

Article 4 Directions
Report by Head of Planning

Summary: The planning team have carried out a review of the existing Article 4 Directions in the Broads. Of the 24 Directions, 15 have been retained and Members resolved to consider the removal of 7. This report details the results of that consideration.

Recommendation: That existing Article 4 Directions be retained in respect of.

- (i) Retail sales from moored vessels- 23 moorings
- (vi) Caravans, camping and temporary uses - Anchor Street, Coltishall
- (viii) Works to unadopted streets - Anchor Street, Coltishall

That existing Article 4 Directions be removed in respect of:

- (iii) Temporary uses of land - Brundall Riverside
- (iv) Holding of markets, motor and motorcycle racing and clay pigeon shooting - Church Road, Hoveton
- (v) Erection of boundary treatments - Holly Lodge in Wroxham
- (x) Travelling shows and camping - Halvergate

1. Background

- 1.1 In 2016 and 2017 the planning team reviewed the Article 4 Directions in the Broads Executive Area. Article 4 Directions restrict permitted development rights in the Broads and it is good practice to review these periodically.
- 1.2 The review identified 24 Article 4 Directions in the Broads, of various ages dating from 1954 to 1998 and covering a variety of development types. These are summarised as follows:

	<u>Direction</u>	<u>Area</u>
i	Retail sales from moored vessels	23 moorings
ii	Householder permitted development rights, including outbuildings and boundary treatments	Beccles
		Bungay
iii	Temporary uses of land	Brundall Riverside

iv	Holding of markets, motor and motorcycle racing and clay pigeon shooting	Haddiscoe Marshes
		Church Road, Hoveton
		Gillingham Swan Motel
v	Erection of boundary treatments	Crabbetts Marsh, Horning
		Boathouse Lane, Oulton
		Anchor Street, Coltishall
		Nobbs Loke, Wayford
		Oulton Marsh
		Riverside Park, St Olaves
		Holly Lodge in Wroxham
Surlingham and Bramerton		
vi	Caravans, camping and temporary uses	Horsey, Winterton and Sea Palling
		Crabbetts Marsh, Horning
		Anchor Street, Coltishall
		Smallburgh
vii	Agricultural development	Limpenhoe
		Gillingham Dam
viii	Works to unadopted streets	Anchor Street, Coltishall
ix	Forestry development	Laundry Cottages, Bramerton
x	Travelling shows and camping	Halvergate

1.3 A report was presented to the 3 March 2017 meeting of the Planning Committee. The report recommended the following actions:

- a) Retain Article 4 Directions as below. It should be noted that the report enumerated these as 14 Directions to retain, but actually there are 15 as follows:

	<u>Direction</u>	<u>Area</u>
ii	Householder permitted development rights, including outbuildings and boundary treatments	Beccles
		Bungay
iv	Holding of markets, motor and motorcycle racing and clay pigeon shooting	Haddiscoe Marshes
v	Erection of boundary treatments	Crabbetts Marsh, Horning
		Boathouse Lane, Oulton
		Anchor Street, Coltishall
		Nobbs Loke, Wayford
		Oulton Marsh
Surlingham and Bramerton		
vi	Caravans, camping and temporary uses	Horsey, Winterton and Sea Palling
		Crabbetts Marsh, Horning
		Smallburgh
vii	Agricultural development	Limpenhoe
		Gillingham Dam

ix	Forestry development	Laundry Cottages, Bramerton
----	----------------------	-----------------------------

b) Remove 7 x Article 4 Directions at:

i	Retail sales from moored vessels	23 moorings
iii	Temporary uses of land	Brundall Riverside
iv	Holding of markets, motor and motorcycle racing and clay pigeon shooting	Church Road, Hoveton
v	Erection of boundary treatments	Holly Lodge in Wroxham
vi	Caravans, camping and temporary uses	Anchor Street, Coltishall
viii	Works to unadopted streets	Anchor Street, Coltishall
x	Travelling shows and camping	Halvergate

c) Review Article 4 Directions as below. It should be noted that the report enumerated these as 3 Directions to review, but actually there are 2 as follows:

	<u>Direction</u>	<u>Area</u>
iv	Holding of markets, motor and motorcycle racing and clay pigeon shooting	Gillingham Swan Motel
v	Erection of boundary treatments	Riverside Park, St Olaves

1.4 Members resolved to agree the recommendation with the exception of the Article 4 Direction covering retail sales from moored vessels, which they considered potentially still relevant and useful. It was resolved that the views of Navigation Committee be sought on this matter.

1.5 A copy of the report which was presented to the 3 March 2017 Planning Committee is attached at Appendix 1.

2. Subsequent actions

2.1 Further to the resolution of the Planning Committee notifications were sent out in respect of the 15 Article 4 Directions to be retained. These were sent to landowners and the relevant Parish Councils and advised that the Local Planning Authority had reviewed its Article 4 Directions and proposed to retain the one to which the letter referred. The process for this group of Article 4 Directions is now complete.

2.2 In respect of the Article 4 Direction covering retails from moored vessels, a report seeking their views on the matter was presented to the meeting of the Navigation Committee on 14 December 2017. The Committee resolved as follows:

The Committee collectively agreed to show support in retaining the Article 4 direction concerning retail sales from moorings subject to another review when appropriate.

- 2.3 The recommended actions following the consultation are discussed below.
- 2.4 In respect of the Article 4 Directions proposed for removal, in June 2018 consultation was undertaken on the proposed removal in accordance with the statutory requirements. This included written notification to landowners and relevant Parish Councils and the erection of site notices. The results of the consultation and proposed actions are discussed below.

3. Consultation and proposed way forward

- 3.1 The responses to the consultations are set out below in summary form, along with the proposed actions in respect of the relevant Article 4 Direction. Full details of the responses received are set out in the schedule attached at Appendix 2.

(i) Retail sales from moored vessels – 23 moorings

- 3.2 The Navigation Committee strongly supported the retention of this Direction, which is of use to the Authority's ranger team and has helped to manage use of the Authority's 24 hour visitor moorings.
- 3.3 Members will be aware that a valid planning justification is required in order to impose an Article 4 Direction, and a similar test will apply when considering whether to retain one following review. In this case, there is strong support for its retention from the Authority's ranger team who use it regularly, plus from the Navigation Committee in support of the officers. There are currently no other mechanisms (such as byelaws) which could be used as an alternative so there is a risk that removal of the Direction could result in activities which are unwanted and unacceptable.
- 3.4 It is proposed therefore that the Direction be retained on the 23 moorings to which it applies.

(iii) Temporary uses of land - Brundall Riverside

- 3.5 This Direction prohibits the temporary use of land by recreational organisations at Brundall Riverside Estate and dates back to 1954.
- 3.6 In response to the consultation, Brundall Parish Council have no objections to the proposed removal of the Direction. A number of telephone calls enquiring about the content and effect of the Direction were received.
- 3.7 Since the Direction was served Brundall Riverside estate has developed and now comprises a densely built area with a mix of commercial, recreational and residential uses. There is little open space or capacity for such a use and nor is the LPA aware of any such pressures. It appears unlikely that there would be a sudden (and unacceptable) increase in this activity if the Direction were to be lifted. There is no strong planning justification for retaining the Direction, particularly given the similarity with other areas in the Broads.

3.8 It is proposed therefore that the Direction be removed.

(iv) Holding of markets, motor and motorcycle racing and clay pigeon shooting - Church Road, Hoveton

3.9 This Direction prevents the holding of markets on a site off Church Road, Hoveton and was served in 1973. No formal responses have been submitted in respect of the consultation.

3.10 The reasons for the Direction are now lost, so it is assumed this was served in response to a particular proposal or to end an ongoing activity. The site has now been partly developed and a small, occasional market on the remainder would be unlikely to cause any significant adverse impacts in this busy, commercial area. There is no planning justification for the retention of this Direction.

3.11 It is proposed therefore that the Direction be removed.

(v) Erection of boundary treatments - Holly Lodge in Wroxham

3.12 Directions prohibiting the erection of gates, walls, fences or other means of enclosure have been widely issued across the Broads at various points in time, the purpose of which was usually to protect the openness of land at and around leisure and mooring plots due to the important contribution this makes to the character and appearance of the landscape. This particular Direction, however, was unusual, being prompted by enforcement action and the need to retain control over any replacement boundary treatment once an unauthorised and unsympathetic structure had been removed. The site forms part of the residential curtilage of one dwelling, plus the boundary of a dyke in the curtilage of the adjacent dwelling, and extends to the river. It is visible from the river and from the adjacent public open space of Caen Meadow.

3.13 No formal responses have been submitted in respect of the consultation, although a letter was received on behalf of one of the affected landowners' enquiring about the content and effect of the Direction. A full response was provided, but no further comments have been received.

3.14 In terms of an assessment as to whether this Direction remains justified, it is noted that it is unusual for individual properties to be managed in this way and the site is now better screened by surrounding vegetation. Since the Direction was served, the Wroxham Conservation Area has been designated which further justifies any additional level of control over development, however, the case for retaining this Direction is finely balanced particularly as it is unusual for a Direction to apply to a single property. On balance, it is considered that there is no strong planning justification for retaining the Direction, particularly given the similarity with other properties in the Broads.

3.15 It is proposed therefore that the Direction be removed.

(vi) Caravans, camping and temporary uses - Anchor Street, Coltishall

- 3.16 A Direction relating to temporary uses and buildings and caravan sites was served on land at Anchor Street, Coltishall in 1982 and it is understood that this was in response to a particular threat. The Direction covers a relatively small and discrete area of riverside meadow land which is currently used for grazing on the edge of the settlement of Coltishall and within the Conservation Area. Access is via an unsurfaced public footpath.
- 3.17 A total of 46 responses have been received in respect of this Direction and the one listed below at '(viii) works to unadopted streets', also at Anchor Street. The responses, all objections, request that the LPA retain the Directions and cite multiple reasons for the objection to their removal including:
- The ecological value of the land, which would be compromised by any camping etc use;
 - The amenity value of the site, which is well used, and would be compromised by any commercial or formal recreational use;
 - Inadequate access to the site would result in traffic congestion and highway disruption, including to residents seeking to access their properties;
 - Poor ground conditions make the site unsuitable for camping etc;
 - Impact on public footpath and other areas used for informal access;
 - Loss of or damage to traditional and historic grazed meadow;
 - Site is within Conservation Area and such use is inappropriate;
 - Restriction should be retained as a precaution.
- 3.18 A number of the respondents comment that the Article 4 Direction has served as a useful and effective deterrent to inappropriate uses, and the current absence of development pressures should not be taken as evidence of no such pressure but, instead, to confirm the value of the restriction.
- 3.19 In addition, Coltishall Parish Council has raised an objection on grounds of the impact of any development on the character, amenity and environment of the meadow. They also refer to a petition in objection to the removal of the Direction, which has over 100 signatures. They also raise a number of points about process.
- 3.20 It is clear from a number of the responses that there is some misunderstanding about precisely what would be the effect of removing the Article 4 Direction – ie that the permitted development rights would be reinstated, but that this would not necessarily mean that development would take place – and there is clearly widespread concern about the risk of development.
- 3.21 The concerns raised do all relate to planning matters and are material. It is concluded that there is a planning justification for retaining the Direction here.
- 3.22 It is proposed therefore that the Direction be retained.

(viii) Works to unadopted streets - Anchor Street, Coltishall

- 3.23 The Direction served at Anchor Street, Coltishall covered at 3.16 above also included a provision to prevent works to the unadopted street or private way. The reason for the Direction is not known, and the only access is via an unsurfaced public footpath.
- 3.24 Many of the objections received in respect of the Article 4 Direction at 3.16 above (and detailed above) refer also to the access and it is clear that the areas function together. Given this it is appropriate to retain this Direction also in order to protect the access to the above site from inappropriate 'improvement'.

