

Planning Committee

AGENDA

Friday 22 June 2018

10.00am

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|---|--------|
| 1. To receive apologies for absence and introductions | |
| 2. To receive declarations of interest | |
| 3. To receive and confirm the minutes of the previous meeting held on 25 May 2018 (herewith) | 3 – 14 |
| 4. Points of information arising from the minutes | |
| 5. To note whether any items have been proposed as matters of urgent business | |

MATTERS FOR DECISION

6. **Chairman's Announcements and Introduction to Public Speaking**
Please note that public speaking is in operation in accordance with the Authority's Code of Conduct for Planning Committee. Those who wish to speak are requested to come up to the public speaking desk at the beginning of the presentation of the relevant application
7. **Request to defer applications included in this agenda and/or to vary the order of the Agenda**
To consider any requests from ward members, officers or applicants to defer an application included in this agenda, or to vary the order in which applications are considered to save unnecessary waiting by members of the public attending
8. **To consider applications for planning permission including matters for consideration of enforcement of planning control:**
- (1) BA/2018/0152/FUL Mill View Meadow, Chapel Road, Runham, Mautby

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(2) BA/2017/ 0168/FUL 4 Bureside Estate, Crabbetts Marsh, Horning	25 – 37
(3) BA/2018/0154/FUL Former site of The Broads Hotel, Cottage, Station Road, Hoveton	38 – 48
(4) BA/2015/0393/FUL Ferry View Boatyard, Ferry View Estate, Horning	49 – 62
9. Enforcement Update Report by Head of Planning(herewith)	63 – 66
10. Duty to Cooperate: Broads Local Plan – Habitats Regulations Assessment – Amended version Report by Planning Policy Officer (herewith)	67 - 69
11. Duty to Cooperate: Norfolk Strategic Planning Framework (NSPF) update Report by Planning Policy Officer (herewith)	70 – 73
12. Barnby Neighbourhood Plan – Designating Barnby as a Neighbourhood Area Report by Planning Policy Officer (herewith)	74 – 76
13. Neighbourhood Plan – Application for Neighbourhood Area and Forum for The Cathedral, Magdalen and St Augustine’s, Norwich Report by Planning Policy Officer (herewith)	77 – 109
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MATTERS FOR INFORMATION	
15. Appeals to the Secretary of State Update Report by Administrative Officer (herewith)	117 – 118
16. Decisions made by Officers under Delegated Powers Report by Head of Planning (herewith)	119 – 122
17. To note the date of the next meeting – Friday 20 July 2018 at 10.00am at Yare House, 62-64 Thorpe Road, Norwich NR1 1RY	

Broads Authority

Planning Committee

Minutes of the meeting held on 25 May 2018

Present:

In the Chair - Mrs Melanie Vigo di Gallidoro

Mr M Barnard
Prof J Burgess
Mr W Dickson
Ms G Harris

Mr B Keith
Mrs L Hemsall
Mr H Thirtle
Mr V Thomson

In Attendance:

Mrs S A Beckett – Administrative Officer (Governance)
Mr S Bell – for the Solicitor
Ms A Cornish – Planning Officer (Minute 11/8(1) and (2))
Mr N Catherall – Planning Officer (Minute 11/8(3))
Ms C Smith – Head of Planning
Mrs M-P Tighe – Director of Strategic Services

Members of the Public in attendance who spoke:

BA/2018/0012/CU Building adjacent to Barn Mead Cottages, Church Loke, Coltishall

Mr Bill Musson Vice Chairman of Coltishall Parish Council
Ms Poppy Seymour Applicant

BA/2018/0025/COND & BA/2018/0026/COND The Old Maltings, 14 Anchor Street, Coltishall

Mr Bill Musson Vice-Chairman Coltishall Parish Council
Mr Brian King Objector
Ms Nicole Perryman Senior Planner Ingletons On behalf of applicant

11/1 Apologies for Absence and Welcome

The Chairman welcomed everyone to the meeting. She also welcomed Lana Hemsall to her first meeting of this Committee.

Apologies had been received from Mr John Timewell.

11/2 Declarations of Interest and introductions

Members and staff introduced themselves. Members provided their declarations of interest as set out in Appendix 1 to these minutes in addition to those already registered. Three Members commented that they had been contacted by Mrs King, an objector to application BA/2018/0025/COND and BA/2018/0026/COND, but had not entered into a debate. They had explained

to her that as an objector she could make her points to the Committee at its meeting and had referred her to the officers.

11/3 Minutes: 27 April 2018

The minutes of the meeting held on 27 April 2018 were agreed as a correct record and signed by the Chairman.

11/4 Points of Information Arising from the Minutes

Greater Norwich Development Partnership

The Director of Strategic Services reported that the Chairman of the Planning Committee (and in his/her absence, the Vice-Chairman), was the Authority's member representative on the Greater Norwich Development Partnership. Therefore Melanie Vigo di Gallidoro was now the Authority's member representative and would be attending the next meeting which was on 19 June 2018.

Minute 10/11 Former Waterside Rooms, Hoveton

The Head of Planning reported that she had contacted North Norfolk District Council confirming the Authority's support in instigating compulsory purchase proceedings in relation to the former Waterside Rooms. She had also contacted the landowner's agents since when they had indicated that they would be submitting a planning application. Officers were in discussion with North Norfolk District Council Members and Officers with regards to the demolition of the building.

11/5 To note whether any items have been proposed as matters of urgent business

No items of urgent business had been proposed.

11/6 Chairman's Announcements and Introduction to Public Speaking

(1) The Openness of Local Government Bodies Regulations

The Chairman gave notice that the Authority would be recording the meeting in the usual manner and in accordance with the Code of Conduct. No other member of the public indicated that they would be recording the meeting.

(2) Broads Local Plan

The dates for the independent Examination of the Broads Local Plan had been arranged over two non-consecutive weeks: 2 – 6 July 2017 and 16 – 19 July 2018 and all members were welcome to attend.

(3) Staff changes

The Chairman reported that this would be Alison Cornish's last Planning Committee meeting as she would be moving to the private sector at the end of May 2018. George Papworth was leaving the Authority in June as he would be emigrating from the UK to Australia. Members expressed appreciation for their hard work and expert commitment to the Authority and wished them well for the future.

The Head of Planning Reported that appointments had been made to replace the two officers in June and July and Kayleigh Judson an experienced planning officer, would be providing extra support in the meantime.

(4) Public Speaking

The Chairman stated that public speaking was in operation in accordance with the Authority's Code of Conduct for Planning Committee and members of the public were invited to come to the Public Speaking desk when the application on which they wished to comment was being presented.

11/7 Requests to Defer Applications and /or Vary the Order of the Agenda

No requests to defer consideration of any applications had been received. The Chairman commented that she did not intend to vary the order of the agenda.

11/8 Applications for Planning Permission

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

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

- (1) BA/2018/0012/CU Building Adjacent Barn Mead Cottages, Church Loke, Coltishall** Change of Use from B8 to residential dwelling and self-contained annexe
Applicant: Mr Gordon Hall

The Planning Officer provided a detailed presentation and assessment of the application to convert an existing office/storage building into a dwelling unit with a separate annexe which was situated at the end of a short road approximately 200m south of the B1345 Wroxham Road, next to the Norfolk Mead Hotel. The dwelling would be lived in by the applicant and his partner with the applicant's aged father occupying the annexe. No amendments to the external appearance of the building

would be required. Permission for the storage of wines and an office ancillary to the occupation of the applicant's property at Barn Mead Cottages had originally been granted in 2005. The application site was outside the Development Boundary but within the Coltishall and Horstead Conservation Area and as it was a conversion, the proposal was assessed against the criteria of Policy DP21. The Planning Officer emphasised that as such the proposal was required to provide a Financial Viability assessment which could justify changing to a residential use. This had been examined by the Authority's Independent Financial Consultant who concluded that until there had been a proper marketing exercise, there was not sufficient evidence to justify such a change of use. It had therefore been necessary to weigh the policy considerations against other factors. The applicant had asked for personal circumstances to be taken into account and had submitted a Personal Statement in support, which was detailed in the report. There were no highway objections, flooding issues, the site being in Flood Risk Zone 1, or impacts on neighbour amenity and it was considered that there would be no adverse impacts on the Conservation Area.

The Planning Officer concluded that based on the information submitted to support the application, the change of use of the subject building to residential had to be considered as contrary to Policy DP21 of the Development Management Policies DPD. Whilst it was accepted that the personal circumstances associated with this case could be considered as a material planning consideration, it was regrettable but on balance it was considered that they did not carry sufficient weight to justify planning permission being granted contrary to Development Plan Policy. Although having sympathy with the applicant, it was therefore recommended that planning permission should be refused.

Members sought clarification on the history of the site and distances of the proposed residential use from the Norfolk Mead Hotel.

Mr Musson, Vice-Chairman of Coltishall Parish Council agreed that the application presented difficulties for making a decision. Although having a great deal of sympathy with the applicant's personal circumstances it was considered in principle inappropriate to take this route, particularly bearing in mind precedent. He concurred that policies needed to be robustly upheld and referred to the consultations received from the Parish Council.

Ms Poppy Seymour, partner of the applicant explained that he was unable to attend as he was recovering from surgery following serious illness. She explained that the building to be converted was made of sturdy solid material appropriate for conversion as originally it had to be suitable for the storage of wine. The need for the storage was no longer required since the business had developed and was now located elsewhere. The applicant had put out feelers to ascertain interest in renting the building for a commercial use, although this had not been

on a formal marketing basis. Of the three who had initially expressed interest none was prepared to pay a rent that was being asked and was considered reasonable. She noted that a valuation had been carried out which indicated an appropriate rental value of £6,000 but that this had did not meet the requirements of the applicant. The applicant had also not been aware that a full marketing exercise would carry so much weight in determining the application. Ms Seymour explained that the function venue for the Hotel was adjacent to their property of No 1 Barn Cottage and was not only affected by the noise but also from vibration. The proposed conversion would be sufficiently distant from the Hotel to alleviate the inconvenience to accommodate the family including their elderly (90 year old) relative. Ms Seymour stated that she understood that the Norfolk Mead Hotel wished to acquire all the Barn cottages as part of their business. Although it was understood that the site was not technically within the development boundary, the barn was situated in the heart of the village and adjacent to necessary amenities. The applicants had not undertaken a full marketing exercise as time was of the essence, given their elderly relative's health and age and it was hoped that their personal circumstances could be taken into account and the application considered on the basis of the information available at this point.

The Planning Officer clarified that the guidelines for carrying out a suitable marketing exercise were given as 12 months although this could be reviewed after 6 months. The requirement would be for a suitable, reputable company to carry out the exercise at a price agreed to be reasonable. The Planning Officer stated that the aspirations of the Mead Hotel would be difficult to take into account in the context of this application and Policy DP21.

Members expressed sympathy for the applicant's personal circumstances and that it was a finely balanced case. They considered whether a temporary permission could be of assistance, but the Planning Officer clarified that government guidance did not advocate this, particularly if the Authority was not prepared to provide a permanent permission. There would also be costs in fitting out the building for that change of use which would negate the marketing for commercial use.

Members also considered the possibility of a deferral for six months to enable the applicant to carry out a full marketing exercise. The Head of Planning advised that the LPA was required to determine the application submitted and there were risks associated with deferral as the applicant would have the option of appealing against non-determination, if they did not agree to a delay. It was noted that the applicant would also have the opportunity to appeal against refusal, should the Committee support the Officer's recommendation.

Vic Thomson proposed, seconded by Lana Hemsall that the application be deferred for 6 months to enable the applicant to carry out a marketing exercise.

On being put to the vote the motion was lost by 6 votes against and two in favour.

Haydn Thirtle proposed, seconded by Bill Dickson that the application be refused on the basis of the officer's recommendation that there was insufficient information to justify approval and the application being contrary to Policy DP21.

RESOLVED by 5 votes to 2 against and one abstention.

That the application be refused for the following reasons:

- In the opinion of the Local Planning Authority insufficient information has been submitted to demonstrate that the residential use of the subject building is the only viable use for the property. The proposal has to therefore be considered as contrary to Policy DP21 of the Development Management Policies DPD. Whilst it is accepted that the personal circumstances associated with this case can be considered as a material planning consideration, on balance it is considered that they do not carry sufficient weight to justify planning permission being granted contrary to Development Plan Policy.
- In all other respects the development proposed is considered to be in accordance with the relevant Development Plan Policies.

- (2) **BA/2018/0025/COND and BA/2018/0026/COND** The Old Maltings, 14 Anchor Street, Coltishall Variation of Conditions 3 and 4 of planning permission BA/2005/5107/HISTAP and BA/2005/3803/HISTAP to vary the design and use of the approved garage
Applicant: Mr David Smith

The Planning Officer provided a detailed presentation and assessment of the application to vary conditions of an historic planning permission which, in effect, would vary the design and use of an approved single storey garage, to create an upper floor within the garage building to accommodate an ensuite bedroom, WC and cinema room to be used as part of the overall residential use of the site. The site was within the Coltishall Conservation Area at the eastern end of the village and the western end of Anchor Street extending down to the River Bure. The original plans were presented and compared to the proposed plans and it was explained that the building footprint and ridge heights would be the same. The structure would no longer use the southern boundary wall as part of its construction, and the addition would include an external staircase to access the upper floor.

In assessing the application the Planning Officer gave consideration to the main issues relating to the site - the principle of the development; design and materials and the impact on the listed buildings and the character of the Conservation Area; as well as impact on residential amenity. She responded to the representations detailed in the report. She explained that it had been dealt with as a Section 73 application as it met the criteria as such.

In conclusion, the Planning Officer considered that the submitted scheme was an acceptable amendment to the extant permission. The design and materials of the building proposed were considered to respect the setting of the listed building and to preserve the character of the Conservation Area. Whilst the concerns raised about the adverse effect on the residential amenity of the adjoining residential properties were noted, it was concluded that there would not be a significant adverse effect. There was no change in the use which would remain domestic and in association with the main dwelling. The scheme was therefore considered to be in accordance with the development plan policies and part 12 of the NPPF and was therefore recommended for approval with conditions as outlined within the report. It was clarified that the wording of the conditions as set out in the report was a summary of the content of the proposed conditions and these would be more precise and detailed in the decision notice. Condition 1 of the permission, "Development to be commenced within 3 years" related to when the original permission had been granted in 2005.

Mr Musson, Vice-Chairman of Coltishall Parish Council provided reasons as to why the Parish Council objected to the application, detailing those set out in the report. It was considered that the proposal did nothing to enhance, protect or improve the quality of its setting or the Conservation Area. It was felt it would have an adverse effect and should be refused, as was the Broads Authority's decision in 1991. The application was now for a two storey building as opposed to a single storey and therefore it should be considered as a totally new design and use and not be considered as an amended application. He commented that he agreed with the views stated by the Broads Society. There was an expectation that the development would be sympathetic to the area's heritage and the qualities of the village of Coltishall and its place within the special Broads area. This did not seem to be the case. Although such development seen in isolation may be accepted, it was the cumulative effect that was of concern, since Coltishall's infrastructure and character was already under increased pressure associated with housing development in and around the village, although not within the Broads Authority's boundary. The Parish Council was requesting that the Authority refuse this application in its present form and request a new application that was more in keeping with the surrounding Listed buildings.

Mr King, a neighbour living in Anchor House commented that the application was approved in 2005 and he was opposed to the current

application as it was very different to that given permission. He and his wife had not been invited to comment initially on the application to vary the conditions. He considered that the scheme did not represent a modest change as it increased the width of the building by 1 metre and its volume by 80%. In addition the wall was being raised by 1.5 metres with a different roof pitch. He considered that the changes were significant compared to the extant permission. He and his wife used their garden a great deal and it was considered that the plans would jeopardise their amenity. He also considered that the history of the area known for its breweries was completely overlooked. He expressed disappointment at the readiness with which Officers had appeared to dismiss the comments he had made. He understood that the Core Strategy and the Authority's policies were set up to protect the Broads as a National Park. However, the extant permission seemed to have overriding powers. Mr King expressed a strong objection to the proposals, stating that he considered the building to be ill conceived, dominant, out of character and not suitable for the area.

Ms Perryman, a Senior Planning Officer from Ingletons, on behalf of the applicant explained that clarification had been sought and received that the proposal was an acceptable use of the building. The applicants had provided assurance that it would be incidental to the main dwelling and not in any way a new dwelling, since it was not designed for independent use and there was no intention of it being used commercially. The applicants had sought the advice of the Authority's officers, Historic England had not wished to make any comments, the principle of the development had already been established and it was not considered to impact on residential amenity. Ms Perryman commented that the decision should be made on the basis of planning policy and felt that it had been assessed accordingly. She did not consider that there were any valid reasons why planning permission should not be granted.

Having sought clarification from the Officers on the status of the application, and other matters detailed in the report and above, Members noted the concerns expressed but considered that there were no significant reasons to justify refusal.

It was emphasised that the wording of the outline conditions would be expressed in more detail on the decision notice.

Lana Hemsall proposed, seconded by Jacquie Burgess and it was

RESOLVED unanimously

that the application be approved subject to conditions as outlined in the report. This proposal is considered to be in accordance with Policies CS1 Landscape Protection and Enhancement CS4 Creation of New Resources and CS5 Historic and Cultural Environments of the Core Strategy, Policies DP4 Design, DP5 Historic Environment and DP28

Amenity of the Development Management Policies DPD and Part 12 of the NPPF.

(3) **BA/2018/0112/CU The Croft, Romany Road, Oulton Broad, Lowestoft**

Change of use of outbuilding to holiday let.

Applicant: Sean Roberts

The Planning Officer provided a detailed presentation and assessment of the application for a change of use of the existing detached building to a self-contained unit providing holiday accommodation. The application was to all intents and purposes a resubmission of the application BA/2009/0181/CU which had been refused as it had been outside the development boundary and was considered to be contrary to policies in the Broads Local Plan 1997. However, these policies had now been replaced by the Development Management Policies DPD (2011) and the Site Specifics Policies DPD (July 2014) which provided a substantial change in criteria for assessing development boundaries. This had resulted in the development boundary being altered so that the site was now within it; there had been other policy changes included, which enabled the proposals to overcome the previous policy constraints.

The Planning Officer drew attention to the representations received particularly those setting out objections, which he addressed in his assessment. In particular, the issue of access was addressed and it was pointed out that Suffolk County Council Highways did not wish to restrict the granting of permission. In conclusion, the Planning Officer considered that the level of accommodation proposed would not be detrimental to the character of the area or the amenity enjoyed by neighbouring residents. The access along the footpath had been well established and was considered to be adequate to satisfy the existing use and expected increase in the degree of use. He therefore recommended approval subject to conditions.

Members noted that the access was not in the ownership of the applicant but did provide vehicle access to the application site. It was also a very well used footpath and there had not been any known problems.

Members concurred with the Officer's assessment.

Lana Hemsall proposed, seconded by Jacquie Burgess and it was

RESOLVED unanimously

that the application be approved subject to conditions as outlined within the report. The proposal is considered to be in accordance with Policies CS9 and CS24 of the Core Strategy (2007), Policies DP11, DP14, DP15 and DP28 of the Development Plan Document (2011),

and the National Planning Policy Framework (2012) which is a material consideration in the determination of this application.

11/9 Enforcement Update

The Committee received an updated report on enforcement matters previously referred to Committee. Further updates were provided for:

Barnes Brinkcraft (the non-compliance with a planning condition), The landowners had now agreed a scheme in line with that which the Navigation Committee had been prepared to support and it was anticipated that an appropriate planning application would be submitted shortly. The provision of signage was also being discussed and Rangers were monitoring the situation regularly to ensure that the navigation channel was not being encroached and the situation was being managed proactively.

Members thanked the officers for the updates.

RESOLVED

that the report be noted.

