

Consultation Documents Update and Proposed Responses

Report by Planning Policy Officer

Summary:	This report informs the Committee of planning policy consultations recently received, and invites the Committee's comments and guidance on the proposed responses.
Recommendation:	That the report be noted and the nature of proposed responses be endorsed.

1 Introduction

1.1 Appendix 1 shows the planning policy consultation documents received by the Authority since the last Planning Committee meeting.

1.2 The Committee's comments or guidance is invited.

2 Financial Implications

2.1 There are no financial implications.

Background papers: None

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Appendices: APPENDIX 1 – Schedule of Planning Policy Consultations received

APPENDIX 1

Planning Policy Consultations Received

ORGANISATION:	Great Yarmouth Borough Council
DOCUMENT:	1. Core Strategy – Finalising Options 2. Statement of Community Involvement
LINK	http://www.great-yarmouth.gov.uk/environment-planning/emerging-local-plan/local-plan-consultation/index.htm
RECEIVED:	8 November 2012
DUE DATE:	21 December 2012
STATUS:	Newly Received
PROPOSED LEVEL:	Officer

PROPOSED RESPONSE:

- 1) The Broads Authority welcomes the consultation on the emerging Core Strategy and the Statement of Community Involvement, and wishes to continue and strengthen its cooperation with the Borough Council on planning and other matters.
- 2) Great Yarmouth Borough Council has a legal obligation (*under the Norfolk and Suffolk Broads Act 1988, as amended*), in exercising or performing any functions in relation to, or affecting, land in the Broads, to have regard to the purposes of
 - a) Conserving and enhancing the natural beauty, wildlife and cultural heritage of the Broads;
 - b) Promoting opportunities for the understanding and enjoyment of the special qualities of the Broads by the public; and
 - c) Protecting the interests of navigation.
- 3) The Broads is a nationally designated area with status equivalent to a national park. The NPPF (para 115) gives the Broads the highest status of protection in relation to its landscape and scenic beauty, and says local planning authorities should give its landscape, scenic beauty, wildlife and cultural heritage great weight.
- 4) The Broads Authority is a special purpose statutory authority responsible for managing the designated Broads area for the purposes listed above. The Broads Authority is the sole local planning authority for the designated Broads area. A significant part of this area falls within Great Yarmouth Borough.
- 5) The Borough Council is local planning authority only for that part of Great Yarmouth Borough outside the Broads. The Broads Authority recognises and appreciates the Borough Council's wider responsibilities and service provision across the whole of the Borough, including that part within the Broads.

- 6) That the Borough Council does not have plan-making powers in the designated Broads area is a key fact not made clear in the Draft Core Strategy and related documentation (notwithstanding the 'small print' Informative Note separate from the main text).
 - a) The Draft Core Strategy, the website introduction to it, and the consultation letter all incorrectly state that it sets out a vision and strategy for the Borough, and no mention is made of the fact that the Council does not have plan-making powers for the Broads part of the Borough.
 - b) The Executive Summary refers to it addressing land-use 'throughout' the Borough.
 - c) All but one of the maps (including the Key Diagram) fail to show the plan area boundary. On the one map where it is shown (the Constraints Map) the labelling of 'planning authority boundary' does not make the boundary's significance clear, especially as the constraints shown extend beyond it.
- 7) The Authority commends the clarity and readability of the Core Strategy.
- 8) **CROSS BOUNDARY ISSUES** The Broads Authority welcomes the references to the protection and enhancement of the Broads' biodiversity, but considers the other parts of the Broads statutory purposes (see above) should also be included.
- 9) The Authority would also like to see the environmental quality of the Broads recognised not just as something that needs protection, but also a positive asset for the economy and more. The Broads' environmental quality, together its recreational and navigational value, should be recognised as a benefit to the local economy and attracting businesses to the plan area, and to the quality of life of its local residents.
- 10) **SO6 BULLET 3** The Authority welcomes the references in to the Broads and the North Norfolk AONB, and to the general intentions of the policy. However, it considers that the current wording is rather ambiguous, and risks being interpreted as referring only to access, or meaning that the Broads and the AONB are not of national or international importance. To address this, and to better articulate access issues, it is suggested that the wording should be amended to read *"Protect and enhance the Broads, the Norfolk Coast Area of Outstanding Natural Beauty, and other sites of national and international importance, and, where appropriate, improve or manage access to these."*
- 11) **SO4** The Authority would encourage the Borough Council to consider the economic and other benefits of strengthening the Port's role as an access to the Broads navigation for seagoing leisure craft. The Authority recognises that this would require management of vessel movements, etc., to avoid conflict between leisure craft and commercial vessel operations, as successfully achieved in many other busy commercial ports.
- 12) The Authority would also encourage the Council to consider identifying the potential for renewed use of the river system for freight traffic, with potential relevance for SO1 (Minimising Impact on the Environment), SO4 (Strengthening the Local Economy) and S7 (Securing the Delivery of Key Infrastructure). While the Authority recognises the barriers to realising such potential in the short term, the need to avoid prejudicing its long-term potential should be factored into the planning of the area.
- 13) **2.1.7** Note that Burgh Castle and Caister Castle, mentioned here, are both in the Broads, and outside the Core Strategy area (though the Scheduled Ancient Monument designation of the former does stretch across the Broads boundary into the Borough's planning area).

