22/3295628 BA/2022/0022/FUL	Mr Matthew Hales	Appeal received by the BA 28 March 2022 Appeal start date 22 July 2022	Clean & Coat Ltd, 54B Yarmouth Road Thorpe St Andrew	Appeal against Condition 4, imposed on planning permission BA/2022/0022/FUL	Delegated decision 25 March 2022 LPA statement submitted 25 August 2022
APP/E9505/W/22/3300601 BA/2021/0451/COND	Mr A Cook	Appeal received by the BA on 8 June 2022 Appeal start date 30 September 2022	Wayford Park River Holidays, Wayford Bridge	Appeal against refusal of planning permission: Incorporate shipping container into building, variation of condition 2 of permission BA/2017/0376/FUL (retrospective.)	Delegated Decision 31 January 2022 LPA statement submitted 4 November 2022 Appeal Dismissed 10 January 2023
APP/E9505/C/22/3301919 BA/2022/0023/UNAUP2	Mr R Hollocks	Appeal received by the BA on 27 June 2022 Appeal start date 14 July 2022	Beauchamp Arms, Ferry Road Carleton St Peter	Appeal against Enforcement Notice - lighting and kerbing	Committee Decision 27 May 2022 LPA statement submitted 25 August 2022

Application reference number	Applicant	Start date of appeal	Location	Nature of appeal/ description of development	Decision and dates
BA/2022/0021/UNAUP2 APP/E9505/C/22/3301976	Mr R Hollocks	Appeal received by the BA on 27 June 2022 Appeal start date 14 July 2022	Beauchamp Arms, Ferry Road Carleton St Peter	Appeal against Enforcement Notice - workshop	Committee Decision 27 May 2022 LPA statement submitted 25 August 2022
BA/2021/0490/FUL APP/E9505/W/22/3303030	Mr N Mackmin	Appeal received by the BA on 13 July 2022 Appeal start date 2 December 2022	The Old Bridge Hotel Site, The Causeway, Repps with Bastwick	Appeal against refusal of planning permission: 8 one-bedroom & 4 two-bedroom flats for holiday use with restaurant & covered car-park at ground level.	Committee Decision 7 March 2022 LPA statement submitted 6 January 2023
BA/2021/0193/HOUSEH APP/E9505/D/22/3307318	Dr Peter Jackson	Appeal received by the BA on 22 September 2022 Awaiting start date	4 Bureside Estate, Crabbetts Marsh, NR12 8JP	Appeal against refusal of planning permission: Erection of fence	Delegated Decision 29 July 2022
BA/2021/0295/FUL APP/E9505/W/22/3308360	Trilogy Ltd	Appeal received by the BA on 5 October 2022 Awaiting start date	Morrisons Foodstore, Beccles, NR34 9EJ	Appeal against refusal of planning permission: Coffee Shop with Drive Thru Facility	Delegated Decision 8 April 2022

Application reference number	Applicant	Start date of appeal	Location	Nature of appeal/ description of development	Decision and dates
BA/2022/0112/HOUSEH APP/E9505/D/22/3309270	Alan and Joyce Hobbs	Appeal received by the BA on 18 October 2022 Awaiting start date	Bridge Farm, Main Road, Acle Bridge, NR13 3AT	Appeal against refusal of planning permission: Erection of a dormer window and external balcony to domestic outbuilding including external staircase (Retrospective).	Delegated Decision 26 July 2022
BA/2017/0006/UNAUP1 APP/E9505/C/22/3310960	Mr W Hollocks, Mr R Hollocks & Mr Mark Willingham	Appeal received by the BA on 11 November 2022 Start date 16 November 2022	Loddon Marina 12 Bridge Street Loddon	Appeal against enforcement notice- occupation of caravans	Committee decision 14 October 2022 LPA statement submitted 21 December 2022
BA/2022/0309/COND APP/E9505/D/22/3311834	Mr B Parks	Appeal received by the BA on 23 November 2022 Awaiting start date	Shoals Cottage, The Shoal, Irstead	Appeal refusal of planning permission to change approved roof materials.	Delegated decision 15 November 2022

Application reference number	Applicant	Start date of appeal	Location	Nature of appeal/ description of development	Decision and dates
BA/2022/0144/FUL APP/E9505/W/22/3313528	Mr B Wright	Appeal received by the BA on 20 December 2022 Awaiting start date	East End Barn, Annexe, East End Barn, Aldeby	Appeal against refusal of planning permission to change the use of a residential annex to holiday let.	Delegated decision 5 July 2022

Author: Cheryl Peel

Date of report: 24 January 2023

Planning Committee

03 February 2023

Agenda item number 16

Decisions made by officers under delegated powers

Report by Senior Planning Officer

Summary

This report sets out the delegated decisions made by officers on planning applications from 28 November 2022 to 20 January 2023 and Tree Preservation Orders confirmed within this period.