11/10 Consultation Documents Update and Proposed Responses: Waveney District Council – Pre-submission of Local Plan South Norfolk Council – Draft Open Space Supplementary Planning Document

The Committee received a report on the latest consultation documents from Waveney District Council and South Norfolk Council.

With regard to the Waveney District Local Plan it was considered that it was well presented, well written and set out in a logical manner which was to be welcomed. There were considered to be a number of omissions with regard to reference to the Broads area and its special landscape qualities, which were highlighted in the response.

Members were pleased that the Authority had been involved in the preparation of the Waveney Local Plan and that it was close to submission.

In response to a Member's question concerning the Deal Ground and Utilities Site, the Head of Planning commented that there was some work underway in with Norwich City Council and South Norfolk Council in preparing a policy document .

RESOLVED

that the consultation documents are noted and the proposed responses are endorsed for submission to Waveney District Council and to South Norfolk Council.

11/11 Appeals to Secretary of State Update

There were no appeals currently lodged with the Secretary of State.

11/12 Decisions Made by Officers under Delegated Powers

The Committee received a schedule of decisions made by officers under delegated powers from 11 April 2018 to 8 May 2018. It was noted that there were now fewer applications that had been dealt with under delegated powers that had come through the condition monitoring process.

RESOLVED

that the report be noted.

11/13 Date of Next Meeting

The next meeting of the Planning Committee would be held on Friday 22 June 2018 starting at 10.00 am at Yare House, 62- 64 Thorpe Road, Norwich

The meeting concluded at 12.20 pm

CHAIRMAN

Code of Conduct for Members

Declaration of Interests

Committee: **Planning Committee**

Date of Meeting: 25 May 2018

Name	Agenda/ Minute No(s)	Nature of Interest (Please describe the nature of the interest)
V Thomson	11/10	Appointee South Norfolk Council
Bruce Keith		Director of Whitlingham Charitable Trust
Mike Barnard	11/8(3)	Application BA/2018/112/CU Waveney District Councillor
Mike Barnard	11/10	Member of Waveney Local Plan Working Group
Melanie Vigo di Gallidoro	11/8(3)	Approached about The Croft by Mrs Roberts at a charity event and referred the subject to Cally Smith to arrange contact with planning officer.

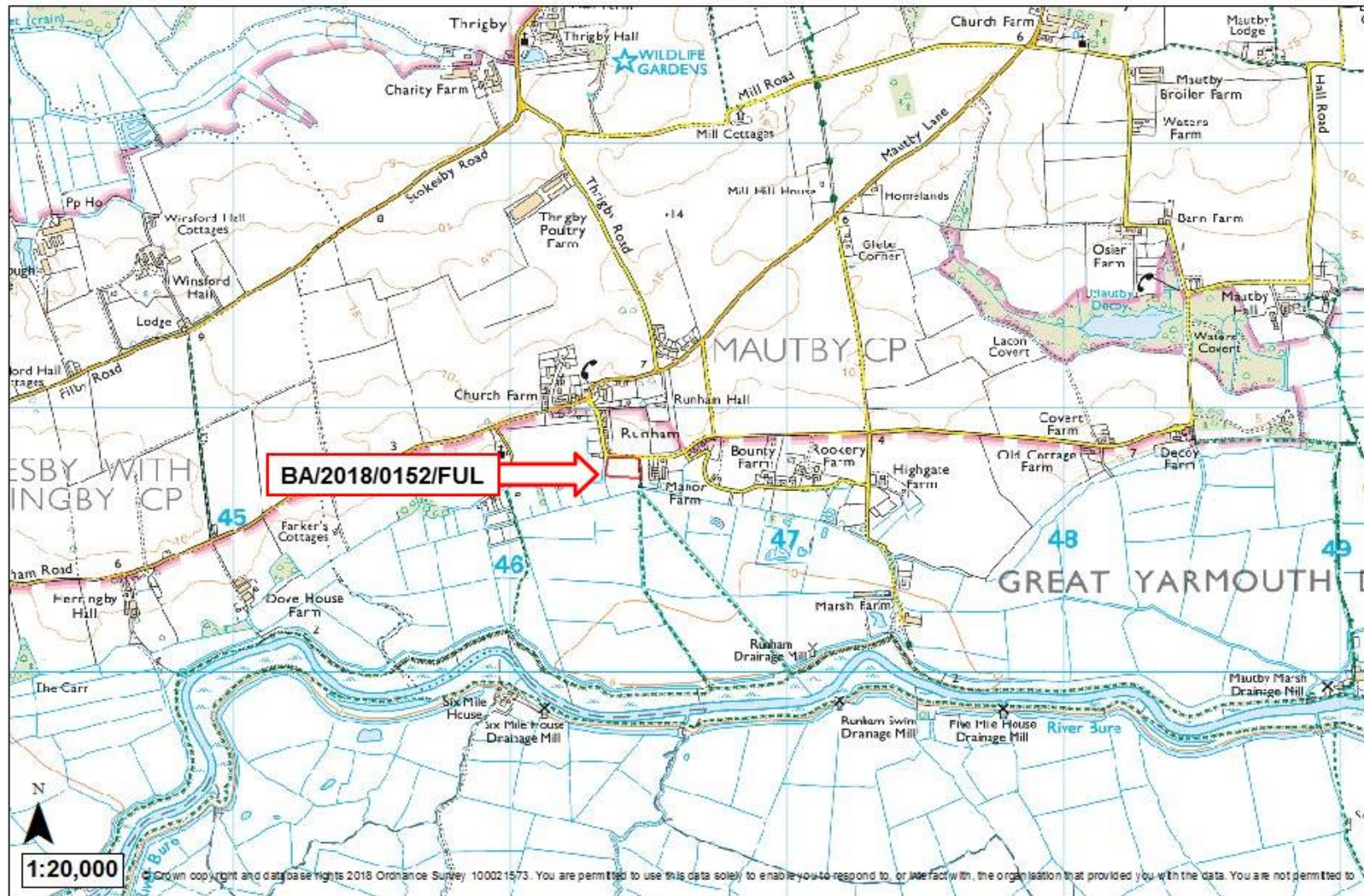
Reference:

BA/2018/0152/FUL

Location

Mill View Meadow, Chapel Road, Runham, Mautby

BA/2018/0152/FUL Mill view meadow, chapel road, runham



Application for Determination
Report by Planning Officer

Target Date	26/06/2018
Parish:	Mautby Parish Council
Reference:	BA/2018/0152/FUL
Location:	Mill View Meadow, Chapel Road, Runham, Mautby,
Proposal:	4 x glamping pods & associated facilities
Applicant:	Mr David Watts
Recommendation:	Approval with conditions
Reason for referral to Committee:	Director discretion

1 Description of Site and Proposals

- 1.1 The application site is a meadow forming part of a parcel of agricultural land that lies to the south of the village of Runham. The site is accessed by Chapel Road and lies to the south of Runham adjacent to Manor Farm. A large barn at Manor Farm has been converted to four dwellings which are located to the east of the application site. A public footpath runs along the eastern boundary of the meadow.
- 1.2 In the past the farm has been in receipt of monies under the EU's Common Agricultural Policy (CAP) in the form of the basic payment scheme. Beyond 2019, external funding from the CAP is uncertain, which would therefore reduce its income. The applicant advises that the proposed Runham Glamping is a form of farm diversification that has the ability to replace the funds no longer received from the CAP. The farm currently manages 200 acres of land and the proposed glamping site would use less than an acre of this land.

- 1.3 This application seeks consent for 4 cedar clad glamping pods and an associated car park. The proposed pods measure 4m by 6m with a maximum height of 3.1m. The pods would be located at roughly 20 metre intervals within the meadow in order to provide a remote and secluded location for each pod. A native hedgerow would be planted along the eastern and southern boundary of the meadow. The pods are proposed to have year round use.
- 1.4 The pods are connected to water and electricity and provide all services internally, removing the need for additional ancillary structures usually associated with camping sites, such as toilet and shower blocks. The water and electricity supply would be provided via underground pipes/cables, while a septic tank would be installed to deal with foul water and sewage.
- 1.5 The proposal includes creating a small car park in a non-demarcated area that would be on the northern boundary of the site, accessed from Chapel Road. The car park would be made up of a hardcore base topped with an ecogrid filled with soil and grass seed to provide a natural top layer. The car park would be screened with a native hedgerow.
- 1.6 Waste bins would be provided and stored in the car parking area, screened by the proposed native hedgerow and additional hazel or reed panelling. The bins would be checked daily, and collected when required.
- 1.7 No formal track or external lighting is proposed between the pods, with torches available at the car park if required. Downward facing external lighting would be available on each individual pod.
- 1.8 The noise policy proposed is that there is no noise after 10pm.
- 1.9 The proposal includes upgrading the existing access off Chapel Road in accordance with the TRAD5 specifications required by the Highways Authority.

2 Site History

No relevant site history

3 Consultations

3.1 Consultations received

Parish Council – the Parish Council want assurance that there would be no further development on the site and to ensure that risk assessments would be carried out to safeguard noise nuisance to the neighbours, especially at night, as well as access to the site.

District Member - I am more than happy to have this determined by the Head of Planning. I am confident that should a significant public or procedural

concern arises that the planning committee will be advised and their determination sought at that stage.

Norfolk Highways – no objection subject to conditions

3.2 Representations received

In total 5 representations were received, 1 supporting the application as it would help support the rural economy and 4 raising an objection over impacts on the highway network, residential amenity, landscape and ecology.

4 **Policies**

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

[NPPF](#)

Development Management Policies [Development-Plan-document](#)

DP1 – Natural Environment

DP2 – Landscape and Trees

DP4 – Design

DP11 – Access on Land

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

DP14 – General Location of Sustainable Tourism and Recreational Development

DP15 – Holiday Accommodation – New Provision and Retention

DP28 - Amenity

- 4.3 Material considerations

National Planning Policy Framework [NPPF](#)

5 **Assessment**

- 5.1 The key issues in the determination of this application relate to the principle of the development, the design and materials of the proposal and the impact of the proposal on the surrounding landscape, highway network, ecology and amenity of any neighbouring occupiers.

Principle

- 5.2 In terms of the principle of development, national planning policies are supportive of encouraging a prosperous rural economy. In particular,

Paragraph 28 of the NPPF highlights the importance of agriculture on the economy and the benefits of diversification in order to support the viability of farming units. The NPPF however, also places great emphasis on the protection of specially designated landscapes such as the Broads in Paragraph 115.

5.3 In terms of local planning policies, the principle of farm diversification to provide new tourism accommodation is considered under Policy DP14 which states that the requirement to demonstrate a need to be located in open countryside does not apply to farm diversification development to provide tourism accommodation. The proposed development is for short term tourist accommodation over an area of less than an acre on a farming unit of 200 acres, and meets the requirements of the policy and therefore is considered to be an appropriate form of farm diversification in the open countryside. Therefore in terms of assessment, there is no objection in principle to the proposed development subject the proposal satisfying criteria (a) to (e) of DP14.

5.4 In terms of Criterion (a), this requires that the new tourism facilities:

(a) Are in accordance with the Core Strategy and other policies of the Development Plan;..

Overall, the proposed development is on balance considered to be in accordance with the Core Strategy and other policies of the Development Plan, with the relevant policies addressed later in this report.

5.5 Criterion (b) requires that the new tourism facilities:

(b) Do not involve a significant amount of new built development; ..

The proposal is for 4 timber glamping pods spaced at roughly 20 metre intervals to the south of Runham. The areas surrounding each pod would be left undeveloped, with vehicles parked in a proposed naturally screened car park off Chapel Road. Whilst clearly the proposal would result in new development in a previously undeveloped area, the individual units are small and the cumulative amount of development of the development is modest. This proposed level of development is not considered to be a significant amount of new development, in accordance with Criterion (b).

5.6 In terms of Criterion (c), this requires that the new facilities:

(c) Do not adversely affect, and wherever possible contribute positively towards, the landscape character of the locality;

It is the case that the introduction of 4 glamping pods here would have an impact on the local landscape, both intrinsically by their very presence and through the associated use which would introduce activity into a previously still landscape. While the site does benefit from an existing level of natural screening, which limits views from the neighbouring properties, the

development would nonetheless represent a significant change. Criterion (c) requires that the development must not 'adversely affect' the landscape character and this is the test that must be met.

- 5.7 The site lies within the Local Character Area 25 (Lower Bure Arable Marshlands). While it is a remote area, it should be noted that the application site is located on land which is considered to be upland within this context, lying to the north of a vegetated belt that broadly follows the edge of Runham settlement providing some separation from the drained landscape beyond. The proposal for small scale development on the upland area continues the Local Character Assessment of the uplands which states that 'the valley sides are dotted with churches, farmsteads and manorial sites at regular intervals, and the settlements of Stokesby, Runham and West Caister have stayed relatively small scale and retain a number of traditional buildings'.
- 5.8 In order to mitigate the landscape impact of the development the applicant has proposed to cedar clad the glamping pods which would soften the impact of the structures on the surrounding landscape. The units would be spaced at roughly 20 metre intervals; there would be no formal access track or lighting between the units; and all services would be provided internally negating the need for ancillary structures. The proposed site layout would therefore allow each individual unit to be seen in an area of relative isolation, reflecting the existing mix of tranquillity adjacent to the residential development.
- 5.9 In addition, the applicant has followed officer advice by proposing a naturally screened car park with a natural surface at the entrance to the site in order to avoid vehicles being parked next to each individual glamping pod, and therefore reducing potential landscape clutter. In addition, a native species hedge is proposed along the eastern and southern boundaries of the site to provide additional natural screening. The proposed development would therefore result in intermittent views of cedar clad glamping pods along the footpaths through breaks in the existing and proposed hedgerows.
- 5.10 It is considered that the arguments around whether or not the proposal would 'adversely affect' the landscape character are finely balanced – whilst the development would inevitably have an impact on the landscape character, that impact would be spatially limited in terms of the extent to which it would be experienced and it would be limited in terms of scope as the development proposed is low key. Whilst in principle the use could be year-round, in practical terms this is unlikely and the main use period is likely to be Easter to September, when there is at least some degree of natural screening and there are already other users on the adjacent footpaths. On balance it is concluded that the proposal would not result in a significant adverse impact on the surrounding landscape, and would not warrant the refusal of the application on landscape grounds alone.
- 5.11 In terms of Criterion (d), this requires that the new facilities:
- (d) Do not result in an adverse effect on the integrity of a protected site or protected species; ..

The site lies outside of any protected sites and the proposed native species hedgerows would also act as a biodiversity enhancement, and therefore it is considered that it would not result in any adverse effect on protected species, in accordance with Criterion (d).

5.12 Finally, criterion (e) requires that the new facilities:

(e) Would not compromise existing tourism or recreation facilities in more sustainable locations.

The purpose of this criterion is effectively to promote a sequential approach to the local of tourism facilities, and to permit facilities in isolated locations only where this is specifically justifiable in respect of those particular facilities. In this case, the scheme proposes a unique offer in terms of location, with that location determined by the need (identified by the applicant) to develop a farm diversification product. It is not considered that this would undermine or compromise existing facilities, and criterion (e) can be met.

5.13 Overall and on balance it is considered that the requirements of Policy DP14 are met and the development is acceptable in principle.

Design

5.14 In terms of design, the design of the pods are dictated by their intended use and are of a simple function design utilising sustainable materials. The proposed cedar cladding would weather and soften over time reducing the impact on the surrounding landscape. It is therefore considered that the proposed design, scale and materials are in accordance with Policy DP4.

Impact on landscape

5.15 In terms of assessing the impact on the surrounding landscape, this is covered in detail at 5.6 – 5.10 above.

Impact on Highways

5.16 In terms of impact on the highway network, the access point between the site and Chapel Road would be upgraded with hot rolled asphalt (HRA) for the first 3 metres as measured back from the near channel edge of the adjacent highway and to a width of 4.5 metres. Arrangements would be made for surface water drainage to be intercepted and disposed of separately. These upgrades would be in accordance with the required TRAD5 specification and this would be secured by condition. There is no objection to the scheme on highways grounds.

Impact on residential amenity

5.17 In terms of residential amenity, the proposed development is located approximately 50 metres from the nearest residential properties that lie to the

east and would be well screened from these by both the existing hedge and proposed native species planting along the eastern boundary. It is therefore concluded that the development would not result in any overlooking or overshadowing of the neighbouring properties with the pods facing south over the marshes. The primary material planning consideration raised is the potential for noise from the site. The site would operate a no noise after 10pm policy which would be monitored by staff. In summary, the proposed development is not considered to result in any significant adverse impact on the amenity of neighbouring properties, in accordance with Policy DP28.

Ecology

- 5.18 In terms of the ecology, the site lies outside of any protected sites. The proposed additional planting including native hedgerows would provide additional biodiversity enhancements to the area. The proposed development is therefore considered to be in accordance with Policy DP1.

Other matters

- 5.19 It should be noted that whilst both national planning policies in the form of the NPPF do place great emphasis on the protection of specially designated landscapes such as the Broads, they are also supportive of encouraging a prosperous rural economy. It is noted that the proposed development has the ability to replace a lost funding stream on the farm, employ one local person (the applicant states) and contribute to the tourist economy in the vicinity. These economic benefits are a material consideration and must be weighed against any adverse impacts.

6 Conclusion

- 6.1 In conclusion it is considered that the proposal for 4 glamping pods and associated car park is acceptable in principle. Whilst there are landscape impacts these are not considered to be of such a magnitude as to justify a refusal of planning permission, and there are also benefits to the rural economy. There would also be no significant impact on the highway network, ecology or neighbouring amenity. The proposal is therefore considered to be in accordance with the relevant Development Plan Policies and the NPPF.