(x) Travelling shows and camping - Halvergate

- 3.25 In 1959 a Direction was issued covering Halvergate Marshes, preventing travelling shows and camping. There is no surviving documentation covering the reasons for the Direction, nor is the full extent and effect of it known, although the area can be identified as within the Conservation Area.
- 3.26 In response to the consultation, Acle Parish Council advised that they would wish for the restriction to remain. In a telephone conversation with the landowner, who farms much of the marshes at Halvergate, the LPA was advised that the land was unsuitable for any of the uses covered by the Direction as this would be incompatible with the agricultural use and the support payments received.
- 3.27 Whilst this landscape is very sensitive to change as well as being constrained by access and flood risk, it is not atypical of many marshland landscapes across the Broads. In the absence of any specific threat, and mindful that the threat of travelling shows in particular is very different now to what it might have been in 1959, plus taking into account the comment received by the landowner it is concluded on balance that there is no strong planning justification for retaining the Direction.
- 3.28 It is proposed therefore that the Direction be removed.

Summary

- 3.29 In summary, it is proposed to:
- Retain the following Directions:
 - (i) Retail sales from moored vessels- 23 moorings
 - (vi) Caravans, camping and temporary uses - Anchor Street, Coltishall
 - (viii) Works to unadopted streets - Anchor Street, Coltishall
 - Remove the following Directions:
 - (iii) Temporary uses of land - Brundall Riverside
 - (iv) Holding of markets, motor and motorcycle racing and clay pigeon shooting - Church Road, Hoveton
 - (v) Erection of boundary treatments - Holly Lodge in Wroxham

- (x) Travelling shows and camping - Halvergate

4. The statutory processes associated with removing Article 4 Directions

- 4.1 As advised in the report to the 3 March 2017 meeting of the Planning Committee, there is a statutory process covering the creation of new Article 4 Directions and existing Directions must be cancelled or modified in the same way as serving a new Direction.
- 4.2 There are two types of Directions - immediate and non-immediate - and whilst they both include a statutory consultation, each has a slightly different process. An immediate Direction will come into effect as soon as it is made, whilst a non-immediate Direction will come into effect on the date specified in the Direction, which will be within a period of between 28 days after the start of the consultation and two years. The processes are set out at Appendix 3.
- 4.3 It is proposed to deal with the removal of the four Article 4 Directions above as non-immediate Directions as there appears to be no justification to use the urgent powers provided for under the immediate Direction procedures.
- 4.4 Subject to the resolution of the Planning Committee approving the recommended approach it is anticipated that the consultation and notification process can commence in late summer and the Directions cancelled by the end of 2018.

5. Financial implications

- 5.1 There will be financial implications, resulting from the cost of consultation and advertising. This will be met from within the existing planning budget.

6. Conclusion and recommendation

- 6.1 A review of the Article 4 Directions in the Broads area is underway, in accordance with the advice and guidance in the Planning Practice Guidance.

The result of the second phase is that the following is recommended:

Retain Article 4 Directions for:

- (i) Retail sales from moored vessels- 23 moorings
- (vi) Caravans, camping and temporary uses - Anchor Street, Coltishall
- (viii) Works to unadopted streets - Anchor Street, Coltishall

Remove Article 4 Directions for:

- (iii) Temporary uses of land - Brundall Riverside
- (iv) Holding of markets, motor and motorcycle racing and clay pigeon shooting - Church Road, Hoveton
- (v) Erection of boundary treatments - Holly Lodge in Wroxham
- (x) Travelling shows and camping - Halvergate

6.2 Work will commence on phase 3 which is the review of the Directions listed under 1.3 (c) in due course.

6.3 It is recommended that Members agree the above approach.

Background papers: Existing Article 4 Directions

Appendices: Appendix 1: Report to 3 March 2017
Appendix 2: Consultation responses
Appendix 3: Processes associated with Article 4 Directions

Author: Cally Smith
Date of report: 5 July 2018

APPENDIX 1

**Broads Authority
Planning Committee**
3 March 2017
Agenda Item No 14

Article 4 Directions

Report by Planning Officer and Head of Planning

Summary:	The planning team have carried out a review of the existing Article 4 Directions in the Broads. Of the 24 Directions, it is proposed to retain 14, remove 7 and review 3.
-----------------	---

Recommendation:	That the approach be agreed.
------------------------	------------------------------

1.0 Introduction

- 1.1 The planning team has been reviewing several of its planning policies, procedures and provisions as it is appropriate to do periodically. Members will be aware of the outcomes of some of this work, for example the ongoing work on the Local Plan and the Local Enforcement Plan which was adopted last year, whilst other work will have solely internal impacts.
- 1.2 As part of this work we have been looking at the Article 4 Directions which restrict permitted development rights in the Broads and this report covers this topic.

2.0 Background and legislation

- 2.1 Planning permission is required for any development, with development defined in s55(1) of the Town and Country Planning Act 1990 as:

“the carrying out of building, engineering, mining or other operations in, on, over or under land, or the making of any material change in the use of any buildings or other land”.
- 2.2 The definition of development is very broad, so in order to prevent the planning system getting bogged down dealing with large numbers of applications for very minor development, the law introduces the concept of ‘permitted development rights’ whereby planning permission is automatically granted for certain types of development. The permitted development rights are set out in The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), which explains the rights and the limitations and the conditions which apply.
- 2.3 Over the last 10 years permitted development rights have been extended considerably as the Government has sought to streamline and modernise the planning system. Permitted development rights in the Broads remain more

limited than outside the Broads, but they too have been extended and certain developments which formerly required planning permission, such as roof mounted solar panels, are now permitted development.

- 2.4 While permitted development rights automatically allow development subject to certain restrictions/conditions, there is a contrary provision which can remove permitted development rights. This is known as an Article 4 Direction and enables a Local Planning Authority (LPA) to withdraw permitted development rights by serving a direction under Article 4 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). The effect of this is that the development specified in the Direction which would usually benefit from permitted development rights would now require express planning permission from the LPA.
- 2.5 Members should also be aware that there is a further provision which allows an LPA to develop and apply its own permitted development rights for its area, so that development which is not normally covered by a permitted development right has that status locally. This is done under a Local Development Order, the procedures for which are set out in the Town and Country Planning (Development Management Procedure) (England) Order 2015. This provision is mentioned here purely for completeness.

3.0 The purpose and effect of Article 4 Directions

- 3.1 An Article 4 Direction gives the LPA the ability to manage development which would not otherwise require planning permission and to consider developments in detail, including taking into account the views of the local community and other consultees, before it can proceed. As permitted development rights are set nationally, there may be particular local circumstances which mean some types of development can have a greater impact in some areas than others. National Parks, the Broads, Areas of Outstanding Natural Beauty and Conservation Areas do benefit from some additional controls and exemptions from permitted development rights. However, Article 4 Directions provide an additional mechanism to respond in the interests of protecting amenities and landscapes.
- 3.2 For a landowner, the withdrawal of permitted development rights means that, where Article 4 Directions are served, planning permission is required for the specified development in the specified area when it would not otherwise be required. This does not mean that planning permission will not be granted, but that it is necessary to submit an application and allow the LPA to consider and consult on the proposal. There is, however, no fee to pay for such applications, or indeed any subsequent appeals following a refusal of planning permission.

4.0 Reviewing the existing Article 4 Directions in the Broads

- 4.1 There has previously been no comprehensive review of the existing Article 4 Directions. It is good practice to review these periodically and to consider which should be retained and which should be cancelled. It is also

appropriate to consider periodically whether any of the existing Directions should be extended and whether any new Directions are necessary.

- 4.2 Together these three reviews would constitute a major piece of work, so it is proposed to take a phased approach. This report considers the existing Directions only, and further reports on the possible extension of the existing Directions and any new Directions will be presented in due course as phases two and three respectively.

5.0 Existing Article 4 Directions in the Broads

- 5.1 There are 24 existing Directions within (or partly within) the Broads area and these have mostly been inherited from the constituent district and borough councils prior to the Authority being established. The existing Article 4 Directions cover permitted development rights relating to retail sales, householder development, boundary treatments, temporary uses and agricultural and forestry development. The sites covered include large areas of marshes, Conservation Areas, commercial areas and moorings. A summary table is set out below:

	<u>Direction</u>	<u>Area</u>
i	Retail sales from moored vessels	23 moorings
ii	Householder permitted development rights, including outbuildings and boundary treatments	Beccles
		Bungay
iii	Temporary uses of land	Brundall Riverside
iv	Holding of markets, motor and motorcycle racing and clay pigeon shooting	Haddiscoe Marshes
		Church Road, Hoveton
		Gillingham Swan Motel
v	Erection of boundary treatments	Crabbetts Marsh, Horning
		Boathouse Lane, Oulton
		Anchor Street, Coltishall
		Nobbs Loke, Wayford
		Oulton Marsh
		Riverside Park, St Olaves
		Holly Lodge in Wroxham
Surlingham and Bramerton		
vi	Caravans, camping and temporary uses	Horsey, Winterton and Sea Palling
		Crabbetts Marsh, Horning
		Anchor Street, Coltishall
		Smallburgh

vii	Agricultural development	Limpenhoe Gillingham Dam
viii	Works to unadopted streets	Anchor Street, Coltishall
ix	Forestry development	Laundry Cottages, Bramerton
x	Travelling shows and camping	Halvergate

5.2 Each of the Directions applies to a specific area and none cover the entire Broads. It is noted that Directions can be, and have been, used to respond to a particular threat of development or set of circumstances and these may no longer apply. In considering whether to retain the Directions, it is necessary to look at each in turn and consider the factors which justified its making, the continued relevance of these and any current factors, plus whether any alternative controls are available.

5.3 Each of the Directions has been reviewed and an assessment and recommendation is set out as follows.

i. Retail sales from moored vessels

5.4 The prohibition of retail sales from moored vessels covers 23 sites across the Broads, which are mainly around bridges, dykes and staithe. The Direction was issued in 1972/3.

5.5 The origins of the Direction, issued over 40 years ago, are unknown. There is no current issue with retail sales from moored vessels, however this may be as a result of the Direction as around 5 or 6 enquiries about trading from moorings are received each year and the enquirers are normally discouraged by the need to apply for planning permission. There are no byelaws which specifically cover this matter, although the operators would need to demonstrate how they would trade safely and without impacting on navigation; they would also be bound by the 24 hour restriction at Broads Authority moorings.

5.6 The above notwithstanding, there is a risk that managing any such use would have an impact on the ranger service, whilst the mooring of vessels used for trading might reduce the availability of public moorings. These, however, are not strictly planning matters and the PPG is clear that Article 4s should be used only where they are necessary to protect amenity or the wider area and it is arguable whether this is applicable here. On balance, there is no strong planning justification for retaining the Direction. There may be an argument for developing a byelaw to cover these uses.

ii. Householder permitted development rights, including outbuildings and boundary treatments

5.7 Directions removing permitted development rights for householder alterations, extensions, outbuildings etc, and boundary treatment and exterior painting on land fronting highways, waterways and open spaces, including demolition were issued in 1998 and cover the Conservation Areas in Beccles and Bungay. They were served by Waveney District Council, which is why they

cover only the Conservation Areas in the towns in that district rather than Conservation Areas widely in the Broads.

- 5.8 This Direction manages the alterations on the most prominent aspects of dwellings within the Conservation Areas. There is a duty to preserve and enhance Conservation Areas so the rationale for withdrawing permitted development rights in these areas is stronger, and it is noted that despite the various national changes to permitted development rights the protection of Conservation Areas has been retained. There is a strong planning justification for retaining this Direction. Further, it may be a good model to expand to other Conservation Areas and this will be considered in the next phase of this work.

iii. Temporary uses of land

- 5.9 This Direction, which prohibits the temporary use of land and its use by recreational organisations, applies at Brundall Riverside Estate. It was served in 1954 and its origins are unknown.
- 5.10 This area is densely developed with a mix of commercial, recreational and residential uses and is at risk of flooding with a constrained access. There are not known to be any particular pressures or demands for temporary uses here, but the impacts could be significant depending on the use. This notwithstanding, there is limited open space for any such uses to occur and, additionally, the area is not dissimilar to many other areas in the Broads – for example the riverside at Hoveton, Beccles and Horning.
- 5.11 It appears unlikely that there would be a sudden (and unacceptable) increase in this activity if the Direction were to be lifted. There is no strong planning justification for retaining the Direction, particularly given the similarity with other areas in the Broads.

iv. Holding of markets, motor and motorcycle racing and clay pigeon shooting

- 5.12 This Direction applies at Haddiscoe Marshes and was imposed in 1992 in response to a specific proposal to use the land for a variety of temporary uses which was considered would be alien and visually intrusive to the landscape, affect amenity in the village and give rise to traffic issues.
- 5.13 The area is currently in use for grazing marshes and arable farming. These fields are no different in character and appearance to the surrounding marshes, or indeed much of the marshland across the Broads. There are not known to be any present proposals to use the land in this way, but the impacts would be the same as when the Direction was served and these would be unacceptable. Whilst there is no immediate threat, a planning justification can be made due to the severity of the potential impacts. If it is considered necessary to retain this Direction, it would be a good model to expand to other areas as the impacts of the development covered would be

equally severe elsewhere. This will be considered in the next phase of this work.