Recommendation

To note the report.

Parish	Application	Site	Applicant	Proposal	Decision
Barton Turf And Irstead Parish Council	BA/2022/0443/HOUSEH	Staithe Lodge Hall Road Barton Turf Norfolk NR12 8AR	Mr Anthony Cuss	Convert hay loft to crafts studio	Approve Subject to Conditions
Barton Turf And Irstead Parish Council	BA/2022/0437/COND	Cox Boatyard Staithe Road Barton Turf Norfolk NR12 8AZ	Mr E Bishop	Use of steel rather than timber piling, variation of condition 2 of permission BA/2017/0306/COND	Approve Subject to Conditions

Parish	Application	Site	Applicant	Proposal	Decision
Cantley, Limpenhoe And Southwood PC	BA/2022/0431/AGR	Field 100M South Of Old Methodist Church Reedham Road Cantley NR13 3LQ	Mr Paul Dunthorne	A balanced cut and fill earth moving operation to reconstruct and enlarge the existing harvesting reservoir which was not originally constructed to any engineering design or standards that today would be expected. Why necessary for agriculture: Vegetable production to the higher light land to the north requires up to 200mm of irrigation in a drought year, the existing reservoir is poorly engineered and of insufficient size to harvest the available water from the roofs of the farm buildings to the south east. For many years the farm has relied on the harvested water for its irrigation, in 2022 the farm ran out of water	Prior Approval not Required

Parish	Application	Site	Applicant	Proposal	Decision
				early in the irrigation season. Why designed for agriculture: There is an existing pumping and underground pipeline infrastructure to the irrigated light land.	
Coltishall Parish Council	BA/2022/0419/LBC	1, 2 & 3 Barn Mead Church Loke Coltishall Norwich Norfolk NR12 7DN	Mr James Holiday	Alterations and extensions to create a Spa Treatment Centre (amended scheme to previously approved BA/2022/0259/LBC).	Approve Subject to Conditions
Coltishall Parish Council	BA/2022/0405/APPCON	The Norfolk Mead Hotel Church Loke Coltishall Norwich Norfolk NR12 7DN	Mr James Holiday	Details of Conditions 3: details of off-site highway improvement works, and 7: landscaping scheme of permission BA/2022/0258/FUL	Approve
Ditchingham Parish Council	BA/2022/0428/HOUSEH	Pymoor Falcon Lane Ditchingham Norfolk NR35 2JG	Mr J Hadingham	Rear single and two storey extensions, alterations to the roof, insulation and render cladding, and alterations.	Approve Subject to Conditions

Parish	Application	Site	Applicant	Proposal	Decision
Fleggburgh Parish Council	BA/2022/0347/FUL	Broad Farm Camping And Caravan Park Main Road A1064 Fleggburgh Norfolk NR29 3AF	Mr S Kelly	Creation of 10 no. New Caravan Concrete Pads.	Refuse
Fleggburgh Parish Council	BA/2022/0461/LBC	Florence Farm Marsh Road Fleggburgh Norfolk NR29 3DE	Mr & Mrs Sue & Nick Dawes	Remove window to form opening for french doors. Extension to existing patio.	Approve Subject to Conditions
Fleggburgh Parish Council	BA/2022/0341/FUL	Broad Farm Camping And Caravan Park Main Road A1064 Fleggburgh Norfolk NR29 3AF	Mr S Kelly	Retrospective permission for replacement of 3no. concrete caravan pads, erection of outdoor shelter for the clubhouse and replacement of additional 2no. concrete pads.	Approve Subject to Conditions
Haddiscoe PC	BA/2022/0387/HOUSEH	8 Station Cottages Station Road Haddiscoe Norfolk NR31 9JA	A Boon and P Batley	Replacement and enlargement of existing rear flat roofed single storey extension, and first floor dormer extension	Approve Subject to Conditions

Parish	Application	Site	Applicant	Proposal	Decision
Halvergate Parish Council	BA/2022/0453/PN	Land At Freethorpe Sewage Treatment Works Wickhampton Road Halvergate Norwich Norfolk	Arqiva (Ltd)	Proposed Arqiva smart metering 1No. Omni at 13.83m, 1No. GPS antenna at 12.4m, and 1No. 3G omni antenna at 3.8m mean mounted on proposed 12m streetworks pole. Proposed Arqiva smart metering equipment enclosure to be installed on root foundation.	Prior Approval not Required
Horning Parish Council	BA/2022/0391/FUL	Herons Wood Crabbetts Marsh Horning Norfolk NR12 8JP	Mr & Mrs A & V Palmer	The replacement of the existing chalet bungalow and storage shed. Improvements to external hard and soft landscaping. Ancillary external works are also proposed.	Approve Subject to Conditions
Horning Parish Council	BA/2022/0410/HOUSEH	The White House Ropes Hill Horning Norfolk NR12 8PA	Mrs W Veazey	Replace timber quay-heading and construct new mooring cut	Approve Subject to Conditions