7 Recommendation

Approve subject to the following conditions:

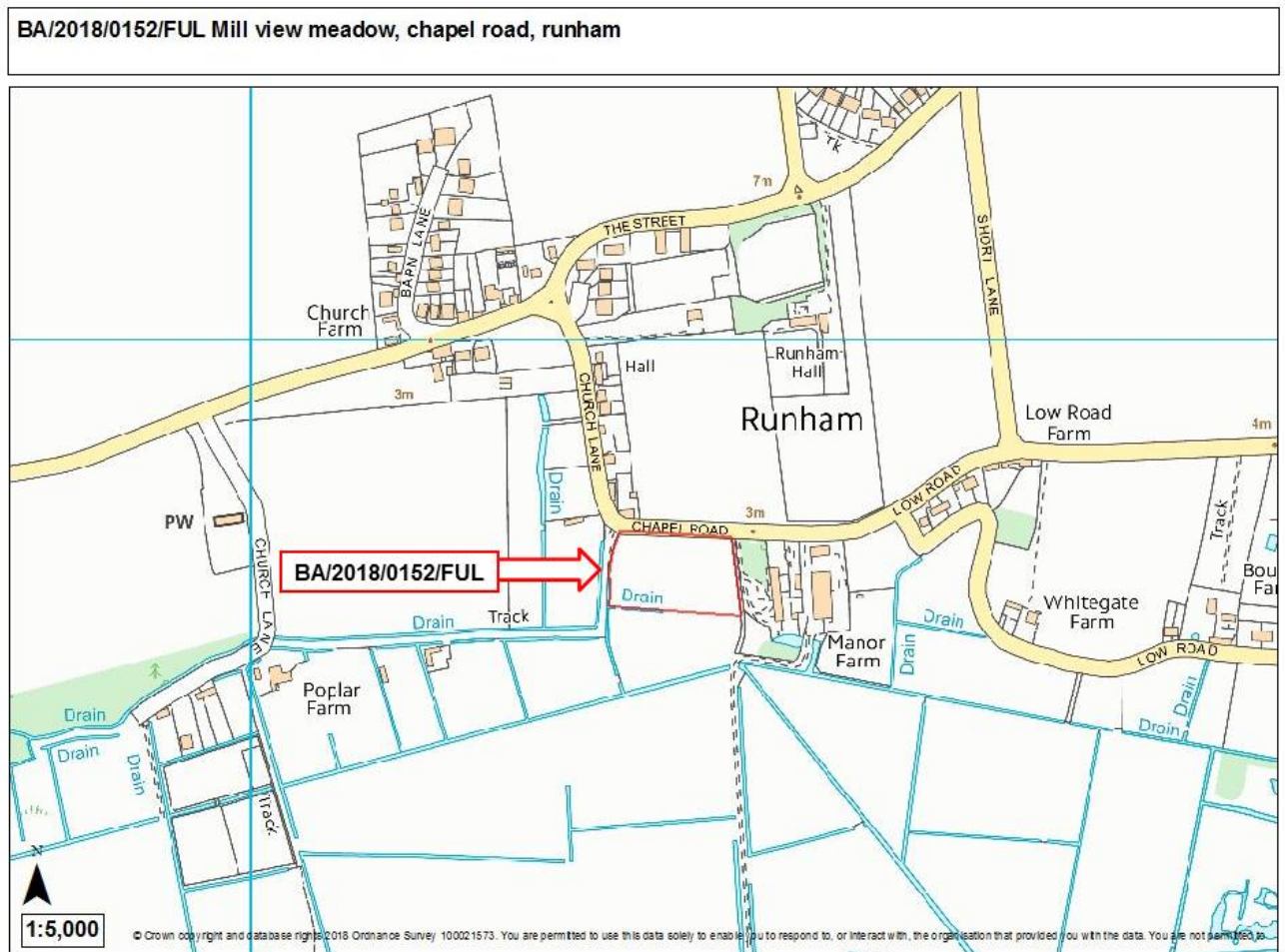
1. Time limit for commencement
2. In accordance with submitted plans and supporting documents
3. Materials and design
4. Car park layout
5. Highways – access
6. Highways – car parking
7. Landscaping
8. Waste disposal

- 9. External lighting
- 10. Noise management
- 11. Removal of temporary use PD rights

8 Reason for Recommendation

In the opinion of the Local Planning Authority the development is acceptable in respect of Planning Policy and in particular in accordance with the National Planning Policy Framework and Policies DP1, DP2, DP4, DP11, DP14, DP15 and DP28, as the development is considered an appropriate form of farm diversification protecting rural employment, with no significant adverse impact on the landscape, neighbouring amenity, highway network or ecology subject to the recommended conditions.

Background papers: BA/2018/0152/FUL
 Author: George Papworth
 Date of report: 08 June 2018
 Appendices: Appendix 1 – Map



Reference:

BA/2017/0168/FUL

Location

4 Bureside Estate, Crabbett's Marsh, Horning

BA/2017/0168/FUL 4 bureside Estate, Horning



Application for Determination
Report by Planning Officer

Target Date	26 December 2017
Parish:	Horning
Reference:	BA/2017/0168/FUL
Location:	4 Bureside Estate, Crabbett's Marsh, Horning, NR12 8JP
Proposal:	Single storey dwelling for holiday accommodation use
Applicant:	Dr Peter Jackson
Recommendation:	Approve with conditions
Reason for referral to Committee:	Objections received

1 Description of the Site and Proposals

- 1.1 The application site is a mooring plot with an extant permission for a dwellinghouse at 4 Bureside Estate, Crabbett's Marsh, immediately west of and upstream of the village of Horning. Development across Crabbett's Marsh varies in use, scale and character; the most developed area being that on the river front, with development of decreasing scale and intensity to the north, terminating in largely undeveloped plots of wet woodland nearest the A1062 to the north. The riverfront development of Bureside Estate consists of dwellings, used as holiday and residential dwellings, on modest plots. The single storey scale of dwellings at the western end of Crabbett's Marsh provides some level of transition from the undeveloped marshes upstream to the more substantial dwellings, in scale, density and materials, at Racing Reach on the edge of the main village development which itself is much denser and larger in scale and character. The site is outside the Development Boundary and in flood zone 3a.

- 1.2 Bureside Estate sits on the apex of a gentle bend in the river where the course changes from a west-east flow to a more northerly direction and consequently the plot is wedge-shaped, being wider on the river frontage than at the rear where it meets an unmade access track. The plot currently features two timber outbuildings both in a visibly poor state of repair, one adjacent to the southwest boundary at approximately the midpoint of the site, and one adjacent to the northeast boundary to the rear of the site. Along the southeast boundary there is a small mooring cut and all the banks have timber quayheading. The site is mostly clear aside from two trees on the northeast boundary. The adjacent property to the northeast features a one and a half storey dwelling sitting end on to the river, to the southwest is a single storey dwelling.
- 1.3 In 1997 planning permission was granted for the erection of a 3-bed dwelling for holiday use, this proposed building was to replace a residential caravan which had been present on the site for a number of years. Building works commenced but only got as far as removal of the caravan and the provision of piles for the new dwelling. Although the dwelling itself was not constructed, the Local Planning Authority (LPA) are satisfied that the provision of pilings is sufficient to demonstrate that works have commenced, and evidence previously presented to the LPA is considered sufficient to demonstrate that these works were carried out within the five year time limit for commencement of works. This is satisfactory in establishing that the 1997 permission for a new dwelling is extant.
- 1.4 The current proposal seeks to update the approved dwelling to provide a more contemporary standard of accommodation through an increase in size whilst remaining as a 3-bed dwelling, make alterations to the appearance of the dwelling, and set the building slightly further from the riverbank. The two existing outbuildings on site would be removed.
- 1.5 The 1997 permission was for a building with a width of 5.08m and a depth of 10.50m, a ridge height of 5.60m, with the building set back from the riverbank by 12.20m. The current proposal is for a building which steps in as the plot width narrows, giving a width fronting the river of 6.90m for a depth of 8.74m with a ridge height of 6.75m, stepping in to a width of 4.75m for a depth of 7.64m with a ridge height of 6.00m. The building set back from the riverbank by 13.80m.
- 1.6 The finish of the building would be horizontal timber cladding stained blue, with timber framing coloured white, and white frames to the proposed windows. The roof would comprise cedar shingles.

2 Site history

- 2.1 BA/1997/2191/HISTAP - Remove static caravan and erect holiday chalet. Approved with conditions, May 1997.
- 2.2 BA/2016/0251/PREAPP - Proposed Detached Three Bedroom, One & Half Storey Residential Dwelling. Advice given.

3 Consultation

Parish Council - the Parish Council discussed this application at length and agreed to offer 'no comment'

District Member - This application can be determined by the Head of Development Management (delegated decision).

Environment Agency - No objection subject to a condition requiring that a 'grey water' recycling system be implemented throughout the dwelling.

NNDC Environmental Protection - No objection subject to a condition requiring that a 'grey water' recycling system be implemented throughout the dwelling.

BA Ecologist - No objection subject to conditions.

BA Tree Officer - No objection subject to conditions.

BA Historic Environment Manager - The revised scheme does go some way to overcome previous concerns in terms of design and potential impact on neighbouring amenity. The increased set back and loss of balustrading and overall width from the building are all suggestions that were made to improve the proportions and plot to footprint ratio of the building.

Given the amendments and the form of previously approved scheme on the site I would recommend approval for this application on design grounds subject to conditions on materials and landscaping and removal of all Permitted development rights for the plot.

Representations

Four letters were received raising issues summarised as follows:

- Building is too large for the plot and too wide.
- Scale and mass would result in a cramped form of development, impacting on character and distinctiveness of the area.
- Lack of separation to side boundaries.
- Out of scale and keeping with surrounding development.
- Loss of light to neighbouring properties.
- Loss of views between properties.
- Use as holiday let will create unacceptable noise and disturbance.
- Use of proposed mooring will block views.
- Proposal is contrary to paragraphs 58 and 64 of the NPPF, policy 1 of the Joint Core Strategy for Broadland, Norwich and South Norfolk 2011, saved policies HOU13 and HBE12 of the City of Norwich Replacement Local Plan 2004 and emerging policies DM3 and DM12 of the emerging Development Management Policies April 2013.

Two letters of support summarised as follows:

- Site is currently derelict and therefore out of character with the other properties.

- The building would be single storey and have a low profile.
- Small size of the proposed dwelling would tend to limit the nature and volume of disturbance.

4 Policies

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

[NPPF](#)

Core Strategy (adopted 2007) [Core Strategy Adopted September 2007 pdf](#)

CS1 - Landscape Protection and Enhancement

Development Management Policies DPD (adopted 2011)

[Development-Plan-document](#)

DP1 - Natural Environment

DP2 - Landscape and Trees

DP4 - Design

DP29 - Development on Sites with a High Probability of Flooding

Site Specific Policies Local Plan (adopted 2014)

http://www.broads-authority.gov.uk/_data/assets/pdf_file/0009/469620/Adopted-Site-Specific-Policies-Local-Plan-11-July-2014-with-front-cover.pdf

HOR1 - Development Boundary and Drainage

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

Core Strategy (adopted 2007)

CS18 - Sustainable Patterns of Development

CS20 - Development within Flood Risk Zones

Development Management Policies DPD (adopted 2011)

DP12 - Access to the Water

DP22 - Residential Development within Defined Development Boundaries

DP24 - Replacement Dwellings

DP28 - Amenity

- 4.3 The following Policies have been assessed for consistency with the NPPF which has been found to be silent on these matters. Paragraph 14 of the NPPF requires that planning permission be granted unless the adverse effects would outweigh the benefits.

DP13 - Bank Protection

4.4 Other Material Considerations

Landscape Character Assessment Area 23 [Landscape-Character-Assessment-Bure-Valley](#)

Joint Position Statement on Development in the Horning Water Recycling Centre Catchment

National Planning Policy Framework (NPPF) [NPPF](#)

National Planning Policy Guidance (NPPG)

<http://planningguidance.planningportal.gov.uk/>

Neighbourhood plans

4.5 There is no neighbourhood plan in force in this area.

5 Assessment

5.1 The proposal is for the erection of a dwelling for holiday use. The main issues in the determination of this application are the principle of the development, design, landscape, neighbour amenity, trees and biodiversity, flood risk, and the impact on the Horning catchment water recycling centre.

Principle of development

5.2 The site lies outside of a development boundary and there is therefore a general presumption against development. However, as outlined in paragraph 1.3 above, in this specific case there is an extant planning permission (BA/1997/2191/HISTAP) for the construction of a 3-bed dwelling for holiday use. During pre-application discussion under planning reference BA/2016/0251/PREAPP, evidence was provided to the LPA regarding the installation of piling for the approved dwelling, this was considered on the balance of probabilities to be sufficient to demonstrate that the piling was completed within the time limit for commencement of works. As a result the proposal cannot be considered as new residential development under planning policy DP22 of the Development Management Policies DPD. Equally, whilst the proposal is for an increase in size and an update to the design, as the approved dwelling was not actually constructed the proposal would not be considered a replacement dwelling under Policy DP24. It should be noted that the relevant parts of Policy DP24 are replicated elsewhere in the Development Management Policies DPD, specifically DP4 considering design, and DP29 dealing considering flood risk. The proposal is in effect an application to vary a condition on an extant consent.

5.3 Taking into account the site history and the demonstration that the 1997 permission is extant, the proposed 3-bed dwelling is considered acceptable in principle.

Design

- 5.4 Policy DP4 requires that development must be of a high quality design and appropriate in terms of scale, form and massing when considered in the context of the site, neighbouring development, and the surrounding landscape, streetscape and waterscape. The approved dwelling had a design which is overall replicated in the current proposal in providing what is generally a lightweight riverside chalet design, end-on to the river, with a form broadly picking up on a traditional boathouse appearance which is prevalent in this specific location. The design of the river fronting elevation has been simplified and provides a more legible and balanced appearance. The terrace to the front has a centralised appearance which complements the building design. In not including a side porch element as per the approved scheme, the symmetry of the proposed building is maintained.
- 5.5 The design as proposed provides a larger dwelling than the approved, however the increase in size is not considered to be excessive, and overall its size and separation to flank boundaries reasonably corresponds to neighbouring development to the southwest. Whilst it is accepted that the plot size is notably smaller than neighbouring sites, the inclusion of dwellings and boathouses results in a scale of development which covers the majority of the site widths, an approach which is replicated with the proposed scheme. The dwelling to the northeast of the site maintains a greater separation to the shared boundary but is a much taller building being one-and-a-half storeys which requires more in the way of setting. The proposed scheme effectively provides a continuation of the form established at the sites to the southwest which presumably guided the design of the approved dwelling. The difference in scale of the proposed scheme is considered to be acceptable in relation to the established built form and would not result in a form of development that would be out of keeping with the area.
- 5.6 The front building line of the approved dwelling corresponded with the adjacent dwelling to the southwest. Under the proposed scheme the front building line would be set back from the riverbank by an additional 1.6m, this would sit well in relation to the adjacent dwelling taking into account the increase in size of the proposed dwelling. Whilst the building line is noticeably forward of the adjacent dwelling to the northwest, given the obvious differences in building form and scale it is considered that the proposed building line would not result in an unacceptable impact on the character of the area and the river scene.
- 5.7 The proposed dwelling is therefore considered acceptable with regard to DP4 of the Development Management Policies DPD.

Landscape

- 5.8 The site is located on the northern bank of the River Bure on a visibly flat site with a backdrop of trees. The landscape character assessment describes the developed area of Crabbett's Marsh as an area of chalet development at a

relatively high density. The proposed scheme would correspond with this overriding character, and in proposing a single storey development would ensure a form and scale of development which in corresponding well to neighbouring development would not have an adverse impact on the landscape character of the area. Furthermore the single storey allows for the backdrop of trees to be more prevalent from longer views.

- 5.9 The scale and orientation are characteristic of development on this section of the river and alongside the form and materials are considered to represent an acceptable approach to development at this site which would assimilate well with its surroundings and have no discernible impact on the landscape character of the area. In this respect the proposed dwelling is acceptable with regard to Policy DP2 of the Development Management Policies DPD, and Policy CS1 of the Core Strategy.

Amenity

- 5.10 The proposed development would result in a dwelling to a maximum height of 6.75m, which is an increase of 1.15m over the approved height of 5.6m, and eaves height of 3.85m. The separation on the north-eastern boundary is minor but the separation to the adjacent dwelling is considered sufficient to ensure no undue impact on neighbouring amenity in terms of light and outlook. The separation to the south-western boundary is more generous, between 2.5m and 4.35m, although the neighbouring dwelling is much closer on this side, however the combination of the separation and the reasonable eaves height of the proposed dwelling would not have an unacceptable impact on neighbouring amenity.
- 5.11 In terms of privacy, both of the neighbouring dwellings feature windows facing the subject site, however this in itself is not a reason for refusal and the existing site conditions and the approved scheme are a consideration, as is the location on the river front and the limits on privacy consequent on this. The flank of the neighbouring dwelling to the northeast features only one non-obscure glazed window, this is sited to the front corner of the property and is a secondary window to the main river facing openings. Whilst there are windows in the flank of the proposed dwelling, given the location of the windows and use of the rooms in question, along with the limits on privacy that are afforded to the relevant section of the neighbouring dwelling, it is not considered that there would be an unacceptable loss of privacy for the residents of the neighbouring dwelling.
- 5.12 The neighbouring dwelling to the southwest features two windows in the flank elevation facing the subject site, both of these serve bedrooms. Whilst there are three windows in the flank of the proposed dwelling only one is in the proximity of the neighbouring windows, this also serves a bedroom. Given the siting of the windows they would appear to directly face one another. It is accepted that this can result in a loss of privacy for neighbouring residents, however the extant 1997 permission is a key consideration here and it is noted that the approved dwelling included a bedroom window in the flank elevation, again directly facing the windows at the adjacent dwelling. Whilst the

approved plans for that application showed two trees next to the boundary on the neighbours side, these have since been removed, which is regrettable. As the permission is, however, extant and could therefore be constructed, the impact on privacy at the neighbouring dwelling would be no greater than should that approved development be completed, even taking into account the change in building siting and height. With this in mind, it is considered that the proposed scheme would not result in such an unacceptable loss of privacy for residents of the neighbouring property to the southeast as to justify a refusal of planning permission, taking into account the approved 1997 scheme. The proposed development is therefore acceptable with regard to Policy DP28 of the Development Management Policies DPD.

Flood Risk

- 5.13 The subject site is located within flood zone 3. The Environment Agency (EA) have raised no objection subject to a condition relating finished floor level which the proposed dwelling would achieve. It is therefore considered that the proposed dwelling is acceptable with regard to Policy DP29 of the Development Management Policies DPD.

Impact on the Horning catchment water recycling centre

- 5.14 Objections were initially received from the EA and North Norfolk District Council (NNDC) Environmental Protection in respect of the waste water which would arise from the site. Whilst it was noted that there is an extant permission for a 3-bed unit and the current proposal is for a 3-bed unit, the inclusion of an additional bathroom was considered unacceptable with regard to the Joint Position Statement on Development in the Horning Water Recycling Centre Catchment which seeks to prevent additional inputs to the local system pending upgrading works. The objection was raised with the applicant who proposed three approaches to reduction of waste water, these were assessed by both the EA and NNDC who agreed that the proposal would be acceptable subject to a 'grey water' recycling system to be implemented throughout the dwelling and retained for the lifetime of the development. This would be achieved through a planning condition requiring details to be approved in accordance with the EA, subject to which the proposed dwelling would be considered acceptable in terms of its impact on the Horning catchment water recycling centre.

Biodiversity

- 5.15 The proposal has been assessed by the BA ecologist who has raised no objections. To improve biodiversity at the site enhancement measures for bats and birds would be secured through planning condition, along with a condition relating to the timing of tree works.

Trees

- 5.16 The applicants have submitted an arboricultural impact assessment and method statement for the proposed development, this has been assessed by

the BA Tree Officer who has proposed that two trees could be retained and pollarded and managed as boundary screening. This is best undertaken prior to the commencement of any development and would be conditioned thus. One tree would be removed, this is largely decaying and its removal is not resisted. To compensate for the loss of the tree either a number of single trees or an Osier hedge or similar should be provided, this can be secured by planning condition.

Extension to the existing mooring cut and replacement of quayheading

- 5.17 The subject site currently features a mooring cut with slipway which is located on the river frontage to the south-western side of the site. The proposal seeks to increase the length of the cut by 0.3m and the width by 1.2m. The slipway would be removed. Whilst the objection of the neighbour in terms of the potential impact on views is noted, views are not protected in planning, and there are sizeable mooring cuts at all the neighbouring properties, therefore it would not be reasonable to resist an extension to an existing mooring cut at the subject site.
- 5.18 The existing quayheading is timber, the proposed quayheading is timber, this would maintain the appearance of the site and is considered acceptable. A boardwalk around the water's edge is proposed, this is a common approach at properties in this location and is considered acceptable.
- 5.19 The proposed works would be sited off the river and therefore ensure that it does not impede navigation of this stretch of the river. The mooring cut is situated within Flood Zone 3, however the extension of the mooring cut will increase the water capacity of the area and is therefore likely to marginally improve the flood risk of the site.

6 Conclusion

- 6.1 The site benefits from an extant permission for a 3-bed dwelling for holiday use and this proposal is for a 3-bed dwelling for holiday use which seeks to update the design and increase the size of the dwelling. The proposed dwelling has a simple design and is of a reasonable scale, it would not be detrimental to the character of the surrounding area or the river scene, and would not unduly impact on the amenity and privacy enjoyed by neighbouring residents, taking into account the extant permission.

7 Recommendation

Approve subject to conditions

- i. Standard time limit;
- ii. In accordance with submitted plans;
- iii. Details of materials;
- iv. Details of landscaping scheme;
- v. Approved landscaping scheme to be implemented in next available planting season following development;

- vi. Any tree or plant that dies within 10 years to be replaced;
- vii. Timing of tree works;
- viii. Restriction on works to trees, shrubs, or hedgerows for 10 years;
- ix. Works to be carried out in accordance with sections 5.1 to 5.4 of the submitted Arboricultural Impact Assessment;
- x. Details of water management plan;
- xi. Finished floor levels above 2.25m AOD;
- xii. Bat and bird mitigation measures and enhancements;
- xiii. Timber quayheading preservative;
- xiv. External lighting scheme;
- xv. Restriction on use - type of use, duration of stay, register of bookings; and
- xvi. Remove permitted development rights.