- 5.14 A further Direction preventing the holding of markets was served on a site off Church Road, Hoveton in 1973. The reasons for the Direction are now lost, so it is assumed this was served in response to a particular proposal or to end an ongoing activity. The site has now been partly developed and a small, occasional market on the remainder would be unlikely to cause any significant adverse impacts in this busy, commercial area. There is therefore no planning justification for the retention of this Direction.
- 5.15 A similar Direction was issued at the Gillingham Swan Motel in 1991 in order to bring an existing use into planning control. As a consequence of the Direction, a series of temporary permissions were granted, replaced in 1997 by a permanent planning permission (1997/0069 as amended by 1999/0835). It is understood this market continues to operate, although not in full compliance with the permission. The use of land limited by the Direction is no longer necessary, but the Direction maintains control over the erection of temporary structures. It would be appropriate, therefore, to modify this Direction if it is considered necessary to retain it.

v. Erection of boundary treatments;

- 5.16 Directions prohibiting the erection of gates, walls, fences or other means of enclosure have been widely issued across the Broads at various points in time – at Crabbetts Marsh in Horning in 1972, Boathouse Lane in Oulton in 1981, Anchor Street, Coltishall in 1982, Nobbs Loke at Wayford, Oulton Marsh and Riverside Park, St Olaves in 1990, Holly Lodge in Wroxham in 1992 and Surlingham and Bramerton in 1993.
- 5.17 The purpose of these Directions has been to protect the openness of land at and around leisure and mooring plots due to the important contribution this makes to the character and appearance of the landscape. Some were served in response to a particular threat (Nobbs Loke, Oulton Marsh, St Olaves, Wroxham and Surlingham/Bramerton), whilst others were precautionary.
- 5.18 The Direction served at Holly Lodge, Wroxham was unusual, being prompted by enforcement action and the need to retain control over any replacement boundary treatment once an unauthorised and unsympathetic structure had been removed. The site forms the residential curtilage of a dwelling and extends to the river, being the only form of built development at the riverside and is also visible from the adjacent public open space of Caen Meadow. It is unusual for individual properties to be managed in this way and the site is now better screened by surrounding vegetation. Since the Direction was served, the Wroxham Conservation Area has been designated which further justifies any additional level of control over development, however, the case for retaining this Direction is finely balanced particularly as it is unusual for a Direction to apply to a single property. On balance, there is no strong planning justification for retaining the Direction, particularly given the similarity with other properties in the Broads.

- 5.19 The Direction at Boathouse Lane, Oulton has not been complied with nor enforced and the result is a series of enclosed mooring plots and views of the water from the PROW are blocked. Many of the existing boundary treatments may now be immune from enforcement action. It is considered necessary to retain this Direction and enforce its provisions in order to raise awareness and bring any future changes under control
- 5.20 The Direction at Oulton Marsh sought to prevent a subdivision of the marshes, which was a particular threat due to the popularity of the area for horse grazing. The Direction controlled the spread of this to a degree, but was not consistently enforced. Much of the land has now been purchased by Suffolk Wildlife Trust so it would be appropriate to review the Direction and its boundaries.
- 5.21 The Direction at Riverside Park in St Olaves has not been enforced and there is a prevalence of boundary treatment, the majority of which is likely to be immune from enforcement action. It would be appropriate to review this Direction.
- 5.22 In the main, the Directions have been effective in protecting the areas from the excessive enclosure of land and the visual effect of this. There remains a strong justification to retain many of these Directions and review some others, with the exception of at Holly Lodge above which can be removed.
- 5.23 There are a number of other areas where an Article 4 Direction might be justified to protect the characteristic openness of the area. These include upstream of Beccles, Brundall Riverside, Dilham, the north shore of Oulton Broad, Potter Heigham and Repps with Bastwick and downstream of the bridge at St Olaves. It would be necessary to undertake a survey of these areas prior to a decision being made on this. This will be considered in the next phase of this work.

vi. Caravans, camping and temporary uses

- 5.24 A number of Directions have been served covering camping and caravanning and associated uses. The Direction preventing camping, caravans and temporary uses at Horsey, Winterton and Sea Palling was served in 1964 and whilst it is not known why this was originally served, the entire site is within the AONB and the majority is within SAC and SSSI designations.
- 5.25 This sensitivity of this site, in terms of both ecological and landscape interest, is such that there remains a strong planning justification for retaining the protection offered by the Direction. On a purely practical level, the Direction also extends outside the Broads area and cancelling or amending it would require collaboration with Great Yarmouth Borough Council and North Norfolk District Council, neither of which have approached us about this.
- 5.26 A Direction relating to temporary uses and buildings and caravan sites on land to the north west of Crabbetts Marsh at Horning was issued in 1972. Access

is very constrained here and the area is at risk of flooding, so uses such as a caravan site would be inappropriate and there is a strong planning justification for retaining the Direction.

- 5.27 A similar Direction was served on land at Anchor Street, Coltishall in 1982, where the constraints are similar. It covers a relatively small and discrete area of riverside meadow land which is currently used for grazing on the edge of the settlement of Coltishall and within the Conservation Area. Access is via an unsurfaced public footpath. It is understood that the Direction was served in response to a particular threat. Whilst the site is inappropriate for a caravan site use, the severely constrained access reduces the probability of this happening and there is not a strong justification for retaining the Direction.
- 5.28 A Direction was served on land to the west of the A149 in Smallburgh in 1989. This parcel of land is no different in character or appearance to those surrounding it so it is assumed this Direction arose from a particular threat of development. It is an area of grazing marsh where use for a caravan site is likely to be inappropriate due to adverse landscape impacts, high flood risk and inadequate access. The Direction is considered on balance to be worth retaining, although there is not known to be any current threat of development, and if it is retained it may be worth expanding to adjacent parcels of land. This can be considered in the next phase of this work.

vii. Agricultural development

- 5.29 The Secretary of State served a Direction in 1984 at Limpenhoe when a management agreement to stop this area of grazing marsh being drained could not be agreed upon. The intention of the Direction was to introduce a requirement for planning permission for any drainage work constituting development that was undertaken by the farmer, but the Direction covers all agricultural development. Although circumstances may have changed, agricultural permitted development rights allow for quite substantial buildings which would have an adverse landscape impact.
- 5.30 A Direction removing agricultural permitted development rights was served at Gillingham Dam in 1988. This was in response to an intention to erect a large cattle building on the site as the area was considered to be part of a grazing marsh of considerable landscape importance, vulnerable to damage by intrusive development and the prior approval provisions were not considered to give sufficient control.
- 5.31 The principles and objectives surrounding both of these Directions are the same – to control agricultural development which would have an adverse impact on the local landscape. Although there are not known to be any current proposals on either site, these considerations remain valid and the impacts of any development would be the same as when the Direction was served. On this basis, there is a strong planning justification to retain both Directions.

- 5.32 Given, however, that the marshes at both Gillingham and Limpenhoe are typical of many marsh areas across the Broads, if it is considered necessary to retain these Direction, there is likely to be a planning justification to use these as a model to expand to other areas as the impacts of this type of development would be equally severe elsewhere. This can be considered in the next phase of this work.

viii. Works to unadopted streets

- 5.33 The Direction served at Anchor Street, Coltishall covered at 5.27 above, also included a provision to prevent works to the unadopted street or private way. The reason for the Direction is not known, and the only access is via an unsurfaced public footpath. There does not seem to be a strong justification for the retention of this part of this Direction.

ix. Forestry development

- 5.34 A Direction was served on land adjacent to Laundry Cottages, Bramerton in 1987 in response to a proposal to erect a building for forestry purposes under permitted development rights on the land, which includes broadleaved woodland and riverside marsh. This area was considered to be of exceptional landscape significance, providing visual amenity when viewed from the land, water and adjacent footpaths. Although the intention to erect a building here may have passed, the Direction is considered worthy of retention due to the sensitivity of the site to built development.

x. Travelling shows and camping

- 5.35 In 1959 a Direction was issued covering Halvergate Marshes, preventing travelling shows and camping. There is no surviving documentation covering the reasons for the Direction, nor is the full extent and effect of it known, although the area can be identified as within the Conservation Area.
- 5.36 Whilst this landscape is very sensitive to change as well as being constrained by access and flood risk, it is not atypical of many marshland landscapes across the Broads. In the absence of any specific threat, and mindful that the threat of travelling shows in particular is very different now to what it might have been in 1959, there is a rationale for removing it. Alternatively, if the Members consider that the Direction should be retained, given that the landscape and constraints on Halvergate are typical of those across much of the Broads it would be appropriate to consider the purpose and contents of the Direction here, as well as whether it should rolled out across a wider area. This can be considered in the next phase of this work.

Summary

- 5.37 In summary, the following is therefore recommended with regard to the existing Article 4 Directions:

	<u>Direction</u>	<u>Area</u>	<u>Action</u>
i	Retail sales from moored vessels	23 moorings	Remove
ii	Householder permitted development rights, including outbuildings and boundary treatments	Beccles	Retain
		Bungay	Retain
iii	Temporary uses of land	Brundall Riverside	Remove
iv	Holding of markets, motor and motorcycle racing and clay pigeon shooting	Haddiscoe Marshes	Retain
		Church Road, Hoveton	Remove
		Gillingham Swan Motel	Review and possibly modify
V	Erection of boundary treatments	Crabbetts Marsh, Horning	Retain
		Boathouse Lane, Oulton	Retain
		Anchor Street, Coltishall	Retain
		Nobbs Loke, Wayford	Retain
		Oulton Marsh	Retain
		Riverside Park, St Olaves	Review
		Holly Lodge in Wroxham	Remove
vii	Caravans, camping and temporary uses	Surlingham and Bramerton	Retain
		Horsey, Winterton and Sea Palling	Retain
		Crabbetts Marsh, Horning	Retain
		Anchor Street, Coltishall	Remove
vii	Agricultural development	Smallburgh	Retain
		Limpenhoe	Retain
		Gillingham Dam	Retain
viii	Works to unadopted streets	Anchor Street, Coltishall	Remove
ix	Forestry development	Laundry Cottages, Bramerton	Retain
x	Travelling shows and camping	Halvergate	Remove

6.0 The processes associated with Article 4 Directions

6.1 There is a statutory process covering the creation of new Article 4 Directions. There are two type of Direction - immediate and non-immediate - and whilst they both include a statutory consultation, each has a slightly different

process. An immediate Direction will come into effect as soon as it is made, whilst a non-immediate Direction will come into effect on the date specified in the Direction, which will be within a period of between 28 days after the start of the consultation and two years. The processes are set out at Appendix 1.