- 14) **2.1.22** The Authority would wish to see here explicit mention of the national park equivalent status of the Broads.
- 15) **Table 3** The Broads Authority should be included in the relevant authorities in respect of (a) Improving the road infrastructure (especially the encouragement of dualling of the A47), (b) minimising and managing flood risk, (c) minimising and managing coastal erosion, and (d) continued protection and management of the AONB (part of which is in the Broads).
- 16) The Broads Authority would wish to see a further entry in Table 3 for 'Protection and management of the Broads'. Relevant authorities/partners would be the Broads Authority, the local authorities (Broadland, Norwich Waveney, North Norfolk and South Norfolk), Suffolk and Norfolk County Councils and Natural England and the Environment Agency.
- 17) **3.1.0** The Broads Authority would wish to see mentioned in the Vision the importance of the relationship to the Broads for the plan area's economy, and for recreation, the environment and navigation.
- 18) **CS1** – typo: should read complements, not compliments.
- 19) **4.1.6** – The Core Strategy should explicitly recognise that the plan needs to take into account the functional and potential relationships across the Council's planning boundaries (with the Broads and other local planning authorities), but it cannot include policies outside these boundaries.
- 20) The Authority would like to see recognition in the Core Strategy of an approach to housing assessment and delivery in relation to the Broads part of the Borough as set out in the current regional spatial strategy, and the proposed Memorandum of Understanding between the Broads Authority and the relevant local authorities, currently under consideration, i.e. that the Borough Council recognises the impracticality and undesirability of a housing target for the Broads area, assesses the housing need for the whole of the Borough (including the Broads part), plans its housing delivery wholly outside the Broads (in the Borough or elsewhere), and may count any housing delivery within the Borough part of the Broads as windfall against its housing target.
- 21) **TABLE 5 – SETTLEMENT HIERARCHY** For clarity the note about the Broads should read something like 'These settlements are partly outside the plan area and in the Broads Authority planning area'.
- 22) **CS3 – DELIVERING NEW HOMES** (*repeat comment from above*) The Authority would like to see recognition in the Core Strategy of an approach to housing assessment and delivery in relation to the Broads part of the Borough as set out in the current regional spatial strategy and the proposed Memorandum of Understanding between the Broads Authority and the relevant local authorities currently under consideration, i.e. that the Borough Council recognises the impracticality and undesirability of a housing target for the Broads area, assesses the housing need for the whole of the Borough (including the Broads part), plans its housing delivery wholly outside the Broads (in the Borough or elsewhere), and may count any housing delivery within the Borough part of the Broads as windfall against its housing target.
- 23) **CS4 – ENSURING A SUITABLE SUPPLY OF NEW HOMES**. The Broads Authority supports the Borough Council's endeavours to find the most effective delivery of affordable housing to meet local needs. Note that the Broads Development Management Policies DPD applies the relevant Borough Council affordable housing contribution level within that part of the Broads within the Borough. The Authority suggests further consideration is given to whether a threshold of 5

dwelling is appropriate in the rural areas. Housing development in such areas are often individual dwellings or small groups, and this threshold may mean that little, if any, of the 5% of overall housing growth planned for these areas will deliver any affordable housing. The high land values of building plots in these areas would seem to suggest there is some scope for a contribution to affordable housing provision. A 'per dwelling' financial contribution towards affordable housing provision, with a lower, perhaps even single dwelling, threshold, may be more productive in the rural areas and smaller villages. (This would of course be subject to the usual caveats excepting or reducing the contribution where it is demonstrated to render the scheme unviable.)