Parish	Application	Site	Applicant	Proposal	Decision
Horning Parish Council	BA/2022/0397/HOUSEH	5 Bureside Estate, Herondelle Crabbetts Marsh Horning Norfolk NR12 8JP	Mr Johnson	Erection of new domestic boundary fence (max height of 1.6 - 2.4 m) RETROSPECTIVE	Refuse
Hoveton Parish Council	BA/2022/0219/COND	Daisy Broad The Rhond Hoveton NR12 8UE	Worstead Land and Developments Ltd	Amended plans, materials, and construction method, variations of conditions 2, 6 and 9 of permission BA/2017/0498/COND	Approve Subject to Conditions
Hoveton Parish Council	BA/2022/0420/HOUSEH	Brightside Brimbelow Road Hoveton Norfolk NR12 8UJ	Mr P Davis	Install 12 linear metres of new multilock plastic quay heading incorporating new timber cappings and walings in front of the existing timber. Renew existing decking directly behind quay heading.	Approve Subject to Conditions
Hoveton Parish Council	BA/2022/0394/FUL	Hoveton Great Broad And Hudson's Bay Lower Street Hoveton Norfolk	Mr Jayden Endean	Remove x2 fish barriers, install alder stakes & dredge the channels	Approve Subject to Conditions

Parish	Application	Site	Applicant	Proposal	Decision
Hoveton Parish Council	BA/2022/0470/HOUSEH	Bide-A-Wee And Sunway Brimbelow Road Hoveton Norfolk NR12 8UJ	Mr Peter Freeman	Proposed removal of timber quay heading and replacement with steel profile quay heading with new capping and waling	Approve Subject to Conditions
Langley With Hardley Parish Council	BA/2022/0457/LBC	Langley Abbey Langley Green Langley Norfolk NR14 6DG	Mr Chris Townsend	Change of use of part of the stable block to grooms' accommodation with associated alterations (retrospective).	Approve Subject to Conditions
Langley With Hardley Parish Council	BA/2022/0457/LBC	Langley Abbey Langley Green Langley Norfolk NR14 6DG	Mr Chris Townsend	Change of use of part of the stable block to grooms' accommodation with associated alterations (retrospective).	Approve Subject to Conditions
Loddon Parish Council	BA/2022/0344/CLEUD	12 Bridge Street Loddon Norfolk NR14 6EZ	Mr Mark Willingham	Lawful Development Certificate for 10 years use of land as a campsite	CLUED Issued
Ludham Parish Council	BA/2022/0456/HOUSEH	Rose House Yarmouth Road Ludham Norfolk NR29 5QF	Mr Angus Fuller	Replace roof window with dormer window	Approve Subject to Conditions

Parish	Application	Site	Applicant	Proposal	Decision
Ludham Parish Council	BA/2022/0412/HOUSEH	Limes Farm Cottage Clint Street Ludham Norfolk NR29 5PA	Mr & Mrs Sheppard	Proposed detached garage within garden of Limes Farm Cottage	Approve Subject to Conditions
Ludham Parish Council	BA/2022/0450/HOUSEH	Royston 1D North West Riverbank Potter Heigham Norfolk NR29 5ND	Marilyn Hunt	Replace the external cladded walls with new pvc cladding	Refuse
Martham Parish Council	BA/2022/0388/HOUSEH	Maggies Folly 49 Riverside Martham Norfolk NR29 4RG	Mrs Diane Naylor	Extension to property, remodel interior	Approve Subject to Conditions
Mettingham Parish Council	BA/2022/0370/HOUSEH	1 Old Post Office Cottages Beccles Road Mettingham Suffolk NR35 1TD	Mrs Jean F M Kiekopf	Replace window with door and install verandah	Approve Subject to Conditions
Ormesby St Michael Parish Council	BA/2022/0367/HOUSEH	3 Sportsmans Cottage Main Road Ormesby St Michael Norfolk NR29 3LS	Ms Debbie Kerrison-Perfect	Proposed infill single storey extension between the existing house and outbuilding to allow for usable family space along with associated infrastructure.	Approve Subject to Conditions