- 6.2 Existing Directions can be cancelled or modified in the same way as serving a new Direction.
- 6.3 As detailed above, it is proposed to retain 14 of the 24 existing Article 4 Directions in the Broads. There is no statutory requirement for any action (for example consultation) to be taken in respect of a proposal to retain Directions, but it would be useful to advise the relevant Parish Councils and District Councils that the Authority has reviewed them and decided to make no changes. It is noted that the National Planning Practice Guidance advises that the LPAs should review their Article 4 Directions regularly.
- 6.4 As detailed above, it is proposed to remove seven of the 24 existing Article 4 Directions in the Broads and to review three. These 10 Directions will need to be subject to the statutory processes. It is proposed to deal with them as non-immediate Directions as there appears to be no justification to use the urgent powers provided for under the immediate Direction procedures.
- 6.5 The 10 Directions which will be subject to this are as follows:

	<u>Direction</u>	<u>Area</u>	<u>Action</u>
i	Retail sales from moored vessels	23 moorings	Remove
iii	Temporary uses of land	Brundall Riverside	Remove
iv	Holding of markets, motor and motorcycle racing and clay pigeon shooting	Church Road, Hoveton	Remove
		Gillingham Swan Motel	Review and possibly modify
v	Erection of boundary treatments	Oulton Marsh	Review
		Riverside Park, St Olaves	Review
		Holly Lodge in Wroxham	Remove
vii	Caravans, camping and temporary uses	Anchor Street, Coltishall	Remove
viii	Works to unadopted streets	Anchor Street, Coltishall	Remove
x	Travelling shows and camping	Halvergate	Remove

- 6.6 With regard to the Directions which it is proposed to remove, it is anticipated that the formal process will commence in April 2017, with confirmation later in 2017.

6.7 With regard to the three Directions which are to be reviewed, the approach will depend on the outcome of the assessment. If they are proposed to be retained, the Parish Council will be informed as it will be for the others to be retained (as at 6.3 above). If they are proposed to be removed, this will be the subject of consultation in exactly the same way as for the others proposed for removal (as at 6.6 above). If it is proposed to modify them following assessment, they will be rolled forward and dealt with in the second phase of the work along with any proposals to extend other Directions.

7.0 Financial implications

7.1 There will be financial implications, resulting from the cost of consultation and advertising. This will be met from within the existing planning budget.

8.0 Conclusion and recommendation

8.1 A review of the Article 4 Direction in the Broads area is to be undertaken, in accordance with the advice and guidance in the Planning Practice Guidance. It is to be separated into three phases, with the first phase looking at existing Article 4s.

8.2 Of the 24 existing Article 4 Directions it is proposed to retain 14, remove 7 and review 3. Those which are to be removed will be the subject of consultation, expected to start in spring 2017.

8.3 It is recommended that Members agree the above approach.

Background papers: Existing Article 4 Directions

Appendices: Appendix 1: Processes associated with Article 4 Directions

Author: Maria Hammond/Cally Smith

Date of report: 21 February 2017

Appendix 1

	Immediate directions*	Non-immediate directions
Contents of notice	<ul style="list-style-type: none"> • A description of the development and area to which the direction relates; • A statement of the effect of the direction; • Specification that the direction is made under article 1(4) of the GPDO; • The name of a place where a copy of the direction and map can be viewed; and • A period of at least 21 days within which representations can be made. 	<ul style="list-style-type: none"> • A description of the development and area to which the direction relates; • A statement of the effect of the direction; • Specification that the direction is made under article 1(4) of the GPDO; • The name of a place where a copy of the direction and map can be viewed; • A period of at least 21 days within which representations can be made; and, • The date on which it is proposed the direction will come into force, at least 28 days from the start of the consultation period, but no more than two years.
Consultation	<ul style="list-style-type: none"> • Local advertisement; • Site notices at no fewer than two locations within the area to which the direction relates; and • Serve notice on the owner and occupier of every part of land within the area to which the direction relates (unless it is considered that individual notice is impracticable because not all owners can be identified or located, or it is impracticable due to the number of owners of occupiers). 	<ul style="list-style-type: none"> • Local advertisement; • Site notices at no fewer than two locations within the area to which the direction relates; and • Serve notice on the owner and occupier of every part of land within the area to which the direction relates (unless it is considered that individual notice is impracticable because not all owners can be identified or located, or it is impracticable due to the number of owners of occupiers).
Notification	<ul style="list-style-type: none"> • Secretary of State • 	<ul style="list-style-type: none"> • Secretary of State •
Confirmation	<ul style="list-style-type: none"> • Take into account any representations received. • No sooner than 28 days after latest date notice served, or such longer period specified by SoS. • Within six months of serving, otherwise it expires. • Give notice of confirmation in the same manner as the consultation, including to SoS in most 	<ul style="list-style-type: none"> • Take into account any representations received. • No sooner than 28 days after latest date notice served, or such longer period specified by SoS. • Give notice of confirmation and the date it will come into effect in the same manner as the consultation, including to SoS in most circumstances.

	circumstances.	
Effect	Immediate.	On the specified date when confirmed.

*. Immediate directions can only be used to withdraw permitted development rights for Parts 1 to 4 and Classes B and C of Part 11 of the GPDO (dwellinghouses, minor operations, changes of use, temporary buildings and uses and demolition of buildings) where such development is considered to be prejudicial to the proper planning of their area or constitute a threat to the amenities of the area and to certain rights in parts of, or whole, Conservation Areas.

Article 4 Directions - Phase 2: Proposed removals
Consultation responses

General response	
1.	Thanks for your letter of 29 May regarding 'Article 4 directions removing permitted development rights in your area.' I am responding as this falls under my area of responsibility. Highways England has no comment /objection to the Article 4 directions.
Anchor Street, Coltishall	
Works to unadopted streets ; Caravans, camping and temporary uses	
1.	<p>I am writing to object to the proposed lifting of the Article 4 Directions on the meadow adjoining Anchor Street in Coltishall that falls within the conservation area for the following reasons:</p> <p>Access: Significantly the Authority has suggested the meadow doesn't need the protections afforded by Article 4 because access is limited to a footpath. In fact the meadow can be accessed by vehicles from both Anchor Street and the Wroxham Road. The Authority has actually used the Wroxham Road access to bring a large amphibious vehicle onto the meadow. Further, there is land adjacent to the Wroxham Road point of entry that could be made available by the current landowner for parking, in the event of development of the meadow for the purposes of caravans, camping and other uses.</p> <p>Wildlife: Currently there are four families of geese on the meadow as well as a resident heron. The Authority, at some expense, has gone to the trouble of planting reeds in order to shore up the banks which have fallen victim to erosion. Camper vans, caravans and tents on the site would have a negative impact on the integrity of the meadow and its wildlife.</p> <p>Environmental Concerns: Right now the meadow serves as a giant sponge and so as a first line of defence in the event of flooding. Action to drain the meadow with a view towards development could have catastrophic consequences.</p> <p>Value as an Amenity: The meadow is an amenity for the entire community. It is used by ramblers, runners, dog walkers and nature lovers. No one wants to have to walk or run through a tent or caravan city.</p> <p>There are other issues of course, in terms of maintenance, litter, noise and security that support the retention of the Article 4 directions.</p> <p>Significantly the Directions were put in place in response to a perceived "threat." Given that circumstances have not changed there is nothing to suggest that the "threat" could not resurface, making Article 4 as relevant today as it was in 1982. The protection afforded by the directions is specifically meant to preclude action taken without permission that could be detrimental to the site, and to the community in which it is situated. Certainly it is easier to prohibit harmful action before rather than after the fact. Given that permissions sought must be posted, there have been none in the last ten years. This suggests that the Article 4 Directions have served as a useful deterrent.</p> <p>The Authority has taken the decision to retain the Article 4 Directions at Smallburgh and at Crabbetts Marsh, Horning which represent similar "inappropriate" situations relating to "landscape impacts," and "risk of flooding," as noted in its review of the Directions. We would ask that you afford the same protections to the meadow at Anchor Street. Therefore we object strongly to the lifting of the Article 4 Directions and would ask that they remain in place.</p>
2.	I wish to object to the removal of Article 4 Directions at Anchor Street, Coltishall. Allowing the meadow beyond Anchor Street to be used for 'Caravans, camping and other uses' would damage a much loved amenity in this <i>area</i> , where wildlife flourishes, and the public footpath is used extensively by ramblers, bird watchers, locals and

	<p>visitors.</p> <p>In your proposal you state that access to the meadow is 'via an unsurfaced public footpath'. In fact vehicular access is already possible via the Wroxham Road. Thus caravans could - and would - become a nuisance and disturbance to wildlife and residents of Anchor Street.</p> <p>The sensitivity of this site in terms of ecology and natural beauty is such that there is a strong planning justification for retaining the protection offered by the Article 4 Direction.</p>
3.	<p>I understand that The Broads Authority is considering lifting the Article 4 Direction which prevents the use without planning consent for camping, caravans and other uses on the meadows between Coltishall and Belaugh. I would like to place on record my strong objection to such action for the following reasons:</p> <ul style="list-style-type: none"> • These meadows are an important wildlife habitat for a variety of species. • They are an important amenity to both locals and visitors to The Broads National Park who enjoy the footpath through them. • They are within the Conservation Area • Use of the site for camping and caravans would provide a Trojan Horse opportunity in the future for further, even more undesirable, development. <p>I would add the following observations:</p> <ul style="list-style-type: none"> • Any change of use to this valued landscape would be totally at odds with the Authority's environmental remit. • If the current Article 4 Direction provides protection for the principles and purposes of the National Parks Act, why lift it in this sensitive area? Who benefits? • The claim that access to these meadows is difficult is inaccurate. There is already road access from Anchor Street, Coltishall, and from the Belaugh end. A developer might argue that such access favours use for camping and caravans; however, both are totally unsuitable for caravan access. Anchor Street is far too narrow for caravan use, and the Belaugh access would have to be from the Wroxham Road where the turning point for caravans is both insufficient and highly dangerous.
4.	<p>As a resident home-owner in Anchor Street, Coltishall, I am writing to you, the chief environmentalist for the Broads Authority, to implore you to not allow the potential tragedy of removing Article 4 from the water meadow at the end of the street.</p> <p>Anchor Street is a narrow dead-end road, so full of resident's vehicles already that is impossible to turn round at the end. The idea of trailers, caravans and still more traffic is simply appalling.</p> <p>For at least six summer months of the year Home-owners would be squeezed in between a tremendously crowded Coltishall Green Common at one end and a probable densely used parking meadow at the other. It is already impossible to manoeuvre cars at the meadow end.</p> <p>At the moment this precious piece of land is a wonderful haven for wild birds, waterfowl and rare species of wild flowers. I strongly oppose the idea of it quickly being degraded by possible Travellers and their vehicles, Caravans, Canoes, Swimmers. I truly believe it would be an Open Invitation for uncaring visitors to destroy the natural beauty by fly-tipping and leaving endless litter in this quiet country refuge. In my opinion it would be a tragedy.</p> <p>Country lovers and residents like myself, who use and love the meadow for walking and savouring the magic peace and tranquility of this treasured space, realised the importance of the work the Broads Authority carried out last year to prevent further erosion to the river bank. We understood it was meaningful to keep the integrity of the meadow environment safe and healthy for posterity. Please God - not then to be ruined by the threat of possible concrete pads being put down by anybody without planning permission. We feel the Article</p>