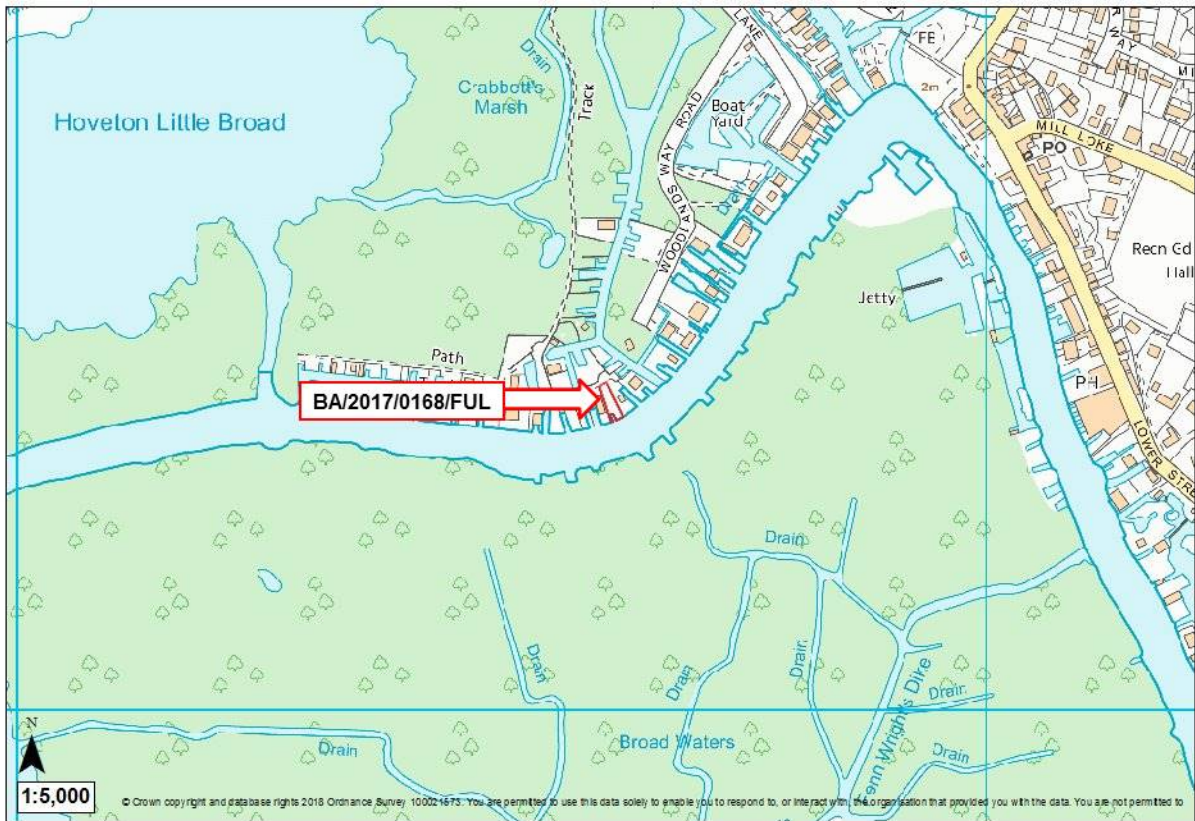
8 Reason for Recommendation

The proposal is considered to be in accordance with Policies CS1 and CS20 of the Core Strategy (2007), Policies DP1, DP2, DP4, DP12, DP13, and DP28 of the Development Plan Document (2011), Policy HOR1 of the Site Specific Policies Local Plan and the Joint Position Statement on Development in the Horning Water Recycling Centre Catchment, and the National Planning Policy Framework (2012) which is a material consideration in the determination of this application.

List of Appendices:	Location Plan
Background papers:	Application File BA/2017/0168/FUL
Author:	Nigel Catherall
Date of Report:	7 June 2018
Appendices:	Appendix 1 – Map

APPENDIX 1

BA/2017/0168/FUL 4 bureside Estate, Horning



Reference:

BA/2018/0154/FUL

Location

Former Site of the Broads Hotel Cottage, Station Road, Hoveton

BA/2018/0154/FUL Broads Hotel, Station Road, Hoveton



Application for Determination
Report by Planning Officer (Compliance and Implementation)

Target Date	03 July 2018
Parish:	Hoveton
Reference:	BA/2018/0154/FUL
Location:	Former site of The Broads Hotel Cottage, Station Road, Hoveton
Proposal:	Temporary 5 year approval for 38 space public car park, plus widening of footpath
Applicant:	Mr E Roy
Recommendation:	Approval with conditions
Reason for referral to Committee:	Departure from Policy

1 Description of Site and Proposals

- 1.1 The application site was formerly occupied by the Broads Hotel Cottage which was demolished in 2014 and has remained empty since. The site currently has no buildings or features other than remnants of concrete flooring, a hard surfaced car park and a garden. The site is surrounded by a high fence to the east, a conifer hedge to the north and a temporary fence to the west.
- 1.2 In terms of surrounding development, the site sits between Station Road to the east and the River Bure to the west. Roys Department Store and carpark sits on the opposite side of Station Road, to the east of the application site. To the immediate north is a public footpath leading down to the river and a public car park, to the south is the side wall of Massingham Bros butchers, and an existing informal car park sits to the west. A fairly mature landscape follows the banks of the River Bure in this location. The site is within the development boundary for Wroxham and Hoveton.

- 1.3 The proposal is for a 5 year temporary approval for the laying out and use of the site as a 38-space public car park with associated landscaping. The car park is proposed to be used whilst a percentage of the car parking at Roy's Department Store (known as Forge House) is displaced whilst works are being undertaken to construct a sizable extension at the store (PF/17/1270-application approved by North Norfolk District Council). These works are due to commence in 2018. As part of the works it is proposed that the footpath along Station Road will be widened.
- 1.4 It should be noted that the application site is currently being used as a temporary works compound in connection with the extension to the Roy's Department Store. The works compound is being undertaken in accordance with Permitted Development Rights for temporary uses and will cease within 28 days. The works compound is proposed to be moved to the main Roy's car park on the site opposite which is outside of the Broads Executive Area.

2 Site History

2.1 Applications relating to the site:

BA/1987/3540/HISTAP- Convert cottage to 7 units as annexe to hotel and formation of car park- Approved

BA/1990/2804/HISTAP- Illuminated advertisement- Approved

BA/2002/1655/HISTAP- Change of use from hotel annexe to dwelling- Approved

BA/2007/0310/FUL- Demolition of existing building and erection of mixed use development comprising of residential units, wine bar and retail with ancillary car parking- Refused

BA/2008/0197/FUL- A mixed use development for two ground floor retail units, one ground floor wine bar and eight first and second floor residential units (6no two bedroomed and 2no one bedroomed) together with 20 car parking spaces. Four of the proposed residential units will be allocated to short term holiday rental- Approved

BA/2011/0088/EXT8W- Extension of existing time limit of previous Planning Permission- Approved

BA/2014/0086/DEM- Proposed demolition of the Broads Hotel cottage- Prior Approval not required

2.2 Neighbouring Planning Application relating to this application:

PF/17/1270- Erection of two-storey rear extension to retail store and change of use of former Broads Hotel site to provide car-parking- Approved

3 Consultations

3.1 Consultations received

Parish Council (Hoveton)- No objection

Adj. Parish Council (Wroxham)- Wroxham Parish Council consider that this application should be refused on the basis it is extending car parking in Hoveton which will add to the volume of traffic on the road network, particularly the A1151 Norwich Road. To reiterate what the Council said in response to the Forge House extension:

“This road is in a Conservation area and park of the Broads National Park. The road is already heavily congested with large traffic queues during the summer months. Residents of Wroxham already have serious concerns about the level of pollution caused by this traffic and additional traffic would only exacerbate an already unbearable situation. The Parish Council believes that the development would have an adverse effect on the Broads Special Area of Conservation. The Parish Council is unhappy that this was not in the original application.

District Member- This application can be determined by the Head of Planning (delegated decision)

North Norfolk District Council Planning Department- No comments

Highways Authority- No objections subject to conditions

Whilst I am minded that, notwithstanding the location of the proposals, the provision of a new car park is contrary to national and local policies in terms of sustainable development and promoting sustainable travel modes, I am aware of the planning consent granted for the extension to Forge House and for the change of use of the former Broads Hotel site.

It is accepted that the extension of Forge House will result in loss of car parking, which is offset by the provision of car parking on the former Broads Hotel site. Obviously during construction works parking will be lost and whilst not fully addressing the loss during construction, I do not consider that I could raise an objection for such temporary use during the construction works.

Whilst noting that the application seeks temporary approval for 5 years, in light of the above I would recommend that the use be limited to the completion of the works at Forge House and the former Broads Hotel site or 5 years whichever is sooner, however, I will leave that determination to the LPA.

It is noted that the proposals also include of the widening of the footway fronting the site. The widening of the footway is welcomed but the application does not indicate whether or not the widened footway will be dedicated as public highway. I have, however, discussed this matter with the applicant's agent and it has been confirmed that the applicant is prepared dedicate land to enable the footway to be widened to 1.8m which is acceptable to the LHA.

3.2 Representations received

None

4 Policies

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

[NPPF](#)

Development Management Policies DPD [Development-Plan-document](#)

DP2- Landscape and Trees

DP4- Design

DP11- Access on Land

DP27- Visitor and Community Facilities and Services

DP29- Development on Site with a High Probability of Flooding

Site Specific Policies DPD

http://www.broads-authority.gov.uk/_data/assets/pdf_file/0009/469620/Adopted-Site-Specific-Policies-Local-Plan-11-July-2014-with-front-cover.pdf

HOV1- Development Boundary

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

Development Management Policies DPD

DP28- Amenity

- 4.3 Emerging Local Plan for the Broads
Policy PUBHOV3: Brownfield land off Station Road, Hoveton

http://www.broads-authority.gov.uk/_data/assets/pdf_file/0017/1041812/Broads-New-Local-Plan-Publication-Final-version-no-tracked-changes.pdf

- 4.4 The National Planning Policy Framework is a material consideration

5 Assessment

- 5.1 The main issues to consider in determining this application are the principle of the development, need proven for the use, landscaping and design, highways, flood risk and amenity.

Principle

- 5.2 In terms of the principle of the development, development plan policy is currently silent on whether the installation of a temporary car park would be

an acceptable form of development at this site, but it is, however, noted, that adopted policy HOV1 allows for development within the Development Boundary of Hoveton and it is therefore considered that there is a general presumption in favour of development at this site, subject, of course, to that development being in accordance with other development plan policies.

- 5.3 Emerging Local Plan Policy PUBHOV3: Brownfield land off Station Road, Hoveton provides guidance on what sort of development would be acceptable here, and states at (a) that “Former Broads Hotel Cottage site is allocated for A3 and A4 land uses ... Retail and an element of residential, in particular affordable housing, may be acceptable”. The reasoned justification reiterates the above preferred land uses, whilst it is also noted in respect of car parking proposals along Station Road more generally that “Any proposals for car parking for public use must be thoroughly justified through a car park assessment undertaken at peak times over a suitable time period, assessing weekend and weekdays”. This policy may be given some limited weight as the Local Plan has been submitted for examination.
- 5.4 Together these policies indicate that some development on this site is acceptable, but that it should be a commercial use appropriate to the location, plus potentially an element of housing or retail. A car parking use, even on a temporary basis, does not accord with these objectives so it is necessary to consider whether there are significant material considerations to be taken into account and which would outweigh the uses indicated in the policy

Use

- 5.5 The application does not propose the use of the land for car parking on a permanent basis, but for it to be used whilst a percentage of the car parking at the nearby site is lost during building works. It is therefore in effect being presented as replacement development on a temporary basis.
- 5.6 Roys’ car park provides free public car parking for visitors and locals using Hoveton’s facilities, which is of considerable economic benefit to Hoveton. The agent has advised that the extension to the store will result in the permanent loss of 84 existing parking spaces. Of these, 46 permanent replacement spaces are proposed on the former Broads Hotel site on the opposite side of Station Road outside of the Broads Executive Area, which will leave a permanent shortfall of 38. This shortfall will be exacerbated for the duration of the building works by the loss of further spaces from the land occupied on a temporary basis by the site compound (although these will, of course, be reinstated when the compound is removed at the end of the building works). The application proposes the use of the former Broads Hotel cottage site to provide replacement for these 38 spaces on a temporary basis whilst the work is underway, which will help to offset the disruption to users. It should be noted that on the completion of the works and the cessation of the temporary permission on the application site these replacement 38 spaces will be lost, however there is adequate alternative provision elsewhere in Hoveton. The argument around providing replacement parking for the duration of the works is a material consideration.

- 5.7 Turning to the previous and future uses of the site, the site previously contained parts of the Broads Hotel and falls within a development boundary and there is therefore, as detailed above, a policy presumption in favour of development. It would therefore be appropriate to ensure any proposed temporary use did not prejudice or restrict any beneficial potential future redevelopment of the site. As detailed above, emerging Policy PUBHOV3 allocates an A3 (restaurant or cafe) or A4 (drinking establishments) land use, indicating also that either residential or retail use of the site may be considered appropriate. However given that a number of proposals have been approved at the site and the fact that these haven't been built out may indicate an issue with either viability or market conditions at the present time. Given that the site has remained empty since the demolition of the cottage there would be benefits to finding a temporary use to improve the security and visual amenity of the site in the interim. The works to provide the temporary car parking facilities are neither expensive or extensive and it is not therefore considered that the proposal would prejudice a return to a more favourable use when market conditions allow.
- 5.8 In conclusion, given the very specific situation locally with respect to the extension to Forge House it is considered that the use of the site as a temporary car park can be justified and potential future development of the site will not be restricted.

Landscape and Design

- 5.9 It is considered that there would be a significant visual improvement resulting from a new use, albeit temporary, for the currently redundant site. The outline landscaping scheme which has been submitted is considered appropriate and will help soften the appearance from the river and the road. Existing large mature trees will further screen the development from the river further. It is not considered that there will be an adverse impact on existing trees as a result of the development. It is therefore considered that the development is acceptable and in accordance with policies DP2 and DP4 of the Development Management Policies DPD.

Highways

- 5.10 Whilst the concerns of Wroxham Parish Council (as the neighbouring Parish Council) are acknowledged, given that the proposed spaces replace displaced spaces at the main car park opposite it is not considered that there would be a significant increase on traffic in the area or an adverse impact on highway safety as a result of the proposals. The Highway's Authority have no objection to the application subject to the imposition of a number of conditions. The recommendation that the temporary use should be limited only to the period that it is required for replacement parking is a sound one and this can be covered by planning condition.

Flood Risk

- 5.11 The site is situated within Flood Risk Zone 1 and 2 and the development proposed is considered an appropriate form of development within these Flood Risk Zones. The development is therefore considered in accordance with policy DP29 of the Development Management Policies DPD.

Amenity

- 5.12 Given the nature of the proposed development and surrounding land-uses, (which are predominantly car parking and retail) it is not considered that there will be any adverse impact on neighbouring amenity as a result of the proposals, in accordance with policy DP28 of the Development Management Policies DPD.

6 Conclusion

- 6.1 Development Plan policies seek to protect the Broads from inappropriate development, including the expansion of car parking in areas where this is not required or where a more beneficial land use should be sought. The principle of the proposal for car parking here is in conflict with a number of these policies.
- 6.2 Section 38(6) of the *Planning and Compulsory Purchase Act 2004* requires that planning applications should be determined in accordance with the Development Plan unless there are other material considerations which indicate otherwise. Whilst development here is in principle allowed by adopted policy HOV1, emerging policy PUBHOV3 indicates that this should be a commercial development, and some weight can be accorded this.
- 6.3 The circumstances in which proposals that conflict with the development plan can be considered for approval are where they meet the following three tests: does the proposal harm the objectives of the policy and plan; does it comply with other development plan policies; and, are there any other material considerations that weigh in favour of the proposal. In this case it is not considered the proposal would detract from the visual quality of the area (indeed, it would offer benefits) so there would be no significant harm to objectives of the policy or wider plan were the proposal to be permitted. The proposal has also been found to be in compliance with the other relevant policies, and, finally, there are material considerations which weigh in favour of a temporary use as replacement parking.
- 6.4 Whilst the primacy of the development plan is appreciated, on balance, it is considered that the objectives of the plan would not be significantly harmed by allowing this development as a departure from the development plan nor would any undesirable precedent be created.

7 Recommendation

- 7.1 Approve subject to conditions:
- 1) Temporary 5 Year time limit or as required as temporary replacement parking for the duration of the use of the site at Forge House for the works compound, whichever is the shorter;

- 2) In accordance with plans submitted
- 3) Landscaping scheme to be submitted
- 4) Landscaping scheme to be undertaken within the next available planting season
- 5) Vehicle access to be provided prior to first use
- 6) PD rights removed to retain unobstructed access
- 7) Visibility splay to be provided prior to first use
- 8) Parking and turning area to be laid out prior to first use
- 9) Off-site highway improvement works to be submitted prior to commencement
- 10) Off-site highway improvement work to be completed prior to first use

Highways Informal:

It is an OFFENCE to carry out any works within the Public Highway, which includes a Public Right of Way, without the permission of the Highway Authority. This development involves work to the public highway that can only be undertaken within the scope of a Legal Agreement between the Applicant and the County Council. Please note that it is the Applicant's responsibility to ensure that, in addition to planning permission, any necessary Agreements under the Highways Act 1980 are also obtained and typically this can take between 3 and 4 months. Advice on this matter can be obtained from the County Council's Highways Development Management

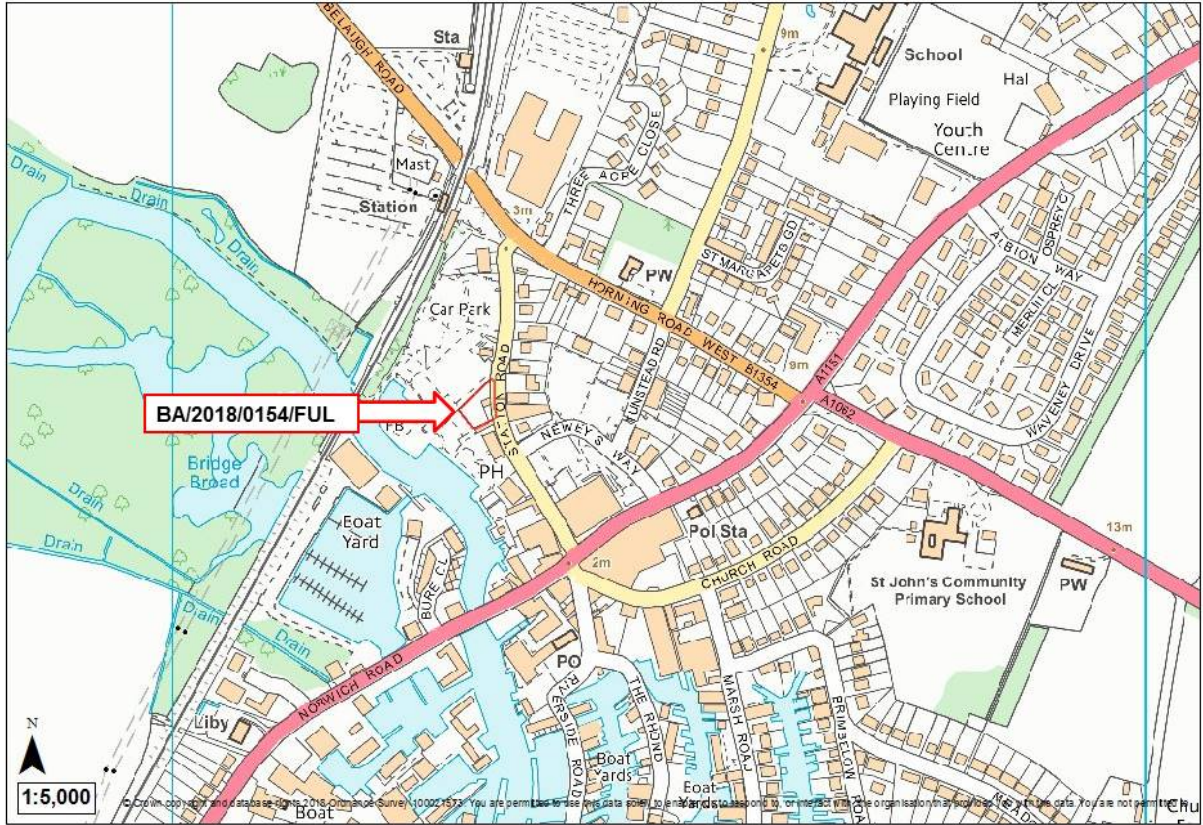
Group based at County Hall in Norwich. Please contact Stuart French on 01603 638070.