Parish	Application	Site	Applicant	Proposal	Decision
Oulton Broad Parish Council	BA/2022/0294/HOUSEH	Romany Staithe Broadview Road Lowestoft Suffolk NR32 3PL	Mr & Mrs A Morton	Single storey flat roof extension to property and a detached garden room and storage building with relocation of existing hut.	Approve Subject to Conditions
Oulton Broad Parish Council	BA/2022/0465/FUL	123 ATM at Bridge Road Lowestoft Suffolk NR33 9JU	Mr James Williams	Installation of ATM (Retrospective)	Approve Subject to Conditions
Oulton Broad Parish Council	BA/2022/0359/FUL	Carlton Marshes Visitors Centre Burnt Hill Lane Carlton Colville Suffolk NR33 8HU	Mr Matthew Gooch	Installation of shipping container.	Approve Subject to Conditions
Oulton Broad Parish Council	BA/2022/0466/ADV	123 Atm At Bridge Road Lowestoft Suffolk NR33 9JU	Mr James Williams	Illuminated sign above ATM (Retrospective)	Approve Subject to Conditions
Reedham Parish Council	BA/2022/0337/FUL	Land South West Of Reedham Ferry Inn Ferry Road Reedham	Norfolk County Council	The erection of a public art sculpture	Approve Subject to Conditions

Parish	Application	Site	Applicant	Proposal	Decision
Reedham Parish Council	BA/2022/0459/PN	Land At Reedham Sewage Treatment Works Low Common Norfolk Reedham NR13 3UE	Arqiva (Ltd)	Proposed ARQIVA smart metering 1No. omni at 13.83m, ARQIVA GPS antenna at 12.4m and ARQIVA 3G omni antenna at 3.8m on 12m streetworks pole. Proposed ARQIVA smart metering equipment enclosed to be installed on root foundation.	Prior Approval not Required
Salhouse Parish Council	BA/2022/0323/FUL	Salhouse Broad Lower Street Salhouse Norwich Norfolk NR13 6RX	Claire Dollman	Hard standing including viewing platform, 3 information boards, 1 information column, 1 map plinth, 1 bench & a telescope pier area	Approve Subject to Conditions
Somerton Parish Council	BA/2022/0374/COND	Staithe Cottage The Staithe West Somerton Somerton Norfolk NR29 4EB	Mr Ian Hedges	Paint the garage black, variation of condition 2 of permission BA/2022/0079/HOUSEH	Approve Subject to Conditions

Parish	Application	Site	Applicant	Proposal	Decision
South Walsham Parish Council	BA/2022/0475/CLEUD	Broad View Fleet Lane South Walsham Norwich Norfolk NR13 6ED	Mr Alan Goodchild	Lawful Development Certificate for use of a building as a dwellinghouse within Class C3	CLUED Not Issued
Stalham Town Council	BA/2022/0458/PN	Land At Stalham Sewage Treatment Works Wayford Road Stalham Norfolk	Arqiva Ltd	Proposed ARQIVA smart metering 1No. omni at 13.83m, ARQIVA GPS antenna at 12.4m and ARQIVA 3G omni antenna at 3.8m on 12m streetworks pole. Proposed ARQIVA smart metering equipment enclosed to be installed on root foundation.	Prior Approval not Required
West Caister Parish Council	BA/2022/0378/HOUSEH	3 Chapel Corner West Caister Norfolk NR30 5SZ	Mr Brian Marriott	Install external wall insulation and render finish to match the existing	Approve Subject to Conditions
West Caister Parish Council	BA/2022/0379/HOUSEH	4 Chapel Corner West Caister Norfolk NR30 5SZ	Mr Brian Marriott	Install external wall insulation and render finish to match the existing	Approve Subject to Conditions

Parish	Application	Site	Applicant	Proposal	Decision
West Caister Parish Council	BA/2022/0377/HOUSEH	1 Chapel Corner West Caister Norfolk NR30 5SZ	Mr Brian Marriott	Install external wall insulation and render finish to match the existing	Approve Subject to Conditions
Woodbastwick Parish Council	BA/2022/0440/HOUSEH	The Old House Broad Road Ranworth Norwich Norfolk NR13 6HS	Mr Sam Cator	Oil tank with plinth	Approve Subject to Conditions
Wroxham Parish Council	BA/2022/0386/LBC	Rivercroft Cottage Beech Road Wroxham Norwich Norfolk NR12 8TP	Mr Andrew Smith	Remedial flood & dampness damage works	Approve Subject to Conditions

Tree Preservation Orders confirmed by officers under delegated powers

Parish	Address	Reference number	Description
N/A	N/A	N/A	N/A

Author: Cheryl Peel

Date of report: 24 January 2023