	<p>was originally put in place in order to prevent caravan use without planning many years ago and we feel there is every reason to honour and maintain that protection.</p> <p>I believe this very precious Sanctuary must be saved at all costs and I pray you will champion the petition against the lifting of Article 4 Directions.</p>
5.	<p>I object to the removal of Article 4 Directions at Anchor Street Coltishall.</p> <ol style="list-style-type: none"> 1. I think there should be a environmental survey before any planning to go ahead, because sensitivity of this site of wildlife, wild flowers using the site of cars and caravans the impact would destroy the plants and the wildlife. being the land is wet land the cars and caravans will get stuck! this would destroy the footpath which is used by ramblers and bird watches, local residents dog walking. 2. To get in and out of the site with caravans would not be possible to pass each other down Anchor Street. Coltishall to Wroxham's other exit would be dangerous to exit on or off the Wroxham road. also the noise impact to the local residents. 3. When I was at school we use to go along the footpath on nature walks, and to this day i still go along the footpath with my granddaughters teaching them all about the wild flowers and bird watching which they love to do.
6.	<p>I object to the removal of Article 4 Directions at Anchor Street Coltishall.</p> <p>I really do not see the need to have a caravan/camping site in Coltishall.</p> <p>Coltishall is a small village which people like to come and sit near the river for a nice quite time. Then there are the people who like to go on a nice quite walk and look and watch the wildlife.</p> <p>I have lived here for over 40 years and I use the footpath a lot. Looking at the lovely wildflowers listing to the birds. I would like to know if a survey has been done on the wildlife and wild flowers?</p> <p>Also I do not think the village roads will be able to cope with caravans. why would you want to take more green land and wildlife away? What next holiday homes?</p>
7.	<p>We have become aware of a recommendation to remove an Article 4 Notice issued in 1981 relating to the above meadow. Please be advised that as residents of Anchor Street we strongly object to this surprising proposal.</p> <p>The current Article 4 Notice stops any 'permitted development' on this land. There is mention of possible caravan and camping use if this Article is removed – and my question is, what is currently included in 'permitted development'?</p> <p>I understand that permitted development rights are restricted in certain designated areas including National Parks and specifically the Norfolk and Suffolk Broads.</p> <p>We assume that permitted development as a caravan site would not, therefore, be permitted nor a camping or yurt site.... So what would it allow without normal planning considerations.</p> <p>I look forward to response to these questions.</p> <p>My main points of objection must be</p> <ol style="list-style-type: none"> a) The severely restricted access to the meadow along Anchor Street. This is frequently clogged with parked cars particularly in the summer when all dwellings are occupied, some with holiday makers with multiple numbers of vehicles. The possibility of caravans negotiating Anchor Street does not bear thinking about. A site visit would easily demonstrate this. b) The alternative access from the narrow and winding Wroxham to Coltishall road would surely create totally unacceptable risks to motorists and caravners alike. The meadow

	<p>itself is a tranquil riverside gem, much used by locals and providing a natural and environmentally perfect amenity for villagers and walkers and is a very significant habitat for wildlife, in particular birds, where it is not uncommon to see hundreds of fowl roosting in the evenings.</p> <p>The meadow is always damp or waterlogged and I would suggest, totally unsuitable for normal vehicles and certainly for those towing caravans and trailers.</p> <p>The reasons for retaining this 1981 Article have, of course, changed over the years but only in that the need for such restrictions has surely increased with the pressures on such unique and special areas. Removal of Article 4 Notice would severely threaten the acknowledged importance of this land in the conservation area and constitute a 'material change of use'. Any such 'change of use' would have a most destructive impact on this lovely part of the conservation area for both residents and current users and for the many visitors passing in boats.</p>
8.	<p>I am writing on behalf of Coltishall Parish Council to object to the removal of Article 4 directions from the meadow at Anchor Street, Coltishall.</p> <p>There are three Article 4 directions in place relating to the meadow at Anchor Street under your headings v ('erection of boundary treatments'), vi ('caravans, camping etc.') and viii ('works to unadopted streets') and these have been in place for 36 years. Following a 'periodic' review, you are proposing to remove two of these (vi and viii).</p> <p>Erection of boundary treatments:</p> <p>We note that while you intend to retain this Direction, you provide no additional or specific information as to why (5.16-5.23). We fully support its retention but regret the absence of any specific rationale which might be pertinent to the other matters below.</p> <p>Caravans, camping and temporary uses:</p> <p>Your paper "Article 4 Directions" (March 2017) indicates that you are unaware of, or at least have no official record of, the specific reasons for the imposition of this Article 4 directions (5.27). Noting that the permission of the Secretary of State was required at that time, we must assume that the 'understood' threat was a serious one and it is unfortunate that records relating to it have been disposed of in advance of your periodic review.</p> <p>Turning first to the Authority's rationale for removing this direction, we have quoted your paragraphs 5.26 and 5.27 in full below:</p> <p><i>"5.26 A Direction relating to temporary uses and buildings and caravan sites on land to the north west of Crabbetts Marsh at Horning was issued in 1972. Access is very constrained here and the area is at risk of flooding, so uses such as a caravan site would be inappropriate and there is a strong planning justification for retaining the Direction.</i></p> <p><i>5.27 A similar Direction was served on land at Anchor Street, Coltishall in 1982, where the constraints are similar. It covers a relatively small and discrete area of riverside meadow land which is currently used for grazing on the edge of the settlement of Coltishall and within the Conservation Area. Access is via an unsurfaced public footpath. It is understood that the Direction was served in response to a particular threat. Whilst the site is inappropriate for a caravan site use, the severely constrained access reduces the probability of this happening and there is not a strong justification for retaining the Direction."</i></p> <p>If we might paraphrase:</p> <p>"Crabbetts Marsh has constrained access and is at risk of flooding and use as a caravan site would be inappropriate. Direction to be Retained. The meadow at Anchor Street has constrained access and is at risk of flooding and use as a caravan site would be inappropriate. It is also in the Coltishall Conservation Area. Direction to be Removed."</p> <p>Even leaving aside what follows, we submit that the drawing of diametrically opposed</p>

conclusions from identical evidence is illogical and unreasonable (in the Wednesbury sense (1*)).

The proposal to remove this direction has caused considerable anxiety in the Coltishall community, so much so that we have been informed that a petition against its removal has so far raised over 100 signatures. The sources of this anxiety are three-fold:

- 1) the meadow is an important element of the character of Coltishall as a Broads tourist village where people come to enjoy riverside walking in an idyllic rural setting;
- 2) the meadow is an important amenity for villagers for a range of leisure pursuits;
- 3) the meadow is an important environmental feature, both for its natural beauty and habitats and as a part of the flooding eco-system.

These would seem to be *prima facie* precisely the reasons that UK government would expect Article 4 directions to be imposed:

“The use of Article 4 directions to remove national permitted development rights should be limited to situations where this is necessary to protect local amenity or the wellbeing of the area.” (2*)

The Authority makes clear that it has no direct knowledge of the original ‘threat’ that led to the direction, and so, with respect, it can also have no knowledge as to whether that threat continues to exist or not.

The Authority states that “access is via an unsurfaced public footpath”. In fact, there are at least two ways to access the meadow:

- i) Via the so-called unsurfaced public footpath from Wroxham Road. This ‘footpath’ is some 3 metres wide and, we are told, **has been used by the Broads Authority itself** to bring heavy machinery onto the meadow.
- ii) Via a paved access point at the end of Anchor Street. The Parish Council was surprised that this access point is not mentioned in the Article 4 report, not least because we are told **the Broads Authority** has also used it to bring heavy machinery onto the meadow.

Finally, we would respectfully submit that the *probability* of the meadow being used as a caravan site, even leaving aside the above points about access, is not material. The Article 4 directions are in place to ensure that the Broads Authority is empowered to carry out its function in protecting valuable and valued Broads landscapes.

Works to unadopted streets:

Once again, the Authority indicates that it does not know the reasons for imposing this Direction (5.33), but nevertheless appears confident to remove it. Concern has been expressed that the Authority’s characterisation of access to the site may be significantly inaccurate, as stated above.

Conclusion:

In summary, we have a situation where Article 4 directions are in place at Anchor Street meadow to prevent development without further permission. The directions were put in place under the signature of the Secretary of State for the Environment some thirty-six years ago. The Broads Authority has no direct knowledge about why the Directions were put in place, or whether the specific reasons still pertain. Regardless, the Broads Authority rightly states that it views permitted development as inappropriate. The Broads Authority presents evidence that leads it to retain Article 4 directions at Crabbett’s Marsh. It then presents identical evidence in relation to the directions at Anchor Street meadow and proposes their removal. That evidence fails to note that the ‘unsurfaced public footpath’ has apparently been used by the Broads Authority itself to bring heavy machinery onto the meadow. It also inexplicably fails to identify a second, paved, access point that the Broads Authority has used for access to the meadow. In light of all this, it is not surprising that many residents of Coltishall are both bewildered and up

	<p>in arms at these proposals and object strongly to them as does Coltishall Parish Council on their behalf.</p> <p>Process concerns:</p> <p>We also wish to draw attention to process issues that have caused additional and unnecessary problems and workload for the Parish Council in Coltishall. Firstly, it was unfortunate that the Parish Council did not receive notification of this consultation until at least three parish councillors had already received calls from parishioners about it. We note and accept your apology for this. Secondly, it was unfortunate that the Parish Council discussion of this matter on Tuesday 12th June was curtailed by the statement from our District Councillor, who had spoken to Planning staff at the Authority the very same day, that the proposal to remove these Directions had been withdrawn. This statement was subsequently contradicted by Authority staff, but obviously too late to consider the matter at our Parish Council meeting. Finally, given the points raised above we are disappointed that so much work has been generated for so many people in Coltishall to respond to a proposal which seems to us to be fatally flawed from the outset. In contrast, retention of the status quo would seem to meet the stated objectives of all concerned and would generate precisely no work whatsoever barring an unforeseen request for planning permission after a thirty-six year hiatus.</p> <p>1* <i>Associated Provincial Picture Houses Ltd v Wednesbury Corporation (1948) 1 KB 223</i> 2* National Planning Policy Framework, paragraph 200.</p>
9.	<p>I am writing regarding the consultation for the changes to Article 4 Directions, in particular that relating to Anchor Street, Coltishall.</p> <p>Whilst I appreciate the need for this was a historic one, there are concerns that by lifting the Direction there would be a possibility, albeit an unlikely one, that undesirable development of the type originally envisaged could result. Therefore, while we acknowledge the desire to 'tidy up' the various Article 4 Directions, we would suggest keeping this one in place, to ensure future protection of this unspoilt location in the minds of all.</p>
10.	<p>I object to the removal of Article 4 Directions at Anchor Street Coltishall.</p> <p>The meadow is an important amenity and wildlife habitat.</p> <p>The public footpath is used extensively by ramblers, runners ,bird watchers and local residents.</p>
11.	<p>I was disappointed and dismayed to learn of the above action being taken by the Broads Authority. The area, in which the removal is proposed is an important amenity for wildlife, walkers, birdwatchers and local residents as well as providing holiday makers for an opportunity to explore this beautiful area.</p> <p>Caravan use of the area would be entirely inappropriate, the Meadow being a wet marsh, so it would also be inappropriate for camping.</p> <p>Access to this site would either be through Anchor Street, a narrow residential road, or a track off the Wroxham/Coltishall Road. Either access routes are very unsuitable, as mentioned, Anchor Street is a narrow road and route off the Wroxham/Coltishall Road would be dangerous for both vehicles towing caravans and out of the proposed site and traffic on the road, which include large lorries, coaches etc.</p> <p>The site is within a Conservation Area and caravanning and camping would destroy the ecology and wildlife in the area and I am sure that were a thorough ecological survey to be conducted on the site it would produce considerable evidence that this area should have the protection of varied habitat, at present protected by Article 4.</p> <p>I also note that Article 4 protects against 'other uses'. Would these 'other uses' include development for housing in the future?</p> <p>I therefore strongly object to the proposed removal of Article 4, as I am sure other parishioners will do and also reiterate that I am very disappointed and dismayed by this action</p>