- 24) **CS6 – SUPPORTING THE LOCAL ECONOMY** *(repeat comment from above)* The Authority would encourage the Borough Council to consider the economic and other benefits of strengthening the Port's role as an access to the Broads navigation for seagoing leisure craft (for instance under SO4). The Authority recognises that this would require management of vessel movements, etc., to avoid conflict between leisure craft and commercial vessel operations, as successfully achieved in many other busy commercial ports.
- 25) One of the safeguarded employment sites, Land East of Railway Station, is partly outside the plan area and in the Broads.
- 26) **CS8 – PROMOTING TOURISM, LEISURE AND CULTURE** The Authority strongly supports the reference to habitat-based tourism at sub-paragraph J. The Authority also notes the importance of visitor accommodation in Great Yarmouth to the recreational value and economy of the Broads.
- 27) **4.10.1** The list and count of heritage assets includes those outside the plan area and in the Broads, such as Caister Castle.
- 28) **4.11.5** the Broads Authority particularly welcomes this section. However, the following amendments are suggested.
 - a) Add navigation to landscape, biodiversity and recreational value as being of national importance.
 - b) Add Broads landscape quality as something that new development in the plan area may have a potential impact on.
 - c) Note that the NPPF gives the highest level of protection to the Broads landscape, scenic beauty and wildlife.
- 29) **CS 11 – ENHANCING THE NATURAL ENVIRONMENT** – The Authority particularly welcomes this policy. It would like to see bullet point A expanded to explicitly refer to the landscape setting of the Broads (and the AONB). Note that the maintenance and enhancement of the Broads landscape is part of one of the Sustainability Objectives (and its sensitivity and pressure upon it is identified as a key sustainability theme in the SA), but this has yet to been translated into clear Core Strategy policy.
- 30) **4.11.10** Consider adding reference to the landscape setting of the Broads and the Broads 'Landscape Sensitivity Study for Wind-Turbines, Photo-Voltaics and Associated Infrastructure', and including this document in the evidence base for the plan.
- 31) **POLICY CS12 – UTILISING NATURAL RESOURCES** The Authority considers that the contents of paragraph 4.12.9 should be an integral part of the policy, not merely mentioned in the written justification. The Authority also wishes this policy to explicitly give great weight to the avoidance

of any adverse impact on the Broads landscape and scenic beauty, given the potential there is for such harm from inappropriately sited or scaled renewable development (particularly wind-turbines) in the environs of the designated area.

32) POLICY CS16 – IMPROVING ACCESSIBILITY AND TRANSPORT – SUSTAINABILITY APPRAISAL

The Authority wishes it to be explicitly recognised that the dualling of the A47 has the potential for adverse effects on the Broads itself, not just its setting.

33) MAPS

- a) Key Diagram – Does not show or make clear the plan area boundary. Appears to incorrectly show part of the designated Broads area within the plan area.
- b) Most of the following maps are likewise.
- c) CS6 – Part of one protected employment site is partly outside the plan area and in the Broads and should be shown as such.
- d) Great Yarmouth Waterfront Area Key Site Allocation – Small part outside the plan area and within the Broads, and should be shown as such.
- e) Constraints Map – The only map actually showing the plan area, but does not show the nationally designated Broads area and Norfolk Coast AONB.

34) SUSTAINABILITY APPRAISAL REPORT The Report incorrectly treats the Borough boundary as the plan area boundary. It also seems to incorrectly regard the Broads as solely an environmental designation (see Broads purposes, above). Paragraph 4.42 incorrectly states that there has been no development in the Great Yarmouth Borough part of the Broads within the last 3 years.

35) STATEMENT OF COMMUNITY INVOLVEMENT. The document does not make it clear that it applies only to those parts of the Borough outside the designated Broads area. This seems particularly important as the document is intended to aid public involvement in and understanding of planning. There is reference to the Broads Authority's having a role in planning, but this does not appear until page 19, and even then is not very clear.

[Ends]