Public Utility apparatus may be affected by this proposal. Contact the appropriate utility service to reach agreement on any necessary alterations, which have to be carried out at the expense of the developer.

If required, street furniture will need to be repositioned at the Applicant's own expense.

Background papers:	BA/2018/0154/FUL
Author:	Kayleigh Judson
Date of report:	07 June 2018
Appendices:	Appendix 1 – Map

BA/2018/0154/FUL Broads Hotel, Station Road, Hoveton



Reference:

BA/2015/0393/FUL

Location

Ferry View Boatyard, Ferry View Estate, Horning

BA/2015/0393/FUL Ferry View Boatyard



Application for Determination
Report by Planning Officer (Compliance and Implementation)

Target Date	28.06.2018
Parish:	Horning Parish Council
Reference:	BA/2015/0393/FUL
Location:	Ferry View Boatyard, Ferry View Estate, Horning, NR12 8PT
Proposal:	Retrospective application for new toilet block
Applicant:	Richardson's Leisure Ltd
Recommendation:	Approve with conditions
Reason for referral to Committee:	Managing Director at Richardson's is a Member of the Authority

1 Description of Site and Proposals

- 1.1 The application site is a boatyard which is situated within the rural parish of Horning. The site contains one large, industrial sized boat shed, a site office/shop, carpark and moorings. The site is accessed from the north via Ferry View Road off Lower Street which runs along the river in Horning and via the river up a dyke off the River Bure to the south. Residential properties line the road at the junction to the north of Ferry View Road and boatyard/ marinas surround the application site. The land opens out to succeeded wood and drained marsh to the east. The site is situated within Horning Knackers Wood catchment which is the catchment for Horning's Water Recycling Centre.
- 1.2 The application seeks retrospective consent for the erection of a toilet block which also has shower facilities for use by its customers. The toilet block is 7.2m by 3m and 2.9m to the ridge. The building is of a porta cabin style

construction, clad in timber with a flat roof. The building contains 4 toilets, 2 showers and 4 sinks and is connected to the main sewer.

2 Site History

- 2.1 BA/1995/2351/HISTAP - Change of use of part existing boatyard for the mooring of 4 houseboats and standing of 3 portable buildings – Withdrawn
- 2.2 BA/2013/0397/FUL- Proposed new moorings - Approved with Conditions
- 2.3 BA/2013/0396/DEM - Proposed demolition of old boatshed – Prior Approval not required
- 2.4 BA/2016/0174/FUL - Additional moorings, quayheading, public moorings and slipway - Refused

3 Consultations

3.1 Consultations received

Parish Council- The Parish Council supports this application
In order to minimise light pollution, the Parish Council recommends that any outdoor lights associated with this proposed development should be:

1. fully shielded (enclosed in full glass cut-off fittings)
2. directed downwards (mounted horizontally to the ground and not tilted upwards)
3. switched on only when needed (no dusk to dawn lamps)
4. white light low energy lamps (Philips Cosmopolis or fluorescent) and not orange or pink sodium sources)

District Member- This application can be determined by the Head of Planning (delegated decision)

North Norfolk Environmental Health Department- I have noted the information submitted by the applicant and am of the opinion that until confirmation is received that Anglia Water Service's foul drainage works for Horning are adequate, the erection of a Toilet/Shower Block is an unacceptable level of development. As such, I refer you to the joint position statement (**Appendix 2**), which still stands and should inform you that this Department wishes to object to the application.

Updated response- In light of the fact that the toilet block has been in use since 2015 we retract our objection. However if this had been a new toilet/shower block then we would have objected. In view of the Joint Position Statement and if possible we would like to see the use of a "Grey Water" Recycling system which would reduce the outflow of Grey Water.

Environment Agency- Members to be updated verbally

Anglian Water- Members to be updated verbally

- 3.2 Representations received
None

4 Policies

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

[NPPF](#)

Development Management Policies DPD

[Development-Plan-document](#)

DP3- Water Quality and Resources

DP4- Design

DP11- Access on Land

DP29- Development on Sites with a High Probability of Flooding

Site Specific Policies

http://www.broads-authority.gov.uk/_data/assets/pdf_file/0009/469620/Adopted-Site-Specific-Policies-Local-Plan-11-July-2014-with-front-cover.pdf

HOR 1- Development Boundary and Drainage

HOR 7- Horning - Boatyards, etc. at Ferry Rd. & Ferry View Rd

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

Development Management Policies DPD

DP20- Development on Waterside Sites in Commercial Use, inc. Boatyards

DP28- Amenity

- 4.3 The National Planning Policy Framework is a material planning consideration.

5 Assessment

- 5.1 The main issues to consider in the determination of this application are the principle of the development, sewerage drainage, design, flood risk, access and amenity.

Principle

- 5.2 The provision of a toilet and shower facility helps improve the overall visitor offer at the boatyard. Although this type of development is not specifically mentioned in the development plan, adopted Policies DP20 and HOR7 of the Site Specifics DPD are supportive of the retention of boatyards and the

improvement of facilities and services at boatyards will help secure this. The policies states that 'within existing boatyards the development of... buildings to meet the operational requirements of the boatyard will be permitted'. It is considered that providing a toilet and shower facility at this location improves the services provided at the boatyard and the principle of the proposal is therefore considered acceptable and in accordance with policies DP20 of the Development Management Policies DPD and HOR7 of the Site Specifics DPD.

Impact on the Horning catchment water recycling centre

- 5.3 The site is situated within Horning Knackers Wood catchment which is the catchment for Horning's Water Recycling Centre. Policy HOR 1 and HOR7 of the Site Specific DPD restricts development which would result in an increase discharge into the main sewers due to significant concerns over capacity within the Horning Knackers Wood catchment and the possible impact on specially designated areas. For a full background to the issues the Joint Position Statement can be seen at **Appendix 2** of the report. Any proposals which would result in an increase in discharge into the system would therefore be likely to result in objections from the Environmental Health Department at North Norfolk District Council, Environment Agency and Anglia Water and be contrary to policy HOR1 of the Site Specific DPD.
- 5.4 There are, however, particular circumstances here and the agent advises:
- 'the toilets and showers are for boat owners. If they use them they are not using the toilets and showers in their boats which go to a holding tank. If they do us[e] the facilities in their boats then that gets pumped out into the system as well so there is no gain in the amount of use. There are also toilets in the big shed and the offices which are no longer used because the staff levels have dropped and there is no longer a booking office on site. The toilets are not available for use because the services to them have been turned off. The two or three people on site use the new toilets'*
- 5.5 Given that the facilities associated with this retrospective application have replaced previous facilities on site and that the predominant users of the site are visitors who would otherwise use their own facilities which would in turn be pumped out, it is not considered that overall there would be a significant increase in the pressure on the Horning Knackers Wood foul water system. This notwithstanding, there is an argument that the provision of on-shore facilities could result in some increase in use so the opportunity should be taken to introduce a grey water recycling system and this can be covered by planning conditions. Members will be aware of a similar approach being required in respect of a holiday unit at Crabbetts Marsh as detailed elsewhere on this agenda. Subject to the above, the proposal is considered to accord with policies HOR1 and HOR7 of the Site Specifics DPD. The Environmental Health Department originally objected to the application but withdrew their objection when the above additional information was submitted by the agent. The Environment Agency and Anglia Water's responses are awaited and Members will be updated verbally.

Design

- 5.6 The toilet and shower block sits within an area adjacent to large boatshed building which is of an industrial character. It is considered that the building is discrete, positioned sympathetically and constructed of appropriate materials which ensure it is read well within the industrial context. The design is therefore considered acceptable in accordance with policy DP4 of the Development Management DPD.
- 5.7 In terms of the Parish Councils comments regarding lighting, only one small, low level light is attached to the building which is considered appropriate given the context.

Flood Risk

- 5.8 The site is situated within Flood Risk Zone 3b, however the floor levels have been set no lower than existing levels which is considered appropriate and the type of development is considered water compatible and therefore acceptable within this Flood Risk Zone. The development is therefore considered in accordance with policy DP29 of the Development Management Policies DPD.

Access

- 5.9 It is not considered that the provision of toilets/showers will significantly increase the use of the site beyond current levels and it is therefore considered that there will be no adverse impact on access as a result of the proposals. The development is therefore considered in accordance with policy DP11 of the Development Management Policies DPD.

Amenity

- 5.10 The toilets are situated adjacent to existing boatyard buildings, facing a mooring basin. Given the nature of the development and surrounding land-uses it is not considered that there will be any adverse impact on neighbouring amenity as a result of the proposals, in accordance with policy DP28 of the Development Management Policies DPD.

6 Conclusion

- 6.1 The development is considered acceptable in respect of impact of the principle of the development, sewerage drainage, design, flood risk, access and amenity.

7 Recommendation

Approve subject to conditions:

- Standard time limit
- In accordance with plans submitted

- Details of water management plan, including grey water management scheme

8 Reason for Recommendation

In the opinion of the Local Planning Authority, the development is considered acceptable and in accordance with the NPPF, Policies DP3, DP4, DP11, DP20, DP28 and DP29 of the Development Management Policies DPD and Policies HOR1 and HOR7 of the Site Specific Policies DPD.

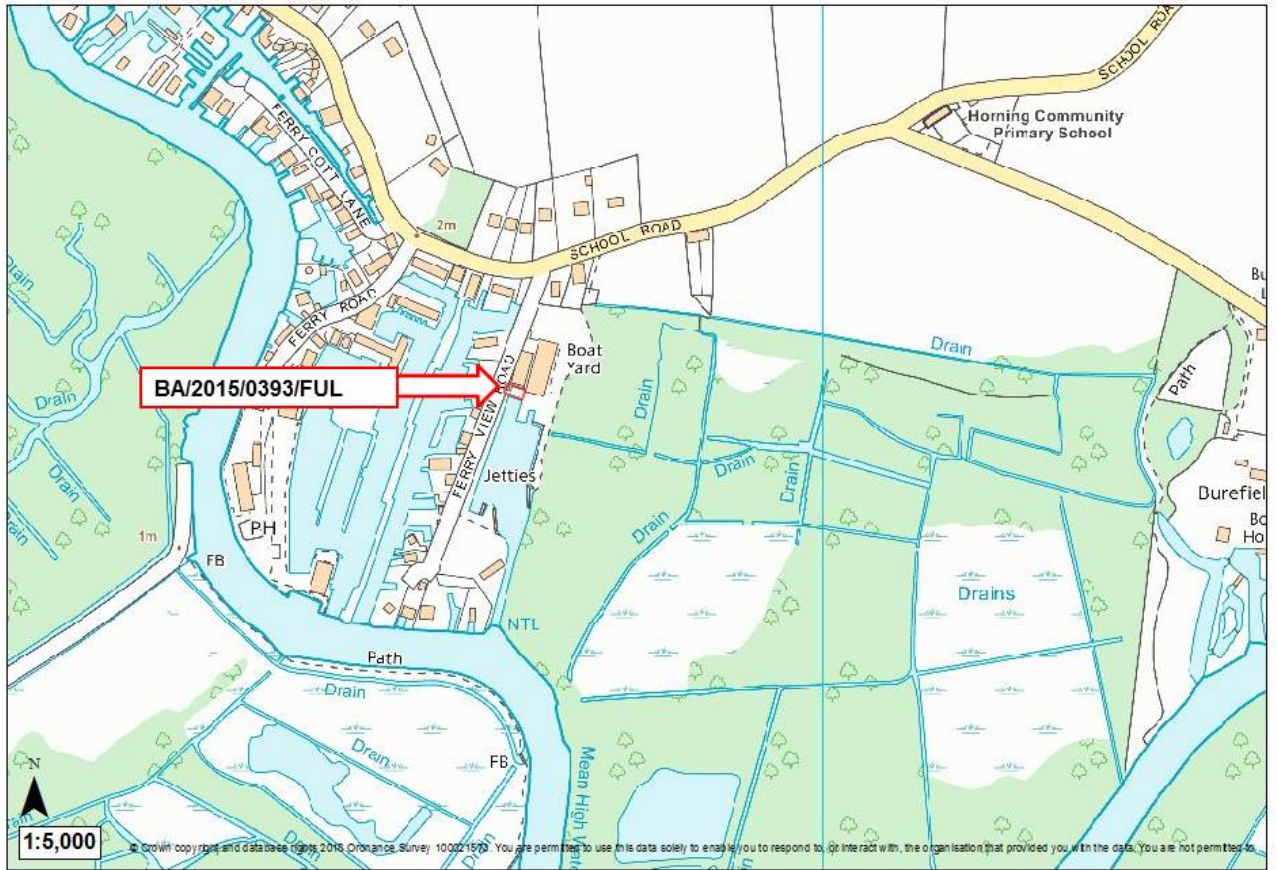
9 Note by Solicitor and Monitoring Officer

In accordance with the procedures set out in paragraph 2 of the Code of Conduct for Members on Planning Committee and Officers, I have been informed of this application. I have read the file and this draft report on 7th June 2018. I confirm that I consider that this matter has been dealt with in accordance with normal processes and procedures and the recommendation appears uncoloured by the relationship noted in this report. I have asked that this paragraph be inserted into the report

Background papers:	BA/2015/0393/FUL
Author:	Kayleigh Judson
Date of report:	7 June 2018
Appendices:	Appendix 1 – Map Appendix 2 – Joint Position Statement on Development in the Horning Water Recycling Centre Catchment

APPENDIX 1

BA/2015/0393/FUL Ferry View Boatyard



Joint Position Statement on Development in the Horning Water Recycling Centre Catchment

Prepared by Anglian Water Services and the Environment Agency.

This statement has been prepared to support Local Planning Authorities in their decision making on development in Horning, North Norfolk.

Background

Horning Knackers Wood Water Recycling Centre discharges to the River Bure. In doing so, this Water Recycling Centre (WRC) contributes nutrient loads to the downstream watercourses as well as to the Bure Broads and Marshes Site of Special Scientific Interest (SSSI), a component of the Broads Special Area of Conservation (SAC)/ Broadland Special Protection Area (SPA).

Concerns regarding development in the catchment of the WRC (see enclosed) relates to the potential impact of rising nutrient loads on the river and sensitive downstream receptors. At present, the main River Bure achieves 'high status' for water quality (very good quality), and the Bure Broads and Marshes SSSI predominantly meets the water quality thresholds. As a minimum, our objectives are to ensure that there is no deterioration in water quality in the river and that the water quality thresholds set out in the Conservation Objectives for the European protected site continue to be met. Further details on the needs of the European Site are available from Natural England.

A high quality water environment is an integral part of the natural environment, providing a good habitat for plants, animals and quality of life benefits for local people. Water resources and a high quality water environment underpin economic development, by providing water for households, industries, agriculture, recreation and tourism. The 'high status' water quality in the River Bure is atypical for East Anglian rivers, making this a particularly important catchment to safeguard. The 'high status' is due in part to the significant investment that the water company have made since the 1990s to reduce phosphorus concentrations in effluent to protect the Broads as well as ongoing work by the Environment Agency to identify and address poor water quality across the wider catchment. This investment, and the environmental and socio-economic benefits it has delivered, should not be jeopardised by development.

To ensure that there is no increased risk to water quality, there must be no increase in nutrient loading from the Horning WRC above that assessed by the Environment Agency under the 'Review of Consents' project which concluded in 2007. Any development that could increase foul water flows to the WRC could increase the loading from the Centre.

Policy Background

Policy HOR6 of the North Norfolk Site Allocations DPD (February 2011) states that development will be required to 'demonstrate that there is adequate capacity in sewage

treatment works and no adverse effect from water quality impacts on European Wildlife Sites.'

Policy HOR1 of the Broads Authority Site Specific Policies DPD adopted 2014 states that:

'To ensure the protection of designated sites, no new development requiring connection to the public foul drainage system within the Horning Catchment, should take place until it is confirmed capacity is available within the foul sewerage network and at the Water Recycling Centre to serve the proposed development.' Policies HOR2, 5 and 7 support or re-iterate this policy.

Local Authority Responsibilities

The legal framework for the protection, improvement and sustainable use of waters is provided by the Water Framework Directive (WFD) which was enacted into UK law in December 2003.

Under the UK Regulations, local authorities must have regard to the plans developed to deliver the Regulations in exercising their functions. This means that they need to reflect the priorities and objectives (as described above) in local planning policies, infrastructure delivery plans and in the determination of individual planning applications. With regards development in the Horning catchment, the main priorities and objectives are to ensure no deterioration in river water quality and to meet the Conservation Objectives for the Bure Broads and Marshes SSSI/ SAC/ SPA.

Local authorities and other public bodies are also required to provide information and "such assistance as the Environment Agency may reasonably seek in connection with its WFD functions."

Local authorities, along with other public bodies, have a general responsibility not to compromise the achievement of UK compliance with EU Directives, including the WFD. Non-compliance with EU Directives could potentially lead to the European Commission bringing legal proceedings and fines against the UK. The Localism Act 2011 includes a new power for UK Government to potentially require public authorities (including local authorities) to make payments in respect of EU financial sanctions for infraction of EU law if the authority has caused or contributed to that infraction. In theory, this power applies to infractions of WFD requirements, including deterioration of water body status, though in practice, Government and the Environment Agency would seek to work with a local authority to resolve the situation and avoid levying penalty payments.

The Localism Act also sets out the duty to cooperate, which requires local planning authorities to co-operate on cross-boundary planning issues, including, as stated in the National Planning Policy Framework, the provision of infrastructure for water supply and water quality, as well as climate change adaptation and conservation and enhancement of the natural environment.

Horning Water Recycling Centre

Both Anglian Water and the Environment Agency agree that the Horning Knackers Wood Water Recycling Centre (WRC) does not currently have capacity to accommodate further

foul flows. This means that measures need to be taken to reduce the flows the Centre receives from across the catchment. Some work has already been done, and further work is planned. These are detailed below. If the flows continue to rise there is a risk of increased nutrient loading to the river and therefore deterioration in water quality. There is also increased risk of sewer flooding.

Anglian Water Services (AWS) have undertaken investigations to identify why the WRC is receiving excessive flows. They found that due to its location and proximity to the Broads, the sewerage system in Horning has long had an issue with the ingress of water, either from groundwater infiltration, where water seeps into underground pipework, or from surface water from street drainage and similar, or from fluvial water, when the Broads over tops into the streets of Horning and subsequently floods via manholes into the sewerage system.

In an attempt to alleviate flows getting into the sewerage system, in 2014/15 Anglian Water carried out camera surveys of all of its owned sewers and any that had shown to have groundwater ingress have been replaced or relined.