	by the Broads Authority. I would be interested to receive an explanation for this action by you.
12.	<p>I strongly object to the removal of the Article 4 protection from the above meadow for the following reasons:</p> <p>The Broads Authority mission statement talks about the need to protect and enhance the natural environment. Removal of Article 4 protection on this meadow is totally contradictory. The public footpath is very much used by locals and organised groups. It is an important wildlife area.</p> <p>Access for caravans or whatever "other uses" might be thought up already exists down Anchor Street where there is a parking problem ; it is very, very narrow anyway, and there is no pavement.</p> <p>It was wrong of you to say the access is off the public footpath from the Wroxham road.</p> <p>This is a fine pastoral meadow landscape and should not to be disfigured by caravan or any other sort of development. It is also within the Coltishall conservation area.</p> <p>I would further point out that not to have informed the parish council of your intention so that the first they heard of it was when a resident of Anchor St. rang up to protest was disgraceful, as is the short time allowed for protests. We do live in a democracy and pay our taxes. We deserve more consideration.</p>
13.	<p>I object to the removal of Article 4 Directions at Anchor Street, Coltishall</p> <p>I picked up a planning leaflet from the new footpath gate by the entrance to the Public Footpath running from Anchor Street (near Coltishall) to the village of Belaugh, where I live. Having just returned after being away for two weeks, I note that my reply has exceeded the deadline, but I hope that my comments may still be considered.</p> <p>I have lived in Belaugh for over twenty five years and walked through these meadows many times. I am a keen naturalist and have chaired the Belaugh Natural History Group for a number of years. Most dog owners are responsible and very rarely have I seen discarded litter of any kind.</p> <p>These attractive and peaceful meadows attract many varieties of wild birds, Fauna and Flora. They are a pleasure to me and many others who reside locally of course, and walk this footpath on a regular basis</p> <p>There are also a constant passage of visitors throughout the year who moor their boats at our local Staithe where overnight free moorings are available. Families regularly pass my house on their walk to Coltishall. A number of walking groups that are either coming from or are heading to Belaugh Green, access the same footpath to enjoy and respect the countryside</p> <p>Without doubt, any form of camping or access to caravans would mar this attractive meadow and the footpath running between the two hamlets that many local people and visitors to the Norfolk Broads have enjoyed for decades.</p>
14.	<p>I am writing to put on record my strong objection to the proposed removal of Article 4 Directions at Anchor Street, Coltishall. The riverside meadow currently protected by Article 4 is an important wildlife habitat for plants, animals and birds. Given that you proudly state on your website that you are "the guardians of Britain's largest protected wetland" I was to say the least disappointed when I looked at your reasons for considering Article 4 was no longer needed and found that you give "constrained access" as one of them. Yet I learnt about your proposal from the notice you have attached to a telegraph pole beside the farm gate giving vehicular access from Anchor Street direct to the meadow. I believe this was the point of access used for remedial work and replanting of the river bank in the meadow only a couple of years ago. Who at the Broads Authority decided that access to the meadow is constrained and therefore the meadow is unsuitable for caravans? I would appreciate your comments on this.</p>

	I believe there is no good reason for removing Article 4 protection from the meadow.
15.	I am writing to object to your proposed removal of Article 4 Directions that are currently in place to protect the field at the end of Anchor Street, Coltishall. I do not believe the reasons you give justify weakening the current protection afforded to this delightful and scenic meadow with its varied wildlife and riverside plants.
16.	<p>We, the undersigned, wish to object in the strongest terms to the proposal to remove the Article 4 Direction protection from the land designated in the notice dated 29th May 2018 outlining the meadow at the far end of Anchor Street, Coltishall.</p> <p>The land extends along the north bank of the river Bure where, very expensively, the Authority has recently carried out extensive conservation work to restore the eroded margin. Back in 1982, in response, it is understood, to a proposal by the then landowner, the Authority issued an Article 4 notice which effectively stopped any permitted development on the land. Now, for unknown reasons, the Authority is proposing to remove the restriction from this parcel of land and six others. This will permit the new landowner, which we understand is a Mr Trafford, to allow camping, caravanning and associated use on the land. The removal of the Restrictions would seriously affect the area in question both from amenity and environmental perspectives in an area which is a Special Area of Conservation.</p> <p>The land has been used for centuries, in all likelihood since the Enclosure Acts, as grazing land for cattle. It is a low-lying meadow which is prone to flooding and provides a valuable amenity for local walkers as well as a significant habitat for native wildlife including the recently-arrived family of otters who have been seen on the bank opposite where it is believed their holt now is after deliberate damage was done by persons unknown to their previous holt on Anchor Moorings island. The area is also an habitual stalking location for herons and kingfishers. The actual meadow itself, being grazed in the traditional way has allowed traditional wildlife flora to remain established and which would be seriously affected by any development of the land as a caravanning or camping amenity. In this regard access and egress from the site by any of the existing paths onto Wroxham Road would be extremely dangerous while access along Anchor Street itself is handicapped by the narrowness of the roadway and the parking of cars on one side of this road as many houses, ours included, have neither vehicular access nor parking space.</p> <p>I believe that this difficulty of access is assumed to be at least one of the reasons for the proposal to lift the existing restrictions in the belief that intending users of the area would be deterred by the difficulty of progress along Anchor Street. This assumes an easily-deterred psyche amongst drivers which is daily contradicted, country-wide, by a willingness to follow satellite navigation instructions in face of the uttermost challenges!</p> <p>The Article 4 restrictions have been in place for 36 years and have, during that time, preserved a valuable amenity for wildlife and local residents each. Nothing has changed to indicate lifting the restrictions would have no effect on the area, in fact the opposite; residents' quality of life would be lowered, wildlife flora and fauna would be compromised, an expensive investment in water margin management would be lost and the way would be open for another gradual erosion of the very tranquillity that many who live and visit the Broads covet.</p> <p>We therefore request that the existing Article 4 Directions be allowed to remain in force.</p>
17.	<p>I am writing to object to the above 'The removal of Article 4 Directions at Anchor St, Coltishall'. The reasons being:</p> <ol style="list-style-type: none"> 1. The meadow is an important habitat for wildlife; 2. The public footpath is used by many people, runners, ramblers and local residents; 3. The site is an important ecological landscape and in my eyes needs to be protected. <p>I hope you will consider the points I have raised.</p>
18.	[2 identical responses received]

I wish to object to the recommendations for removal of the existing Article 4 Direction in respect of:

(vii) Caravans, camping and temporary uses at Anchor Street, Coltishall*

(viii) Works to unadopted streets Anchor Street, Coltishall*

(* From: Summary in Section 5.37 of The Report by the Planning Officer and Head of Planning to the Broads Authority Planning Committee, 3 March 2017 [Agenda Item No 14 Article 4 Directions] MHICISAB/rptpc030317/Pages 9&10 of 14 1210217)

Reasons for objection

My reasons for objection are set out in points 1-3 below.

These discuss and challenge the Authority's justification for removal of the Article 4 Direction noted in Section 5.27 of the above report which states:

'(The Article 4) Direction ...served on land at Anchor Street, Coltishall in 1982,covers a relatively small and discrete area of riverside meadow land which is currently used for grazing on the edge of the settlement of Coltishall and within the Conservation Area. Access is via an unsurfaced public footpath. It is understood that the Direction was served in response to a particular threat. Whilst the site is inappropriate for a caravan site use, the severely constrained access reduces the probability of this happening and there is not a strong justification for retaining the Direction'.

1. Vehicular Access to the site is possible and the Authority's justification for removal of the existing Article 4 Direction is therefore questionable. Access from Coltishall to the 'land at Anchor Street, Coltishall' (the riverside meadow noted above) is over a very short terminal section of the unsurfaced public footpath between Coltishall and the neighbouring conservation area of Belaugh. This section is only a few metres in length and is more than wide enough to allow access for vehicular traffic – as evidenced by the new, wide, field gates at each end of the section. On the Coltishall side of these gates the metalled road of Anchor Street (itself accessed by two side turnings off the main B1354) is in daily use by domestic and service vehicles. It is also in constant use for on-street parking for both residents and visitors. I do not agree that this short, wide, gated section of the footpath represents 'the severely constrained access' which the Authority (Section 5.27 above) has stated as its justification for removal of the Article 4 Direction.
2. Camping and other temporary commercial or leisure uses would not necessarily require vehicular access and the Authority's justification for removal of the existing Article 4 Direction is therefore questionable. The public footpath across this land links the conservation areas of Coltishall and Belaugh and is well used in all seasons of the year. Lying within a wholly rural environment, with river views and (unusually) a complete lack of any visual intrusion from vehicular traffic or commerce, this path and its environs is accessible by, and an important asset to, the local communities of Coltishall and Belaugh as well as visitors to the area. The above report (3rd March 2017 to the Planning Committee) is clear that the site in question (the riverside meadow) is 'inappropriate for a caravan site', but makes no mention of the 'camping and (other) temporary uses' of the original Article 4 Direction. I agree that the site is inappropriate for a caravan site and believe it is equally inappropriate for camping and some other temporary commercial or leisure uses (e.g. parties, group barbecues etc.). Such uses do not necessarily require vehicular access, particularly as parking is available nearby. Access to this land can also be gained from the well-used, navigable stretch of river which forms one of the long boundaries of the site.
3. Removal of the Article 4 Direction will limit the potential for protection of this nationally and locally designated area of land from adverse development. Since access constraints do not appear to be as restricted as the Authority believes (see '1' and '2' above), the

	<p>removal of the relevant Article 4 Direction (1982, approved by the Secretary of State in 1982) seems contrary to the robust protection from adverse development that should surely be accorded to land within both a locally designated conservation area and the nationally designated landscape of the Broads. While an Article 4 Direction does not necessarily preclude the granting of planning permission for the activities/uses outlined by it, it does allow valuable input from planning experts within the Authority, and for the views of the local community to be taken into consideration in reaching a decision on any such proposals. Given that this potential has already been secured, it seems perverse to remove it and so lessen both the protection of this nationally and locally important area of land, and the involvement of the community in any decisions on its future.</p> <p>I therefore urge the Authority to reconsider, and to retain both elements of the above Article 4 Direction in respect of Anchor Street, Coltishall.</p>
19.	<p>[5 identical responses received]</p> <p>I object to the removal of the Article 4 Directions at Anchor Street, Coltishall. This objection is because the return of permitted development rights offering potential for future adverse developments severely conflicts with the conservation and quiet public enjoyment of this area.</p>
20.	<p>We object to the removal of Article 4 Directions at Anchor Street, Coltishall.</p> <p>The proposed changes to access for Anchor Street, Coltishall to Belaugh Meadows, which would allow caravan and related uses in a highly sensitive environment without the need to seek planning permission, will threaten the habitat of many wildlife species.</p> <p>This area is a popular local amenity, which already has vehicular access via Anchor Street and the track connecting to Wroxham Road.</p> <p>The existing restrictions are needed so that:</p> <ul style="list-style-type: none"> • the animals, birds and waterfowl are protected • ramblers, birdwatchers and local residents may continue to access this beautiful area • this ecologically -sensitive area lies within a conservation area and therefore should continue to be protected. <p>As an ex- caravan owner I also believe this often wet area would be substantially damaged by large caravans and other leisure-related vehicles.</p> <p>The small lane would be made extremely dangerous if used by those same large vehicles, as it is used regularly for vehicular access and parking by local residents.</p>
21.	<p>I object to the removal of Article 4 Directions at Anchor Street, Coltishall for the following reasons:</p> <ol style="list-style-type: none"> 1) Removal of the Directions would allow the land to be used for inappropriate caravans and related uses without the need to seek planning permission i.e. the very reason for the Directions being introduced in the first place. 2) The arguments that access is "difficult" and that it is "unlikely" that the land would be used for caravans as the reasons for the removal, of themselves prove that removal is unnecessary. 3) If future usage proposals <u>other</u> than those that you consider "difficult and unlikely" have to be subject to Planning Permission, then they will surely stand or fall upon their own merits. 4) Public entitlement to access, its ecology and amenity within a Conservation area all militate against the removal that you seek.
22.	<p>I strongly object to the proposed new development of Belaugh Meadow and the removal of Article 4 Directions at Anchor Street.</p> <p>I have been walking- with or without the dog- there for over 25 years and I am appalled by this</p>

	<p>cavalier project about which the people have certainly not been properly consulted. You may perhaps have met the minimal legal requirement with that notice at the bottom of Anchor Street but that does not constitute a proper consultation.</p> <p>Has there been an environmental study done? Is it even legal to proceed without one in such a sensitive habitat?</p> <p>This is railroading and is grossly insensitive. You need to rethink this.</p>
23.	<p>We write with reference to the above and we must object most strongly to the removal of the Article 4 protection to the above site.</p> <p>Nothing has changed in relation to the importance of this site since it was given Article 4 Directions status. It is a natural water meadow and there are almost always water logged areas.</p> <p>It still has the well-used footpath for walkers from not only Anchor Street but the wider community.</p> <p>It retains its status as an important wildlife haven.</p> <p>The suggestion that the land is 'unlikely' to be used for caravans and camping especially as we believe there is a means of access from the Wroxham Road, is not a positive enough view to make us feel comfortable with your proposal. In any event camping cyclists and walkers have minimal access requirements.</p> <p>Why store up potential conflicts of interest for the future when a retention of the existing status gives all the parties with an interest in retaining this classic Broadland meadowland all the protection that is needed?</p>
24.	<p>As tenants at the above address we object to the removal of Article 4 Directions at Anchor Street, Coltishall.</p> <p>The road leading to the site is narrow and residents already need to make use of the parking available on the side of the road, If you allow camping to take place on the proposed site there is bound to be parking issues and misuse of private parking areas</p> <p>The proposed site is a beautiful, tranquil meadow to walk through. The wildlife undisturbed. All of this will be taken away.</p>
25.	<p>I am writing to object to the removal of Article 4 Directions on Anchor Street in Coltishall. The meadow in question is a beautiful and peaceful place on the very edge of our Broadland Village. It is a lovely quiet walk used by villagers and visitors who can enjoy views of the river Bure, wildlife and an attractive green landscape. By removing the article 4 directions you will be giving a most unwanted signal to would be developers who care nothing for the countryside only for ways to make money.</p> <p>This proposal has caused consternation in our village. Residents simply cannot understand why the Broads Authority who are charged with protecting this precious National Park would remove an essential layer of protection. In a climate of over development and dubious proposals from the next Greater Norwich Plan our community is rightly concerned and nervous about anything that would have a detrimental effect on our immediate environment. I am afraid that saving a bit of paperwork is no reason to put our village at risk from unwanted development permissive or otherwise. I would also suggest that in future before you embark on consultations likely to upset local communities you at least engage with them beforehand through Parish Councils.</p>
26.	<p>I object to the removal of Article 4 Directions at Anchor Street, Coltishall.</p> <p>I would like to draw to your attention the following:</p> <ol style="list-style-type: none"> 1. The public footpath is used by many residents of Anchor Street, also by Ramblers and nature watchers.

	<p>2. The meadow and associated river bank is an important habitat for wildlife. Any disruption to this would be detrimental to wildlife preservation, one of the Broads Authority's stated goals.</p> <p>3. To spoil this natural habitat by potentially allowing caravan and camping to take place is totally inappropriate and would affect the quality of life of Coltishall residents, visitors, ramblers, and of course, most importantly, the wildlife.</p> <p>I strongly urge you not to lift the restrictions (Article 4).</p>
27.	<p>I object to the removal of Article 4 Directions at Anchor Street, Coltishall.</p> <p>Access along Anchor Street, particularly approaching the fields, would be difficult if not impossible for visiting vehicles.</p> <p>A stream of holiday caravan driven by those unfamiliar with the access is unthinkable, also making the road with no pavement space, unsafe for pedestrians.</p> <p>The public footpath is a favourite walk for many people - ramblers, dog walkers and local residents.</p> <p>The meadow lies within a Conservation Area.</p> <p>The meadow is also a natural habitat for wildlife and is worthy of our protection - providing interest and pleasure for walkers and boaters alike.</p> <p>I am aghast that anyone with eyes and the power of reason would think the suggested field use is possible - never mind plausible.</p>
28.	<p>We <u>object</u> to the removal of Article 4 Directions at Anchor Street, Coltishall. Our reasons for the objection are as follows:</p> <ol style="list-style-type: none"> 1. Anchor Street and the adjoining field in question is within the Coltishall Conversation Area, the withdrawal of Article 4 direction would go against the reasons and purpose of this classification. 2. This meadow land is used consistently by residents, tourists, ramblers and joggers alike and 3. this cannot be compromised by any future planning proposals that could be sanctioned consequent upon the withdrawal of the Article 4 Directions. 4. This and the adjoining lands are agricultural and should remain as such in perpetuity. There is seasonal grazing of cattle. (<i>see page 3</i>) 5. The land is a wild life habitat for numerous species of waterfowl and other birds and must be protected at any cost, walkers and joggers use the permitted footpath through the field and therefore do not disturb the nesting birds, wild flowers etc. (<i>see page 3</i>) 6. This is an area of natural beauty this must be recognised and protected from any form of 7. change of use or development. 8. The access from Anchor Street [being a no-through road] onto this land is fortunately restricted to mainly farm vehicles, this status must remain. This is a narrow lane with finite parking facilities available to residents in Anchor Street as it is, the prospect of regular and increased traffic flow would be inappropriate and unacceptable. 9. The land being the subject of this proposal is persistently waterlogged and totally unsuitable for any alternative uses including camping or as a site for caravans. <p>We are very surprised to learn that no communication between your department and the Conservation Officer had been made before this proposal was put forward.</p> <p>We moved to Anchor Street almost 20-years ago being drawn to this road and area because of the tranquillity and rural flavour that it offers enhanced by the adjacent meadow/farm land.</p> <p>Possibly there is a hidden agenda here and that the removal of the Article 4 Direction is the first step toward the opening of opportunity for the current land owner or tenant?</p> <p><u>Possible impact to environment caused by change of use</u></p>

	<p>Habitat loss</p> <ul style="list-style-type: none"> • Change in species composition and displacement of sensitive species • Loss of conservation value • Reduction in ecological diversity • Risk of damage from spills or leaks of fuel, oil and chemicals • Direct land-take resulting in disturbance or destruction of terrestrial habitat • Change in species composition and displacement of sensitive species • Loss of conservation value • Change in terrestrial community <p>Livestock grazing is essential for the management of wildlife habitats. Grassland, heathland, wood pasture and floodplain - all require some grazing to maintain the structure and composition upon which a variety of plants and animals depend for their survival.</p>
29.	<p>I object to the removal of article 4 Direction at Anchor Street,Coltishall.</p> <p>My reasons are:</p> <ul style="list-style-type: none"> • The area is full of wildlife, we have seen Kingfishers regularly along the banks. • It is a valued footpath for locals and tourists connecting the villages of Coltishall and Belaugh. • It lies within a conservation area. • It is not an appropriate location for camping or caravanning. • Access would be an unfair infringement to local residents. • Finally, if The Broads Authority feel access is difficult and unlikely then why change the existing restriction? Has the land owner indicated their wish for a change, if so why?
30.	<p>We object to the removal of Article 4 Directions at Anchor Street, Coltishall.</p> <p>My wife and I walk the meadow at the end of Anchor Street on a frequent basis, enjoying the wildlife in this attractive green space between Coltishall and Belaugh. Too many of these natural areas are being swallowed up with unwanted development: preservation and enhancement of the Conservation Area, within which this site lies, is crucial.</p> <p>The meadow would be a totally unsuitable site for caravans; access for a towing vehicle is restricted due to the width of Anchor Street: the gate entrance to the field would also be problematic.</p> <p>In terms of ecology and conservation we believe that there is an overriding planning justification for retaining the protection offered by the Article 4 Direction.</p>
31.	<p>I am writing to object to the removal of Article 4 Directions at the above on the following grounds:</p> <ol style="list-style-type: none"> 1) It is an area of great beauty and peacefulness adjacent to the River Bure. This area attracts many people who love using the footpath over the meadow between Coltishall and Belaugh. Those using it include families, walkers, runners, nature lovers, bird watchers and many others. My family has used it since the 1960's. To remove Article 4 Directions could result in a camping and/or caravan site or even a site for development without planning permission thus destroying a priceless area enjoyed by many. 2) It is an important space for wild life. 3) It is part of a Conservation Area. <p>I therefore whole heartedly wish the current situation to remain as existing and Article 4 Directions to remain.</p>
32.	<p>As co-owners of the above property we most strongly object to the removal of the current</p>

	<p>Article 4 restrictions placed on the meadow land at the bottom of Anchor Street Coltishall for the following reasons:</p> <ol style="list-style-type: none"> 1. Principally it would quickly be picked up by the Travelling community and before long we would have a camp site without any of the proper amenities to support it. As country wide experience shows the area then quickly becomes a sight sore with fly tipping, security concerns for neighbours, and all the other problems of health, hygiene, safety etc. that go with temporary camp sites. 2. The very narrow confines of Anchor Street are totally unsuited for caravan traffic and they would quickly pose an access problem for emergency service vehicles. Any increase in traffic would make it more difficult for local residents to access their properties. 3. There is no turning space for vehicles and particularly caravans at the bottom of Anchor Street without encroaching on the privately owned car park and Wherry Quayside. This would soon lead to confrontations as local residents would have their privacy rights disrespected. 4. The whole of the Meadows and the footpath through to Belaugh is an area of Broadland water meadows with its unique natural habitat, enjoyed by ramblers, pet owners, local tourists. All of which will be spoilt by unregulated caravan and tent usage. 5. As virtually the only stretch of open water meadow between Wroxham and Coltishall I cannot believe the Broads Authority are considering lifting this restriction. Broadland residents look to the Authority to preserve what is best and natural in our area, not seek to destroy it.
33.	<p>I object to the removal of Article 4 Directions at Anchor Street, Coltishall. I would like write this email to say that I do not like the sound of a caravan site might be going down Anchor Atreeet. I have lived in around Coltishall more than 40 years now. The field where they wish to a caravan site the field is a very uneven field also lots of animals on the field to going a long with wild life too and a very good footpath through to Belaugh as well. The road going down anchor street is a narrow road and only enough room where a car can get passed a parked car so trying to say I do not think there will be enough room for a caravan to go passed a parked car. Onthe main road goes from Coltishall to Wroxham which I think it's the B1150 is also a narrow road and can have lots or cars use that road going both ways. When the caravan to in and out they will need a little more speed to get out on to the main which a caravan and a car will not have that sort of speed and I think it might cause an accident That's why I have not gone ahead with it and rejected it.</p>
34.	<p>I was recently walking from Coltishall to Belaugh along the Anchor Street footpath that continues over the marshes to Belaugh and discovered the notices announcing your application to have changed, the '1982 Article 4 Directions'.</p> <p>The area indicated is an area of outstanding natural beauty with uninterrupted views of the river Bure and often many grebe, swans and duck.</p> <p>The footpath is much used by walkers and members of the village.</p> <p>The whole experience of being 'down on the marshes' would be utterly ruined by a caravan park or 'other uses'. There are fewer and fewer opportunities for experiences such as natural, unchanged, un-improved environment and it would be the most appalling desecration if this were to be changed and any development allowed.</p> <p>You say in mitigation of your proposals, that any development is unlikely because of the access. Anchor Street is a perfectly good (if somewhat narrow) vehicular metalled road leading straight onto the marshes. And it would not be impossible to access the site from the Wroxham Road, so this argument has no validity at all.</p> <p>There was obviously a reason for your application otherwise you wouldn't be going to the trouble of getting the previous restrictions overturned and that can only be the opportunity to</p>