Out of the entire network of 9.5km, a total of 1.5km has been repaired and six manholes have been rebuilt and/or sealed against infiltration. While this work was successful in reducing the groundwater ingress into the sewerage network, this has not totally resolved the flow issues.

The Highways Authority (Norfolk County Council) have been working with Anglian Water, and are progressing the removal of two surface water drainage gullies from the Anglian water sewerage system.

Anglian Water are progressing the building of a hydraulic model to better understand the flow and capacity within the system. This is due for completion at the end of the 2016-17 financial year.

This scheme is ongoing and will inform further remedial works upon the network. A subsequent period of 12 months of monitoring of flows to assess the efficacy of the scheme and whether there is capacity to accept additional flows will be required by the Environment Agency.

Implications for Development in Horning

Whilst flows to the Water Recycling Centre remain high, measures to reduce existing flows and prevent additional flows to the catchment need to be taken. Development that could increase the flows to the Water Recycling Centres therefore needs to be avoided. All opportunities to prevent and reduce clean surface, ground or fluvial water entering the sewage system also need to be taken.

New developments or changes to existing properties (commercial or domestic) that could increase foul water flows to the Horning WRC will not be looked upon favourably by the EA, Anglian Water or the undersigned until the excessive flows to the Centre have been addressed with confidence. It is considered that 12 months-worth of the continuously collected flow monitoring data from the WRC, will provide enough evidence to determine the effectiveness of each tranche of works upon the system, and allow review of the acceptability of development.

This means that there will be a presumption against developments that increase flows to the WRC in the short term. Similarly, there will be a presumption against developments that rely upon stand alone foul water treatment solutions as they too have the potential to adversely affect water quality.

This position statement will be reviewed after each tranche of works on the system, and again after the collection of 12 months post-works data.

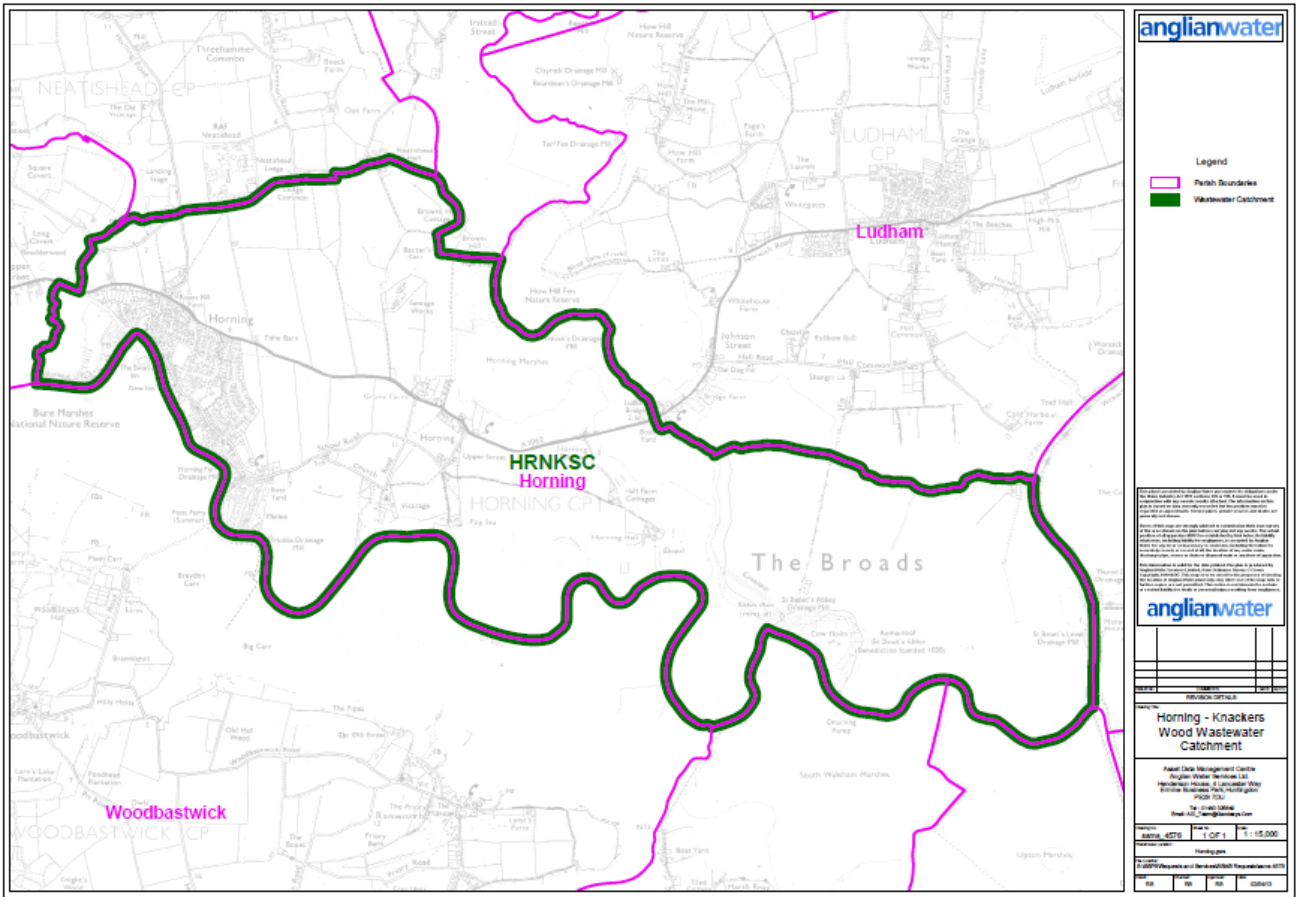
The capacity that the infiltration scheme will free up at the WRC is difficult to predict and so the quantum of development that will be able to come forward in the future is currently unknown.

We are keen to ensure the water infrastructure is adequately considered upfront without unduly blocking development, whilst continuing to safeguard Habitats Directive sites, and meet the objectives of the Water Framework Directive. Developers will need to engage with relevant parties in order to identify and progress solutions, indeed AWS and EA actively encourage pre-application discussions. We are committed to work with all parties to progress solutions to enable development in Horning.



Hannah Wilson
Planning Liaison Manager
Anglian Water

Jo Firth
Sustainable Places Team Leader
Environment Agency



Enforcement Update
Report by Head of Planning

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

Recommendation: That the report be noted.

1 Introduction

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

Committee Date	Location	Infringement	Action taken and current situation
10 October 2014	Wherry Hotel, Bridge Road, Oulton Broad –	Unauthorised installation of refrigeration unit.	<ul style="list-style-type: none"> • Authorisation granted for the serving of an Enforcement Notice seeking removal of the refrigeration unit, in consultation with the Solicitor, with a compliance period of three months; and authority be given for prosecution should the enforcement notice not be complied with • Planning Contravention Notice served • Negotiations underway • Planning Application received • Planning permission granted 12 March 2015. Operator given six months for compliance • Additional period of compliance extended to end of December 2015 • Compliance not achieved. Negotiations underway • Planning Application received 10 May 2016 and under

Committee Date	Location	Infringement	Action taken and current situation
			<p>consideration</p> <ul style="list-style-type: none"> • Scheme for whole site in preparation, with implementation planned for 2016/17. Further applications required • Application for extension submitted 10 July 2017, including comprehensive landscaping proposals (BA/2017/0237/FUL) • Further details under consideration. • Application approved and compliance to be monitored in autumn • In monitoring programme
3 March 2017	Burghwood Barns Burghwood Road, Ormesby St Michael	Unauthorised development of agricultural land as residential curtilage	<ul style="list-style-type: none"> • Authority given to serve an Enforcement Notice requiring the reinstatement to agriculture within 3 months of the land not covered by permission (for BA/2016/0444/FUL; • if a scheme is not forthcoming and compliance has not been achieved, authority given to proceed to prosecution. • Enforcement Notice served on 8 March 2017 with compliance date 19 July 2017. • Appeal against Enforcement Notice submitted 13 April 2017, start date 22 May 2017 (See Appeals Schedule) • Planning application received on 30 May 2017 for retention of works as built. • Application deferred pending appeal decision. • Application refused 13 October 2017 • Appeal dismissed 9 January 2018, with compliance period varied to allow 6 months. • Compliance with Enforcement Notice required by 9 July 2018. • Site inspected on 21 February in respect of other

Committee Date	Location	Infringement	Action taken and current situation
			<p>conditions.</p> <ul style="list-style-type: none"> • Site monitoring on-going, with next compliance deadline 31 March 2018 • Site inspected 8 May 2018. Compliance underway in accordance with agreed timescales. Next monitoring scheduled for July 2018.
<p>31 March 2017</p> <p>26 May 2017</p>	<p>Former Marina Keys, Great Yarmouth</p>	<p>Untidy land and buildings</p>	<ul style="list-style-type: none"> • Authority granted to serve Section 215 Notices • First warning letter sent 13 April 2017 with compliance date of 9 May. • Some improvements made, but further works required by 15 June 2017. Regular monitoring of the site to be continued. • Monitoring • Further vandalism and deterioration. • Site being monitored and discussions with landowner • Landowner proposals unacceptable. Further deadline given. • Case under review • Negotiations underway
<p>5 January 2018</p>	<p>Barnes Brinkcraft, Riverside Estate, Hoveton</p>	<p>Non-compliance with planning condition resulting in encroachment into navigation of moored vessels</p>	<ul style="list-style-type: none"> • Authority given to negotiate solution • Meeting held 17 January and draft scheme to limit vessel length agreed in principle. Formal confirmation awaited. • Report to Navigation Committee on 22 February 2018 • Planning application required • Planning application in preparation

Committee Date	Location	Infringement	Action taken and current situation
23 March 2018	Rear of Norfolk Broads Tourist Information and Activity Centre 10 Norwich Road Wroxham	Unauthorised development: free standing structure and associated lean-to.	<ul style="list-style-type: none"> • Authority given to serve an Enforcement Notice requiring the removal of the freestanding structure and associated lean- to with a compliance period of 6 months. • Enforcement Notice served 3 April 2018, with compliance date of 3 October 2018.
27 April 2018	Land north of Bridge Cottage, Ludham	Unauthorised retention of hardstanding and structures, plus erection of workshop	<ul style="list-style-type: none"> • Authority given to serve an Enforcement Notice requiring removal of the all unauthorised uses on site, the unauthorised hardstanding and removal of all the unauthorised structures including the fence surrounding the site, the shed, portacabin and shipping container and restoration of the land in accordance with condition 7 of planning permission BA/2009/0202/FUL with a compliance period of 3 months. • Enforcement Notice served 3 May 2018, with compliance date of 14 September 2018

2 Financial Implications

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

Background papers: BA Enforcement files
 Author: Cally Smith
 Date of report: 7 June 2018
 Appendices: Nil

**Duty to Cooperate:
Broads Local Plan – Habitats Regulation Assessment – amended version
Report by Planning Policy Officer**

Summary:	The report introduces an addendum to the Habitats Regulation Assessment (HRA) for the Local Plan for the Broads after a recent Court of Justice of the European Union judgement relating to Habitat Regulation Assessments.
Recommendation:	That Planning Committee recommend to Full Authority that they endorse the addendum to be part of the HRA for the Local Plan for the Broads.

1 Introduction

- 1.1 During the early stages of the Local Plan examination in public, the Inspector asked the Broads Authority about the impact of a recent Court of Justice of the European Union judgement relating to Habitat Regulation Assessments on the Local Plan for the Broads. This report explains the judgement, introduces the proposed way to address the judgement and recommends that the Planning Committee commend the proposed addendum to Full Authority for approval.

2 Habitat Regulation Assessments

- 2.1 Directive 92/43/EEC (the Habitats Directive) on the ‘Conservation of Natural Habitats and of Wild Fauna and Flora’, and the UK regulations that give effect to this Directive, require an ‘Appropriate Assessment’ (AA) or Habitats Regulations Assessment (HRA) to be undertaken of the potential impacts of land-use plans (including the Broads Local Plan) on European designated habitat sites to ascertain whether they would adversely affect the integrity of such sites.
- 2.2 As part of the production of the Broads Local Plan, an HRA was prepared by Footprint Ecology. This HRA screened the plan to check for ‘likely significant effects’ (i.e. risks to European sites) as a result of the plan and the implementation of its policies. A number of recommendations were made to modify and strengthen the plan wording, both within policy and also as part of the supporting text. Risks were identified in terms of the progression of new housing and the promotion of tourism, boating and water’s edge development and navigation. Disturbance to wildlife and deterioration of habitat, particularly through nutrient enrichment arising or increasing as a result of the policies in the plan, should be avoided in order to protect against likely significant effects, and the HRA made suggestions relating to additional protective wording in policy and the requirement for adequate recreational

provision to be provided as part of the main housing allocations to deliver the proposed houses over the plan period.

- 2.3 Full Authority endorsed the HRA on 29 September 2017. The Local Plan was submitted for examination in March 2018.

3 The recent Judgement – the People Over the Wind ruling

- 3.1 On 13 April 2018 the Court of Justice of the European Union published its ruling in the Case [C323/17](#) with regards to the Habitats Directive.
- 3.2 People Over Wind is an environmental group that raised concerns over the legality of a development proposal to lay an electric cable to connect a wind farm to the grid in Ireland, given its potential effects on two SACs. The issues in the People Over Wind Ruling relate to the potential implications of the cable laying for the two SACs, and in particular the River Barrow and River Nore SAC, which hosts an Irish subspecies of the Freshwater Pearl Mussel; the ‘Nore’ Pearl Mussel *Margaritifera durrovensis*.
- 3.3 The proposed mitigation for the scheme was to be agreed with the Local Planning Authority post-consent and detailed in a ‘Construction Management Plan’. The Judgement ruled that the mitigation measures needed to be considered as part of the initial Appropriate Assessment and not after permission had been granted.
- 3.4 The Judgment provides important clarity on the correct stage of HRA for a decision-making body to establish whether mitigation measures are fit for purpose and to remove uncertainty in terms of the consequences of the project for European sites. This needs to take place at the Appropriate Assessment stage. The **People Over Wind** case has also ruled that mitigation cannot be taken into account when considering the screening test for Likely Significant Effects.
- 3.5 The ruling was made on 12 April 2018.

4 The Inspector’s request

- 4.1 The Planning inspector who has been appointed to conduct the examination into the Broads Local Plan has made the following request (on 14 May 2018).

‘On 12 April 2018 the Court of Justice of the European Union issued the above judgement, which ruled that Article 6(3) of the Habitats Directive should be interpreted as meaning that mitigation measures should be assessed within the framework of an Appropriate Assessment, and that it is not permissible to take account of measures intended to avoid or reduce the harmful effects of the plan or project on a European site at the screening stage.

In light of this judgement, can I ask the Authority to re-visit the screening assessment on the Broads Local Plan, and confirm the extent to which you

consider the Habitats Regulations Assessment on the Plan is legally compliant'.

5 Footprint Ecology's proposal

- 5.1 The HRA for the Local Plan for the Broads was completed by Footprint Ecology; Natural England described the work as exemplary.
- 5.2 In response to the request from the Inspector, the Authority asked Footprint Ecology to assess the situation and provide feedback on this issue.
- 5.3 Footprint Ecology has liaised with Natural England and produced the amended HRA. This has been sent to the Inspector in draft form as it awaits Full Authority's endorsement. The changes are shown in red.

6 The Broads Authority as the Competent Authority

- 6.1 The Habitats Directive requires competent authorities to decide whether or not a plan or project can proceed having undertaken the following "appropriate assessment requirements" to:
- Determine whether a plan or project may have a significant effect on a European site;
 - If required, undertake an appropriate assessment of the plan or project;
 - Decide whether there may be an adverse effect on the integrity of the European site in light of the appropriate assessment.
- 6.2 The Broads Authority is the competent authority and therefore needs to endorse the Addendum.

7 Recommendation

- 7.1 It is recommended that Planning Committee agree the approach to meeting the requirements of the Judgement and recommend to Full Authority that they endorse the addendum as part of the HRA for the Local Plan for the Broads.

Background papers: None

Author: Natalie Beal

Date of report: 11 June 2018

Appendices: [Appendix A comprising Proposed HRA Addendum \(in Appendix 2\)](#)

**Duty to Cooperate:
Norfolk Strategic Planning Framework (NSPF) update**
Report by Planning Policy Officer

Summary:	The Norfolk Strategic Planning Framework has now been endorsed by all Local Planning Authorities in Norfolk. The document needs to be kept up to date and a review has started with the aim of updating the NSPF and turning it into a Statement of Common Ground as this is required in the emerging NPPF.
Recommendation:	To note the report and endorse the work that is planned to review the NSPF and turn it into a Statement of Common Ground.

1. Norfolk Strategic Planning Framework

- 1.1. The Norfolk Strategic Planning Framework (NSPF) is a document that has been produced by all the Local Planning Authorities (LPAs) in Norfolk, together with the involvement of relevant bodies such as the Environment Agency. The NSPF sets out guidelines for strategic planning matters across the County, and beyond, and demonstrates how the LPAs will work together under the Duty to Co-operate through a series of agreements on planning related topics. The Framework has been put together by officers from the Norfolk LPAs, under the oversight of a member level group comprising representatives from all the authorities.
- 1.2. Although the Framework is not a statutory planning document, as it has not been through the full process required to achieve such status, it sets out the strategic matters to be taken account of in the production of Local Plans by the constituent Norfolk LPAs. It was subject to a public consultation between 1st August and 22nd September 2017.
- 1.3. The Framework sets out a proposed Spatial Vision and shared objectives for the Norfolk LPAs, having regard to the main spatial planning issues of population growth, housing, economy, infrastructure and environment. There are a number of “agreements” which explain how the LPAs will seek to deal with the matters through their spatial planning role. The Framework is a guide for future planning work and has been endorsed by all Local Planning Authorities in Norfolk. It was endorsed by the Broads Authority at its meeting in March 2018. The NSPF is being used in examinations of Local Plans.

2. Further work

- 2.1 The future work programme is focused on the update of the NSPF and

developing this into a Statement of Common Ground.

2.2 In addition to the work programme, the strategic function will continue to:

- Support and report to the Norfolk Strategic Planning Member Forum and NSPG
- Support Neighbour engagement /cross boundary meetings
- Improve Utilities and Health engagement and meetings
- Support engagement in countrywide Strategic Planning Review of the NSPF

2.3 The revised NPPF introduces the requirement for authorities to produce Statements of Common Ground (SCG) over an area which is deemed the most appropriate functional area. It is proposed that the NSPF is developed into an SCG covering the whole of Norfolk.

2.4 The currently endorsed NSPF needs to be reviewed in light of the new NPPF and to complete commitments set out in the document. These include:

- Review of agreements in the NSPF to ensure they fit the government guidelines on the SCG requirements;
- Review the impacts of the new housing methodology on the housing section and the ability of each authority to meet its own housing needs;
- Review of the section on delivery issues and proposed actions to take forward jointly;
- Production of shared guidance on the location of base and booster stations for the 5G network;
- Production of Transport agreement to be included in revised NSPF;
- Production of a Green Infrastructure (GI) Strategy for Norfolk and review of GI section within the NSPF; and
- Review Tier one Employment sites and update to the employment section in light of the new East of England Forecast Model run.

2.5 A general review to update information and improve areas where time was limited will also be completed. This will include the following:

- Update to the utilities section following further improved engagement with UK Power Networks and Anglian Water;
- Update to the Health protocol and Health section following further improved engagement with the Norfolk Clinical Commissioning Groups and the Sustainability and Transformation Partnership (STP); and
- Updates to the information regarding Elderly housing needs following the Norfolk County Council's development of a 'Supported Housing Delivery Programme' which will include a supported and agreed planning and housing need evidence base.

3. Delivery

3.1 There are a number of groups working across Norfolk and Suffolk looking at

various aspect of housing delivery, these include:

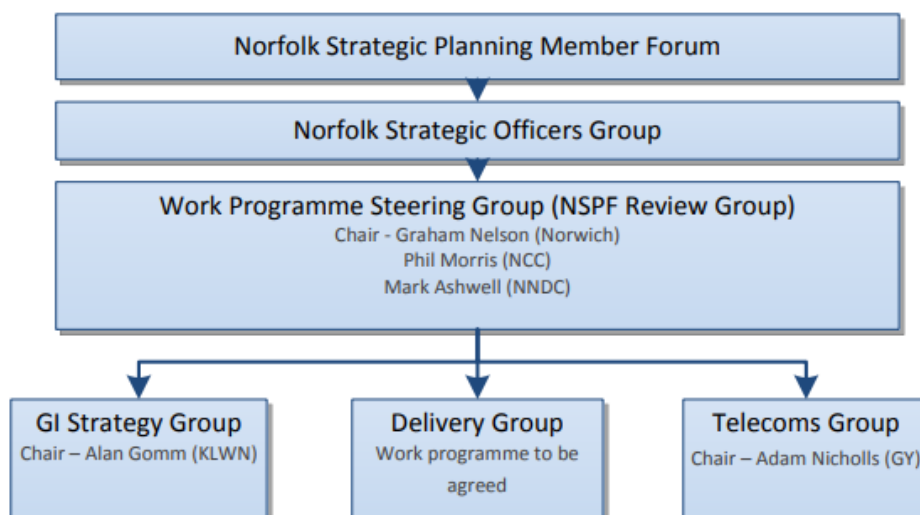
- Norfolk Operational Growth Group;
- Various Building Growth sub groups who are looking at housing delivery/innovation, planning innovation and the land market; and
- Norfolk Strategic Growth Group

3.2 It is proposed that before further delivery work is taken forward by the NSPF group it will be necessary to identify other work being completed and ensure a more joined up approach is taken to establish which tasks fit best within which groups. A more detailed report over how delivery matters can be cooperatively progressed is expected to be reported at the July Member Forum.

4. Governance

4.1 The governance structure to oversee the 2018 work programme will remain broadly the same as the structure used for the production of the NSPF. The structure is set out in the diagram below. The changes to the NSPF will be created by the existing Steering Group which will report up to the NSPF and the Member Forum. The steering group will use Task and Finish Group to oversee specific specialist work covering the Green Infrastructure Strategy and Telecoms Shared Guidance.

4.2 Once it is clear what delivery work can be taken forward by the group it is likely a delivery group will be set up to oversee this work but this arrangement will be confirmed at the next member forum.



5. Financial implications

5.1. Compliance with the Duty to Cooperate is important and actions consistent with the agreements within this document will be undertaken as appropriate

in the Local Plan. The Authority has contributed £5,000. Other Norfolk Local Planning Authorities have contributed £10,000.

6. Recommendation

- 6.1 That Members note the report and endorse the work that is planned to review the NSPF and turn it into a Statement of Common Ground, plus additional work.

Background papers: None

Author: Natalie Beal

Date of report: 7 June 2018

**Barnby Neighbourhood Plan
Designating Barnby as a Neighbourhood Area**
Report by Planning Policy Officer

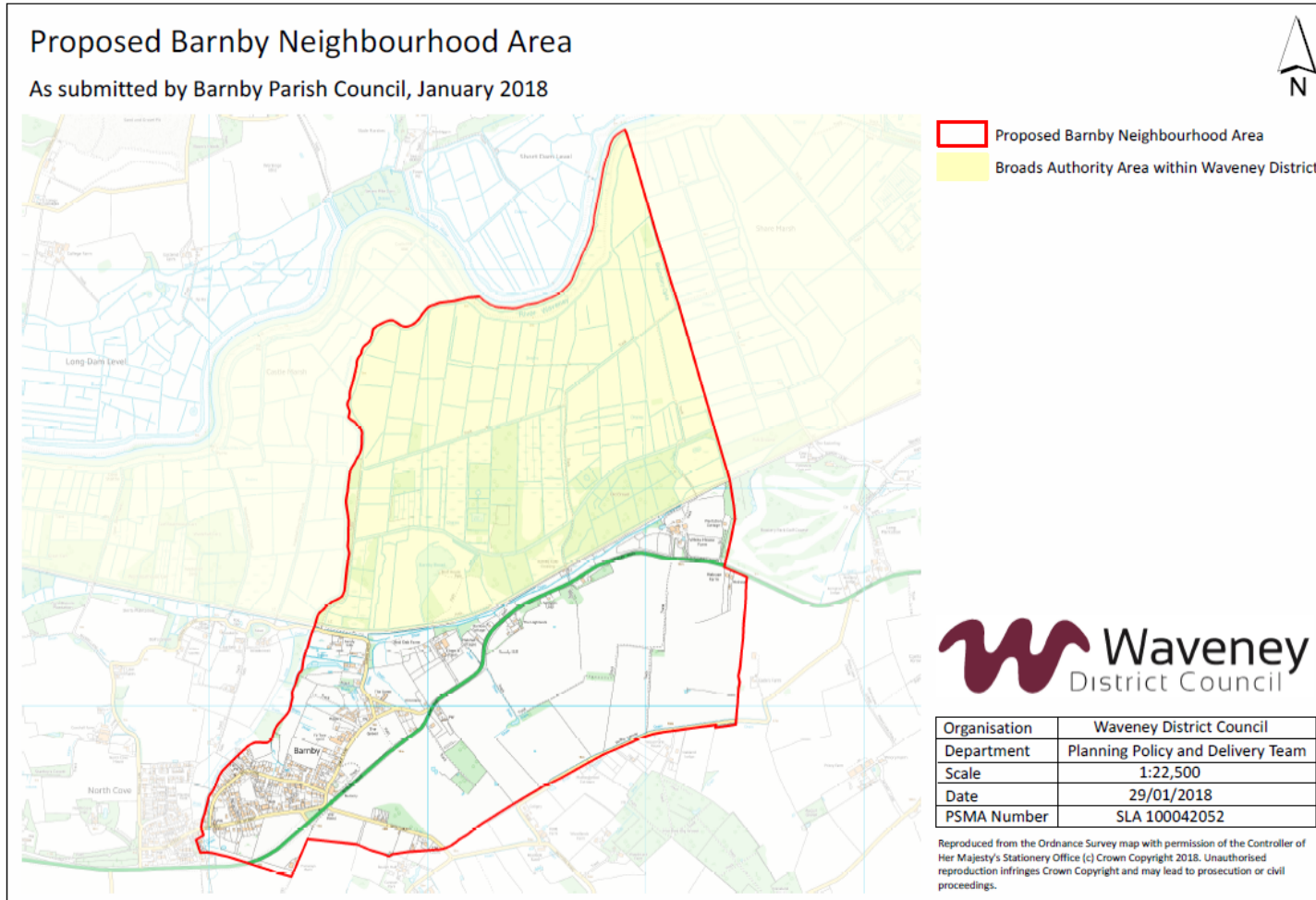
Summary:	The report briefly introduces the Barnby Neighbourhood Plan.
Recommendation:	That the Planning Committee agrees to Barnby becoming a Neighbourhood Area in order to produce a Neighbourhood Plan.

1. Neighbourhood Planning

- 1.1. Neighbourhood planning was introduced through the Localism Act 2011. Neighbourhood Planning legislation came into effect in April 2012 and gives communities the power to agree a Neighbourhood Development Plan, make a Neighbourhood Development Order and make a Community Right to Build Order.
- 1.2. A Neighbourhood Development Plan can establish general planning policies for the development and use of land in a neighbourhood, for example:
 - Where new homes and offices should be built
 - What they should look like
- 1.3. Under the Neighbourhood Planning (General) Regulations 2012, parish or town councils within the Broads Authority's Executive area undertaking Neighbourhood Plans are required to apply to the Broads Authority and the relevant District Council to designate the Neighbourhood Area that their proposed plan will cover.
- 1.4. Once these nominations are received there was a requirement to consult on the proposal for 6 weeks. However an update to the National Planning Policy Guidance has removed the need to consult for 6 weeks. As such, it is for the Local Planning Authority to agree an area become a Neighbourhood Area in order to produce a Neighbourhood Plan.

2. Barnby

- 2.1. Barnby Parish Council in Waveney District has submitted the application for their entire Parish. Source: Waveney District Council.



3. About Barnby Neighbourhood Area application.

- The nomination was initially received on 18 January 2018 but the Parish Council and Neighbourhood Plan group asked Waveney District Council and the Broads Authority to delay proceedings whilst they considered whether they wanted the Authority's Executive Area included or not. The proposed area is the entire parish including the Broads.
- There are no known or obvious reasons to not agree the Neighbourhood Area.

4. Links of relevance:

- 4.1. The Broads Authority Neighbourhood Planning webpage:
<http://www.broads-authority.gov.uk/planning/future-planning-and-policies/neighbourhood-planning.html>
- 4.2. Waveney District Council's Neighbourhood Planning webpage:
<http://www.eastsuffolk.gov.uk/planning/neighbourhood-planning/>
- 4.3. Some guidance/information on Neighbourhood Planning:
<http://www.rtpi.org.uk/planning-aid/neighbourhood-planning/>

5. Financial Implications

- 5.1. Occasional Officer time in supporting the process (as required by regulations).
- 5.2. There will be no cost to the Broads Authority for the referendum at the end of the process as Waveney District Council have agreed to take on this task and cost.

6. Conclusion and recommendation

- 6.1. It is recommended that the Planning Committee agrees to Barnby becoming a Neighbourhood Area in order to produce a Neighbourhood Plan.

Background papers:	None
Author:	Natalie Beal
Date of report:	6 June 2018
Appendices:	None

**Applications for a neighbourhood area and neighbourhood forum for the
Cathedral, Magdalen and St Augustine's area in Norwich**

Report by Planning Policy Officer

Summary:	To set out the legal background to the designation of neighbourhood areas and neighbourhood forums, set out the issues regarding the proposed designations in Norwich, and to seek a resolution from Planning Committee on the applications for designation of the proposed neighbourhood area and forum.
Recommendation:	a) To resolve to refuse the application for designation of the Cathedral, Magdalen and St Augustine's neighbourhood area for the reasons set out at paragraph 7.1 of Appendix A; and, b) To resolve to refuse the application for designation of the Cathedral, Magdalen and St Augustine's neighbourhood forum as an appropriate body for neighbourhood planning for the reasons set out in paragraph 9.1 of Appendix A.

1. Introduction

- 1.1. Norwich City Council and the Broads Authority have received an application relating to the preliminary legal processes for the preparation of a Neighbourhood Plan in part of Norwich City. Because Norwich City is not parished (ie there are no parishes within it), in order to produce a Neighbourhood Plan, a Neighbourhood Forum needs to be created and the requirements for this are set out in regulations (detailed later in the report). The City Council and Broads Authority were therefore consulted on the area application and the Forum application. The details of the consultation are included in the main report at Appendix A.
- 1.2. Working with Norwich City Council, the report at Appendix A has been produced jointly. It will be considered by Norwich City Council's Cabinet on 13 June. The report explains in detail the various legal requirements, the consultation and responses and the assessment of the Forum and Area.
- 1.3. The main report in Appendix A ends with four recommendations, but only two are relevant to the Broads and these are set out in the summary box above.
- 1.4. It is important to note that the third recommendation is for a different area to be designated for the purpose of making a Neighbourhood Plan and does not include any of the Broads. If this recommendation is agreed by Norwich City Council then the Broads Authority's decision making powers will no longer be required for the Neighbourhood Plan as the proposed new area does not include the Broads. That being said, as it will come up to our area, the Authority will of course be interested and be expected to be involved in some

capacity in the production of the Neighbourhood Plan, depending on the content of the proposals.

- 1.5. The main report provides full details, however, it is useful to explain at this point that the area of the Broads within the proposed Cathedral, Magdalene Street and St Augustine Neighbourhood area is very small. Whilst forming part of the Broads, there are no strategic or detailed policies for the area. So when compared to the City Council's area, the strategic impact for the Broads of the proposed Neighbourhood Plan is much less than the potential strategic impact on the City of Norwich. However, the recommendation to the Broads Authority's Planning Committee is the same as that to Norwich City's Cabinet in that the proposed area is not supported and neither is the proposed forum for the reasons set out in detail in the main report. The Authority agrees with the City Council regarding the makeup of the Forum not being representative of the business and residential community in the area. With regards to the area, the Authority agrees that the character is disparate across the area and with some areas not being included, there is potential for the policy approach of the City Council and Joint Core Strategy to not be as effective. Again this is included in more detail in the main report.

2. Neighbourhood Planning – background

- 2.1. Neighbourhood planning was introduced through the Localism Act 2011. Neighbourhood Planning legislation came into effect in April 2012 and gives communities the power to agree a Neighbourhood Development Plan, make a Neighbourhood Development Order and make a Community Right to Build Order.
- 2.2. A Neighbourhood Development Plan can establish general planning policies for the development and use of land in a neighbourhood, for example:
 - where new homes and offices should be built
 - what they should look like
- 2.3. Under the Neighbourhood Planning (General) Regulations 2012, parish or town councils within the Broads Authority's Executive area undertaking Neighbourhood Plans are required to apply to the Broads Authority and the relevant District Council to designate the Neighbourhood Area that their proposed plan will cover. Please note that the group proposing the Neighbourhood Plan in this instance have formed a Neighbourhood Forum, in line with the regulations, as Norwich City is not parished.
- 2.4. Once these nominations are received there was a requirement to consult on the proposal for 6 weeks. However an update to the National Planning Policy Guidance has removed the need to consult for 6 weeks. As such, it is for the Local Planning Authority to agree an area become a Neighbourhood Area in order to produce a Neighbourhood Plan.

3. **Cathedral, Magdalen & St. Augustine's Neighbourhood Area**

The Area is comprised of the developed residential and business part of Norwich City Centre and is set out below:

Boundary 2
Cathedral Magdalen and St Augustine's Plan Area



4. Financial Implications

- 4.1. Occasional Officer time in supporting the process (as required by regulations).
- 4.2. There will be no cost to the Broads Authority for the referendum at the end of the process as Norwich City Council have agreed to take on this task and cost.

5. Conclusion and recommendation

- 5.1. It is recommended that the Planning Committee agrees:
 - (a) To resolve to refuse the application for designation of the Cathedral, Magdalen and St Augustine's neighbourhood area for the reasons set out at paragraph 7.1 of Appendix A; and,
 - (b) To resolve to refuse the application for designation of the Cathedral, Magdalen and St Augustine's neighbourhood forum as an appropriate body for neighbourhood planning for the reasons set out in paragraph 7.1 of Appendix A.

Background papers:	None
Author:	Natalie Beal
Date of report:	6 June 2018
Appendices:	Appendix A – Main report on Applications for a neighbourhood area and neighbourhood forum for the Cathedral, Magdalen and St Augustine's area

Main report on Applications for a neighbourhood area and neighbourhood forum for the Cathedral, Magdalen and St Augustine's area.

1. Introduction

- 1.1. Two applications have been submitted by the Cathedral, Magdalen and St Augustine's Neighbourhood Forum to Norwich City Council and the Broads Authority, as the first stage in the neighbourhood plan process for the proposed area. These are:
 - An application for designation of a Neighbourhood Area (under Part 2 Regulation 5 of the Neighbourhood Planning (General) Regulations 2012) – see plan attached at Appendix 1; and
 - An application for the Neighbourhood Forum to become the Designated Body to produce a Neighbourhood Plan (under Part 3 Regulation 8 of the Neighbourhood Planning (General) Regulations 2012).
- 1.2. The proposed neighbourhood area falls within the city council and Broads Authority boundaries, and includes significant parts of Mancroft and Thorpe Hamlet wards, as well as a stretch of the River Wensum. It includes almost half of the city centre by area and has an approximate population of 4000.
- 1.3. The purpose of neighbourhood planning is to provide local people with a set of tools to enable them to set out a vision for an area and to shape development in a positive manner. Neighbourhood plans must be aligned with the strategic needs and priorities of the wider local area.
- 1.4. A neighbourhood plan, once 'made' or adopted, forms part of the development plan prepared by the local planning authority (LPA). The development plan for Norwich includes the Joint Core Strategy for Broadland, Norwich and South Norfolk (adopted 2011, with amendments adopted 2014), and the Norwich Development Management and Site Allocations plans (both adopted 2014). Decisions on planning applications will be made using both the development plan and the neighbourhood plan (unless material considerations indicate otherwise). To help deliver the vision for their neighbourhood, where an adopted (or 'made') local plan is in place the neighbourhood forum will benefit from 25% of the revenues from the Community Infrastructure Levy arising from development that takes place in their area.
- 1.5. Norwich currently has no neighbourhood plans and this is the first time that the city council has received applications for designation of a neighbourhood area and forum. There are many neighbourhood plans in surrounding local authority areas, including Broadland, South Norfolk and the Broads Authority areas. Typically the production of a neighbourhood plan in parished areas is undertaken by the relevant parish council, and they tend to cover the entire parish area, as is the case for the existing and emerging neighbourhood plans in the adjacent districts. Deciding on appropriate boundaries for neighbourhood areas within non-parished areas, such as Norwich city, is more problematic and involves an element of judgement as to which area is most appropriate for planning purposes. Planning Practice Guidance sets out

considerations to assist with the definition of boundaries. This is referred to later in the report when considering the application for the neighbourhood area boundary.

2. Legal requirements

- 2.1. Local planning authorities have a statutory duty to advise and assist prospective neighbourhood forums in preparation of a neighbourhood plan. The Town and Country Planning Act 1990, as amended by the Localism Act 2011, sets out the requirements and considerations for LPAs in relation to applications for designation of a neighbourhood forum and designation of a neighbourhood area.

Designation of a neighbourhood area

- 2.2. The neighbourhood planning regulations set out the conditions for a valid application to include a map of the area, a statement explaining why the area is considered appropriate for designation as a neighbourhood area; and a statement that the body is a relevant body for the purposes of the Act.
- 2.3. A local planning authority can refuse to designate the area applied for if it considers the area is not appropriate. Where it does so, the local planning authority must give reasons. Case law suggests such reasons must be robust and justified. The authority must use its powers of designation to ensure that some or all of the area applied for forms part of one or more designated neighbourhood areas. This means that it must designate at least part of the area refused as one or more neighbourhood areas.
- 2.4. National Planning Practice Guidance states that when a neighbourhood area is designated a local planning authority should avoid pre-judging what a qualifying body may subsequently decide to put in its draft neighbourhood plan.

Designation of a neighbourhood forum

- 2.5. The basic conditions an application (set out in 61F(5) of the Act and in the neighbourhood planning regulations) must meet are:
- that it is established for the express purpose of promoting or improving the social economic and environmental wellbeing of an area including or consisting of the neighbourhood area;
 - its membership is open to individuals who live in the area, work there, and local elected members for the area;
 - membership includes a minimum of 21 individuals meeting the above criteria; and
 - it has a written constitution.
- 2.6. In determining whether to designate the forum as an appropriate body to undertake neighbourhood planning, the LPA must have regard to the desirability of designating a body which

- Has taken reasonable steps to ensure that its membership includes at least one individual within each of the membership groups listed in paragraph 2.5 above;
 - Where membership is drawn from different places in the neighbourhood and from different sections of the community; and
 - Its purpose reflects in general terms the character of the area.
- 2.7. Both applications which are the subject of this report are considered valid in terms of the documentation provided, which includes a plan, a written constitution, and a list of 32 names of persons supporting the application, although see later discussion regarding the make-up of the forum.