	<p>turn this site into a positive (monetary) asset.</p> <p>I strongly object to the removal of 'Article 4 Direction at Anchor Street, Coltishall'. The area should remain as it is and has been for the last few hundred years:we all love and cherish and you, as guardians of the Broads should be ensuring that it remains so.</p>
35.	<p>I object to the removal of Article 4 Directions at Anchor Street, Coltishall.</p> <p>Why are the Broads Authority wasting their time and money changing this - whether unlikely or not - it would be prudent to keep the restriction making planning permission necessary if the landowner tried to allow caravans, camping and other uses on the site. There have been rumours of a landowner in the area wishing to start some kind of caravan/camping area and for all I know - it could be this landowner.</p> <p>The meadow is an important local amenity and wildlife habitat within which runs a footpath used by members of the local community including runners, ramblers and bird watchers - or just those choosing to go for a pleasant walk through to Belaugh and caravan/camping use would be completely inappropriate.</p> <p>The protection afforded by Article 4 against those "other uses" must also be retained. Within its proposal, the Broads Authority has misleadingly stated that access is only "via an unsurfaced footpath" when in fact, vehicular access is already possible via the Wroxham Road and Anchor Street. There are works at a farmhouse on Wroxham Road clearly showing a gateway which would lead down to that actual field. Any further vehicle traffic along Anchor Street other than for residents would be completely inappropriate.</p> <p>The meadow lies within the Conservation Area and the sensitivity of this site in terms of ecology and landscape interest is such that there is very clearly a strong planning justification for retaining the protection offered by this Direction.</p>
36.	<p>I wish to object to the removal of the two Article 4 Directions pertaining to the meadow at Anchor Street, Coltishall.</p> <p>In setting out the grounds for retaining the Article 4 Directions, the term '<i>The Report</i>' in the text of this letter refers to the <i>Report by Planning Officer and Head of Planning</i> dated 3 March 2017.</p> <p>Caravans and camping development would be entirely inappropriate.</p> <p>There is little disagreement on this point, and in fact <i>The Report</i> acknowledges this at para 5.27. As you will know, the meadow lies within the Coltishall Conservation Area. A public footpath passes through which is used almost constantly by ramblers, runners, bird watchers and local residents.</p> <p>The meadow is an important wildlife habitat as well as a first line of flood defence. Further, any change in use would impose a hardship on the small farmers who depend on fast disappearing meadows for grazing.</p> <p>There is strong local opposition to use of the meadow for caravans and related activities. A petition (attached here) has been signed by more than 100 local residents and other users of the meadow opposed to removal of the Directions. In addition, it is understood that you have received a large number of letters and emails objecting to the proposals.</p> <p>Removing the Article 4 Directions sends a signal to the landowner that however inappropriate, caravans and camping would be allowed as permitted development.</p> <p>Removing the Directions does not make sense for the Planning Department.</p> <p>Far from being 'bogged down' with planning applications, The Authority has received not a single application since the Directions were put in place in 1981. If the landowner subsequently proposed to use the meadow for caravans as a permitted development, the local response would be massive, triggering a flood of objections and likely forcing the Authority to serve <i>new</i> Article 4 Directions. Keeping the Directions in place makes sense!</p>

	<p>The Report's recommendation to remove the Article 4 Directions at Anchor Street is based on entirely incorrect information concerning access to the site.</p> <p>Of the 4 sites where Directions have been served covering caravanning, <i>The Report</i> recommends retaining Article 4 protection at all <u>except</u> the meadow at Anchor Street. The reason given (5.27) is that <i>'..the severely constrained access reduces the probability of (caravan use)'</i>. But the access is not constrained at all. In fact the opposite is true. Although <i>The Report</i> states that "...the only access is via an unsurfaced public footpath", there are in fact two good points of vehicular access:</p> <ol style="list-style-type: none"> 1. Anchor Street itself is used routinely by the grazier to bring cattle and feed on and off the meadow. The Broads Authority itself used this access last year to bring heavy machinery on as part of the Bure bank erosion project. 2. Wroxham Road is connected directly to the meadow via a track which is approximately 3m wide. This route was also used by the Authority last year to bring on an amphibious weed cutter. The photos show agricultural vehicles entering the meadow via the Wroxham Road access as recently as June 12th. <div style="display: flex; justify-content: space-around; align-items: center;">   </div> <p>Static caravans could certainly be moved on without much difficulty. The track and adjacent land are in the same ownership as the meadow. Should the landowner choose to do so, improvement of the 3m track would not be particularly difficult.</p> <p>Thus the Authority's reasoning for singling out the Anchor Street meadow for removal of Article 4 Directions on the grounds of 'constrained access' is without validity.</p> <p>In conclusion, it needs to be borne in mind the threat of caravan use that led to the original Article 4 Directions being served could easily resurface if the protection they afford were to be removed.</p> <p>I strongly urge the Planning Committee to retain the Article 4 Directions at Anchor Street.</p>
37.	<p>I object to the removal of Article 4 Directions at Anchor Street, Coltishall</p> <p>We have just got home after a wonderful week on the Broads and I felt I must contact you about the above. We own a caravan and have spent many years traveling and visiting several places at home and abroad. We have stayed at many sites but we both feel that a site at this location would spoil the calm, peaceful, atmosphere of this area. We have seen on several occasions how the roads to sites can be disrupted and spoilt by inappropriate sites. Anchor Street is a joy to walk down when visiting Coltishall and would be spoilt by extra traffic let alone caravans which would have problems passing each other. Maybe tents wouldn't be such a bad idea, if the Broads Authority feel the need to raise money.</p>
38.	<p>We object to the removal of the Article 4 Direction that covers the meadow at the end of Anchor Street (http://www.broads-authority.gov.uk/data/assets/pdf_file/0004/1227721/Land-at-Anchor-Street,-Coltishall.pdf) for the following reasons:</p> <ol style="list-style-type: none"> 1) It was considered necessary when it was made in 1982 and the conditions have not altered.

2) Removal of the Article 4 Direction may be construed by the landowner as the Broads' Authority's tacit approval of the use of the meadow as caravan site, for which use it is clearly unsuitable. Your officers admit as much in para 5.27 of the report http://www.broads-authority.gov.uk/data/assets/pdf_file/0004/894667/Article-4-Directions-pc030317.pdf Although unwelcome, the development of the meadow as a caravan site would not be impossible. There has already been some tipping of rubble in some places on the meadow to improve vehicular access. If the Article 4 Direction was lifted, hard standing for caravans could be made in a similar way.

3) The above report is misleading in the statement at 5.27, "Access is via an unsurfaced public footpath." Again, in para 5.33 the report is mistaken when it states "the only access is via an unsurfaced public footpath". Please find attached photographs showing the short stretch of unadopted road and two gates leading to the meadow at the east end of Anchor Street.



The existence of a means of vehicular makes the development of a caravan site a distinct possibility. We observe that access would also be possible across the fields from the Wroxham Road and Belaugh.

4) The water meadows between Anchor Street and Belaugh are one unit of unimproved grassland and when, and in places where, these meadows have not been top dressed with nitrogen fertilisers, wild flowers thrive - including Buttercups, Orchids, Marsh Marigolds, Lady's Smock. These meadows are also important habitat for wildlife, not least the Broads iconic species of Kingfishers and Otters. Recent bank restoration on the meadow (http://www.broads-authority.gov.uk/data/assets/pdf_file/0008/537722/BA20140394FUL-Anchor-Street-Coltishall-Top-Road-Belaugh-Skinners-Lane-Wroxham.pdf) has enhanced it as a wildlife habitat.

5) The ancient footpath that leads from Anchor Street to Belaugh is much used by residents and visitors to the Broads National Park. Any development on the meadow would impact negatively on its natural beauty and on that of the Conservation Area.

Taking these factors into account, we believe that removal of the Article 4 Direction is unnecessary, reckless and likely to have unintended consequences. Please reconsider your

	decision and keep the Direction as it applies to the meadow to ensure this unique landscape is protected.
39.	<p>I object to the removal of Article 4 Directions at Anchor Street Coltishall.</p> <p>This is a beautiful and peaceful riverside walk in a conservation area and I frequently walk there enjoying the wildlife. Only this week I took some Austrian visitors through the meadow to show them the typical Norfolk scenery. It would be a tragedy if this was lost or spoilt by caravans.</p> <p>Please do not allow the current restrictions to be removed.</p>

Brundall Riverside Estate
Temporary uses of land

1.	<p>I am writing following a letter received 31.5.18 regarding the above.</p> <p>Having read this letter and spoken to a number of people, including people from professions such as architects and developers we are concerned as we have no idea what this is suggesting. The letter seems contradictory to its self and I would like clarification and simplification of this proposal so that I may have an informed view to be able to comment further to this consultation.</p> <p>[Following correspondence from BA no further response submitted]</p>
2.	<p>The Parish Council [Brundall PC] were happy with the Article 4 changes. Thank you for the extension.</p>

Halvergate

Travelling shows and camping

1.	<p>Thank you for your letter about the proposal to remove the Article 4 directions for travelling shows and camping. The parish council [Acle PC] discussed this at its meeting on Monday.</p> <p>The councillors feel that the restrictions should remain. The restrictions protect a vulnerable area.</p>
2.	<p>[Telephone response from landowner]</p> <p>He owns much of the land covered by the direction and the land is farmed so would not be appropriate for a travelling show. He has no objections to the removal of the Direction.</p>

Hoveton, off Church Road

Holding of markets, motor and motorcycle racing and clay pigeon shooting

No consultation responses received.	
-------------------------------------	--

Wroxham, Holly Lodge

Erection of boundary treatments

1.	<p>We understand the proposal is to lift a Direction restricting permitted development in respect of the riverside and dyke at this property.</p> <p>We attach copies of plans relating to your Directive together with copies of the Land Registry filed plans for both Holly Cottage and Crowsteps.</p> <p>It is quite clear from inspection of the two Land Registry Plans that the dyke to the north of Holly Cottage belongs to Crowsteps and that the Plan linked to your Article 4 Directive showing the boundary line on the northern side of this dyke is incorrect.</p> <p>If the Broads Authority intend to continue with removal of development restrictions for Holly Cottage, then this should also be available for the owner of Crowsteps.</p> <p>Our client [name removed] has received no notice of the Article 4 Directive and has had no site</p>
----	---

notices in respect of his or the neighbouring land. He did however contact your office at (a gentleman called 'Bob') at 11.30am on Wed 6th June but the issue is yet to be resolved.

What has been suggested is that the lifting of restrictions was to facilitate a Clay Pigeon Shoot, details of which Mr Redgrave was totally unaware. This would clearly be a concern for Mr Redgrave if such a development were to be permitted.

In any event, we invite the Broads Authority to accept that the Land Registry Plans attached accurately reflect ownership details and that the northern dyke is within the Title belonging to [name removed] at Crowsteps and not within the ownership of Holly Cottage which owns the strip of land and dyke to the south only.

APPENDIX 3

	Immediate directions*	Non-immediate directions
Contents of notice	<ul style="list-style-type: none"> • A description of the development and area to which the direction relates; • A statement of the effect of the direction; • Specification that the direction is made under article 1(4) of the GPDO; • The name of a place where a copy of the direction and map can be viewed; and • A period of at least 21 days within which representations can be made. 	<ul style="list-style-type: none"> • A description of the development and area to which the direction relates; • A statement of the effect of the direction; • Specification that the direction is made under article 1(4) of the GPDO; • The name of a place where a copy of the direction and map can be viewed; • A period of at least 21 days within which representations can be made; and, • The date on which it is proposed the direction will come into force, at least 28 days from the start of the consultation period, but no more than two years.
Consultation	<ul style="list-style-type: none"> • Local advertisement; • Site notices at no fewer than two locations within the area to which the direction relates; and • Serve notice on the owner and occupier of every part of land within the area to which the direction relates (unless it is considered that individual notice is impracticable because not all owners can be identified or located, or it is impracticable due to the number of owners of occupiers). 	<ul style="list-style-type: none"> • Local advertisement; • Site notices at no fewer than two locations within the area to which the direction relates; and • Serve notice on the owner and occupier of every part of land within the area to which the direction relates (unless it is considered that individual notice is impracticable because not all owners can be identified or located, or it is impracticable due to the number of owners of occupiers).
Notification	<ul style="list-style-type: none"> • Secretary of State 	<ul style="list-style-type: none"> • Secretary of State
Confirmation	<ul style="list-style-type: none"> • Take into account any representations received. 	<ul style="list-style-type: none"> • Take into account any representations received.

	<ul style="list-style-type: none"> • No sooner than 28 days after latest date notice served, or such longer period specified by SoS. • Within six months of serving, otherwise it expires. • Give notice of confirmation in the same manner as the consultation, including to SoS in most circumstances. 	<ul style="list-style-type: none"> • No sooner than 28 days after latest date notice served, or such longer period specified by SoS. • Give notice of confirmation and the date it will come into effect in the same manner as the consultation, including to SoS in most circumstances.
Effect	Immediate.	On the specified date when confirmed.

* Immediate directions can only be used to withdraw permitted development rights for Parts 1 to 4 and Classes B and C of Part 11 of the GPDO (dwellinghouses, minor operations, changes of use, temporary buildings and uses and demolition of buildings) where such development is considered to be prejudicial to the proper planning of their area or constitute a threat to the amenities of the area and to certain rights in parts of, or whole, Conservation Areas.