3. Public consultation

- 3.1. Facilitation of the neighbourhood planning process includes publicising the applications, and making a decision within a specified period (which is 20 weeks given that 2 local planning authorities are involved), resulting in approval or refusal.
- 3.2. Given that the proposed area boundary includes part of the River Wensum, the Broads Authority is also involved in the consultation and decision-making process, with the city council as the lead authority. The design of the consultation was therefore agreed by both authorities.
- 3.3. A 6 week period of public consultation commenced on 8 February and ended on 21 March 2018. Under the regulations the minimum publicity requirement is for the city council and the BA to publicise the applications on their websites and seek comments within a 6 week period. In addition to this, the city council and BA sent emails to approximately 300 consultees to draw attention to the consultation.
- 3.4. In deciding who to consult on the proposals, the starting point was relevant consultees in both authorities' local plan consultation databases. However, given that the proposed neighbourhood area represents about half the city centre by area and contains a number of key regeneration sites (including Anglia Square), and major cultural attractions including Norwich Cathedral and other historic buildings, it is considered to have an influence that extends far beyond its boundaries, with potential implications for the northern suburbs and the city centre as a whole. For this reason, a number of organisations, stakeholders and individuals were identified for consultation both within the proposed area boundary and in the wider area of influence.
- 3.5. These included: major landowners in or adjacent to the neighbourhood area, selected agents acting on behalf of landowners in or adjacent to the area, businesses including major retail interests and related representative organisations including Norwich BID and Chamber of Commerce, institutions including Norwich University of the Arts and relevant schools, community groups in the area and the wider area of influence, representative organisations and charities with an interest in the area, and civic societies (eg Norwich Society).

4. Consultation responses

- 4.1. 22 responses were received in total, 20 within the consultation period, and 2 several days later. All comments are available in full on the council's [website](#). In addition Appendix 2 contains a summary of all representations received.
- 4.2. The responses can be broken down as follows:
- Neighbourhood area boundary: 5 respondents supported the proposed boundary, 6 opposed it or suggested a revision, and 11 were neutral in response (eg no comment).
 - Neighbourhood forum: 6 respondents were in support, 5 opposed and 11 neutral.
 - 19 of the 22 responses were received by Norwich City Council in response to its consultation emails, and 3 by the Broads Authority.
 - 4 individuals responded including one city councillor (Lesley Grahame, in her capacity as city councillor at the time of the consultation) and 2 members of the proposed neighbourhood forum. 18 organisations responded including organisations representing the business community such as Norwich BID and Late Night Norwich, individual businesses such as Norcom, statutory consultees such as Natural England and Historic England, representatives of key local landowners and developers (Iceni Developments on behalf of the Anglia Square landowners/ developers, and CODE Development Planners representing Jarrold & Sons), and community organisations (St Augustine's Community Together Residents Association and Surrey Chapel). This is not an exhaustive list.
- 4.3. The level of response to the consultation is relatively low considering that over 300 individuals and organisations were consulted, and the fact that the proposals relate to a large part of the city centre. However as noted above a good spread of responses was received from organisations representing the business community, landowners and developers, community groups and other stakeholders in the area.
- 4.4. Representations of support are generally very brief with limited justification of the reasons for support (Ian Gilles, Norwich Over the Water Group, and St Augustine's Community Together Residents' Association in relation to both applications, and Savills on behalf of Hill Residential Ltd in relation to the forum application only). One respondent states that they 'have no objection' to the applications rather than stating support (Sustrans). The more substantive comments are summarised below:
- The area is very diverse but cohesive, with a vibrant and unique character. Much work has been done to engage people and considerable interest generated (Cllr Grahame).
 - The creation of the Forum is invaluable to this part of the city which is subject to developments that do not necessarily reflect community needs. The area covers a number of urban villages and one of Norwich's secondary large districts. The connections between St Augustine's, Magdalen Street and Tombland provide a solid foundation for the Forum to develop considerations for the area (Amelia Sissons).

- 4.5. 'No comments' responses were received from 6 organisations - the Cruising Association, BPA Pipelines, the Water Management Alliance, Highways England, Natural England, and Surrey Chapel. A late representation from National Grid was neutral and stated that it wishes to be involved in the preparation of any plans for the area that might affect its assets.
- 4.6. The consultation attracted a number of representations making comments critical of the proposed designations, and several which suggest changes to the proposed area boundaries. Comments are summarised below separately in relation to the proposed area and forum designations:

Proposed neighbourhood area designation

- Jarrold & Sons objects to the proposed boundary. It lacks coherence and appears to disregard the relationships between particular local areas and the catchments they serve, ignoring both physical and cultural characteristics. Of specific concern is inclusion of land within Jarrold ownership at Barrack Street / Whitefriars which the company has been working to bring forward for development. The site is a strategic opportunity to deliver a range of benefits and should remain within the wider planning policy structure of the city where it can be dealt with property and comprehensively, rather than treated in an ad hoc fashion with insufficient integration with the vision and strategic objectives of the city. Given the complex nature of the site with well-established development proposals, Jarrold requests that it is excluded from the neighbourhood area boundary (see plan at Appendix 3).
- Hill Residential Ltd is a development partner of Jarrold & Sons for a parcel of land at Whitefriars / Barrack Street which it is proposing to develop for housing with some retail floorspace. The representation proposes that the wider Barrack Street site is excluded from the neighbourhood area boundary (on the same boundary as proposed by Jarrold) so this is treated as an objection.
- Norwich BID represents the business community within the inner ring road. Its membership includes a wide range of Norwich businesses and institutions. The BID objects to the geography and size of the proposed neighbourhood area. The BID suggests that the area is already covered by the existing Business Improvement District and the designation of a neighbourhood area will impact on business engagement. They state that the area does not follow logical boundaries, economic areas, or physical infrastructure areas, and that it does not make sense to include Prince of Wales Road and the Cathedral Close alongside the northern city centre – there is not a consistency of building style or period, or in terms of proposed development areas. The BID recommends revisiting the area boundary to include only the area across the water [ie the northern city centre] and not Prince of Wales Road, Tombland and Cathedral Close.
- The BID's comments are echoed by Late Night Norwich, a trade led organisation representing the majority of operators in the city council's designated Late Night Activity Zone as defined on the local plan policies map (including Prince of Wales Road and part of Riverside). LNN does not support the proposed neighbourhood area, and in particular is concerned that the proposed neighbourhood area does not include the

whole late night activity zone and thus could result in hindrance and confusion between venues located either side of the proposed boundary.

- A local business, Norcom, considers the area boundary to be very arbitrary. For example the neighbourhood forum states that the area is based on the old historic boundary so the respondent queries why King Street is not included on that basis. The inclusion of Anglia Square is queried as it is very different in feel to areas like the Cathedral Close.
- Icenl acts on behalf of Weston Homes PLC and Columbia Threadneedle who have submitted a planning application for the comprehensive redevelopment of Anglia Square for residential and retail/commercial floorspace, covering 4.1 ha of land within the proposed neighbourhood area. Icenl considers that the proposed boundary includes a wide range of diverse parts of the city centre, and suggests that it would not be possible to prepare a neighbourhood plan that would be relevant to each part of the area and capable of addressing needs. It concludes that the proposed boundary is not a sufficiently coherent and logical area to be covered by the neighbourhood plan having regard to the criteria set out in planning practice guidance. Icenl considers the Norwich City Council Policy Guidance Note for Anglia Square to be appropriate and up-to-date guidance to shape the development of this area. Timing of the neighbourhood planning process is also a concern; the preparation and adoption of any future neighbourhood plan including the Anglia Square site should be timed to capitalise on the proposals for the site rather than pre-empting the final scheme.
- Historic England suggests a modification to the neighbourhood area boundary, to realign it to follow Bull Close Road, to ensure that it includes a section of the city wall's historical alignment (including a surviving section of the wall and one of its towers).

Proposed neighbourhood forum

- Jarrold & Sons objects to the proposed forum. It is concerned at the lack of accountability in the decision-making process of an unelected forum, although it would anticipate fully engaging with the forum and area if they are designated as proposed.
- Norwich BID does not support the proposed forum: business involvement is limited to a few small businesses and it is not representative of the wider business community. The BID is concerned at the business and commercial implications of not having any formal business vote in the process of the referendum on the eventual neighbourhood plan. The process is therefore not representative. This is of concern as the neighbourhood plan could have widespread implications for growth, economics and site availability that could impact on profitability or viability of businesses in the area.
- Late Night Norwich repeats the BIDs concerns about the proposed forum's representativeness, and adds that if the late night business community overall has no say in the process then the process cannot be representative, and that its outcomes may affect profitability or viability of businesses in the area. It does not support the proposed forum.
- Norcom queries the representativeness of the Forum body and its mandate. Norwich is not parished so there is no democratic

representation of neighbourhoods unlike in parished rural areas. Norcom is within the BID area and queries the need for another organisation for this area. The proposed forum has not approached Norcom and the membership list suggests that just a few select people have been approached – it is questionable whether the group will represent the view of the whole community.

- Icení notes that it has not been invited to play a more active part in the development of the neighbourhood plan given the inclusion of Anglia Square in the proposed area. It highlights the importance of undertaking appropriate consultation and engagement to ensure that the entire community is involved in the plan-making process including key stakeholders like the landowner / developer of Anglia Square.

5. Process for determining the applications

- 5.1. The 20 week timescale for determination of the applications is taken from the start of the consultation and will end on 27th June.
- 5.2. The approach that has been agreed with the Broads Authority is to prepare a joint report that goes to the city council's Cabinet on 13 June and to the Broads Authority's Planning Committee meeting on 22 June (which has delegated authority for decision-making on neighbourhood planning matters) so that the decision of both authorities is made prior to the 20 week deadline of 27 June.
- 5.3. In the case of the application for the designation of the area boundary each authority will make a decision on the basis of the area as a whole rather than on their individual parts of it.
- 5.4. The applications for neighbourhood area and forum have relatively greater significance for the city council than for the Broads Authority given the size of the proposed boundary and its strategic importance. The portion of the River Wensum included is a small part of the proposed area and includes no land and therefore no strategic sites. Therefore although river related issues have to be considered in the assessment, reflecting the Broads Authority's status (equivalent to that of a national park), the applications do not have strategic implications for the Broads Authority as they do for the city council.

6. Consideration of the neighbourhood area application

- 6.1. The proposed neighbourhood area boundary is set out at Appendix 1.
- 6.2. National Planning Practice Guidance states that the LPA should take into account the relevant body's (i.e. the neighbourhood forum's) statement explaining why the area applied for is considered appropriate to be designated as such. It states that a local planning authority can refuse to designate the area applied for if it considers the area is not appropriate. Where it does so, the local planning authority must give reasons (under the Town and Country Planning Act (1990) section 61G(5)), and must designate an alternative neighbourhood area as referred to in paragraph 8 above.

- 6.3. The supporting information supplied with the applications includes a statement setting out the key aim for neighbourhood planning in this area, which is *'to stitch back together those areas that have been divided by infrastructure and through industrial change. It will further aim to bring a new cohesion to the area to attain its full potential as a series of interlinked urban village neighbourhoods; as the focus of the creative and cultural industries, educational experience, professional life and as an important visitor destination'*.
- 6.4. In considering the application for designation of a neighbourhood area, this report looks at both strategic and local impacts, some of which are cross-boundary in nature. The assessment takes into consideration comments made through the public consultation process.

Potential strategic impacts of the neighbourhood area designation

- 6.5. The proposed neighbourhood area boundary is located within Norwich City Centre and represents about half of the city centre by area, which means that its designation may have strategic impacts.
- 6.6. As stated above, neighbourhood plans are required to be aligned with the strategic needs and priorities of the wider local area. The strategic importance of the city centre in planning terms is set out in the adopted Joint Core Strategy for Broadland, Norwich and South Norfolk (adopted 2011, with amendments adopted 2014) and this is reflected in Norwich's Development Management Policies Plan and Site Allocations Plan (both adopted 2014). The Broads Authority boundary extends into the city centre, up to New Mills, and is tightly defined at this point to include only the river. The JCS does not apply to the Broads Authority however there may be strategic implications for the river running through Norwich arising from the JCS given that the river is directly adjacent to the city council area on both sides.
- 6.7. The JCS acknowledges and promotes the strategic role of the city centre in its objectives and policies. For example objective 3 acknowledges the city centre's role as a powerful economic influence over the growth of the wider Greater Norwich area, and objective 4 promotes development and growth in specific locations in Norwich to bring benefits to local people, especially those in deprived communities. Objective 8 stresses Norwich's role as the cultural capital of East Anglia and objective 9 highlights the need to protect enhance and manage Norwich's remarkable historic centre. The JCS objectives are replicated in Norwich's local planning documents – the Development Management Policies and Site Allocations Plans (both adopted 2014).
- 6.8. Policy JCS 11 seeks to enhance the city centre's regional role by taking an integrated approach to economic, social, physical and cultural regeneration to enable greater use of the city centre, including redevelopment of brownfield sites. The policy proposes the comprehensive regeneration of the northern city centre in order to achieve its physical and social regeneration, facilitate public transport corridor enhancements, and utilise significant development opportunities. The key diagram identifies Anglia Square as an 'area of change', with a split focus of change on residential, commercial and retail

development. Policy JCS 19 sets out the hierarchy of centres in Greater Norwich and identifies Anglia Square as a large district centre which serves a catchment to the north of the city centre.

- 6.9. The JCS and in particular policy JCS 11 treats the city centre as an entity which requires an integrated approach to ensure its economic, social, physical and cultural regeneration. The designation of a neighbourhood area covering around half of the city centre could therefore have strategic impacts. A key concern is that the development of a neighbourhood plan for this area could lead to a disjointed approach to delivery of strategic planning and transportation policy, as set out in the JCS.
- 6.10. For example public realm and transportation improvements are planned and delivered through the JCS and the Norwich Area Transportation Strategy (NATS). JCS policy 11 proposes improvements to the public realm, walking and cycling provision, and sustainable transportation access to and within the city centre in accordance with NATS. The development of a neighbourhood plan for the proposed area, representing such a large part of the city centre, could impact on the integrated approach to planning and delivering such improvements. Current arrangements already involve detailed public consultations including with key representative bodies such as Norwich BID, the Norwich Society, residents' associations, and ward councillors representing Mancroft and Thorpe Hamlet ward. A further layer of consultation with a neighbourhood forum for half of the city centre, and a boundary that is different to the BID, could hamper the existing process and affect both planning and delivery of such improvements.
- 6.11. Another concern about the proposed neighbourhood area boundary relates to its strategic sphere of influence which extends far outside its boundary. For example the Anglia Square shopping centre serves residents in the northern suburbs, well outside the neighbourhood area boundary, while the Cathedral Precinct is of regional and national significance. Inclusion of key regeneration sites within the proposed boundary, including Anglia Square, adds to the area's strategic significance.
- 6.12. Anglia Square is the most significant development opportunity in the northern part of the city centre and one of Norwich's most important priorities for regeneration. National and local planning policy supports redevelopment of Anglia Square as a suitable location for a significant amount of residential development in a comprehensive mixed use, high density scheme in recognition of its highly sustainable location.
- 6.13. Concerns about the inclusion of the Anglia Square redevelopment site in the neighbourhood area were raised by Icen in its consultation response on behalf of the Anglia Square owners and developer, in particular the timing of the neighbourhood plan in relation to the planning application.
- 6.14. The timing of a neighbourhood plan prepared for the area proposed is very unlikely to significantly affect consideration of the pending planning application for Anglia Square. It is very unlikely that the neighbourhood plan will have progressed sufficiently to have any significant weight in determination of the

application, due to the time it takes to prepare a neighbourhood plan and the anticipated timescale for determination of the current planning application (assuming the determination is by the city council rather than being called in by the Secretary of State). However, it is reasonable to note that the outcome of the pending application could have a significant impact on any neighbourhood plan covering the proposed area. Should the application be approved and implemented shortly thereafter there would appear to be little purpose in producing planning policies seeking to cover the Anglia Square area itself, and any subsequent neighbourhood plan would be best to focus on guiding the development of other sites in the area in the light of the changing environment in this part of the city. Should the application be refused, or not get implemented, there may then be merit in seeking to bring forward new planning policies for Anglia Square. Whilst Icení's concerns about the timing of the neighbourhood plan process are noted, these are not considered appropriate to influence the outcome of either the neighbourhood area and forum applications.

- 6.15. Another potential strategic impact (with cross-boundary implications) arising from the proposed area boundary relates to the River Wensum Strategy, due for adoption by Norwich City Council at this meeting. The River Wensum Strategy Partnership is led and project managed by Norwich City Council working alongside the Broads Authority, Norfolk County Council, the Environment Agency, and Wensum River Parkway Partnership. The strategy has been subject to two rounds of public and stakeholder consultation and its delivery will commence upon adoption by all partners in summer 2018.
- 6.16. The strategy seeks to enhance management of the river corridor, improve opportunities for access, leisure, heritage and the environment. The river corridor covered by the strategy stretches from Hellesdon to Whitlingham Country Park with only a relatively short stretch of the Wensum included in the proposed neighbourhood area boundary as shown in Appendix 1 (from Foundry Bridge to New Mills). There may be some impacts arising on the implementation and coordination of the strategy through expenditure of neighbourhood CIL influenced by a designated neighbourhood forum with a focus on a small section of the river rather than the whole of the River Wensum Corridor from Hellesdon to Whitlingham Country Park.

Appropriateness of the proposed area boundary

- 6.17. Planning Advisory Service (PAS) guidance states that the starting point for a neighbourhood area boundary is that it should make sense to the community and be logical in spatial terms. National planning practice guidance (NPPG) sets out a number of potential considerations when deciding the boundaries of a neighbourhood area, which include:
- the catchment area for walking to local services such as shops, primary schools, doctors' surgery, parks or other facilities;
 - the area where formal or informal networks of community based groups operate;
 - the physical appearance or characteristics of the neighbourhood, for example buildings may be of a consistent scale or style;

- whether infrastructure or physical features define a natural boundary, for example a major road or railway line or waterway;
- the natural setting or features in an area; and
- the size of the population (living and working) in the area.

6.18. The proposed boundary includes several very disparate areas in terms of function and character, environment, socio-economic background and regeneration potential.

- The northern city centre area, focused on Magdalen Street and St Augustine's Street, is a historic part of the city centre and includes the city's primary regeneration opportunity of Anglia Square (currently at planning application stage). This northern city centre area was the subject of an area action plan (the Northern City Centre Area Action Plan, 2010), developed as a response to the area's regeneration potential and which expired in 2016. At present this area has an unattractive mixture of styles and functions of buildings with many derelict sites and buildings. The area is however highly accessible with most of the routes to the north of the city going through the area. The Anglia Square and Magdalen Street area is designated as a District Centre in the adopted Norwich local plan and is a shopping / leisure focus for residents in the north of the city as well as complementing the primary retail area in the city centre.
- The Cathedral precinct is also within the proposed boundary and is of major cultural and religious significance, regionally and even nationally. It retains the appearance of an enclosed cathedral quarter, with open spaces, houses, the Norwich School playing fields, riverside walk, and other features, including a number of local businesses. The scale of building typifies the area's character, dominated by the structure of the Cathedral whilst most of the rest of the precinct is domestic in scale. The planning policy applying to this area is primarily to protect its archaeological features and retain its character.
- The proposed boundary excludes Norwich city centre's primary retail area but includes the area around St Andrew's Street / Duke Street including the Duke Street car park serving the city's retail centre. In addition to the Cathedral Precinct it also includes some important historic areas such as St Andrew's and Blackfriars Halls and the Elm Hill area which are key visitor attractions, a range of businesses on St Andrew's Street, and the campus of Norwich University of the Arts. It also includes the Jarrolds and Duke's Wharf regeneration sites.

6.19. The proposed boundary is considered to be inappropriate and does not address the considerations in planning practice guidance. For example the physical appearance, character and function of the area varies markedly between the different parts of the area as discussed above, and natural boundaries do not help to define the boundary for the most part.

6.20. The diverse nature of the proposed area in terms of character is demonstrated by the fact that it contains 7 different conservation character areas as defined in the Norwich City Centre Conservation Area Appraisal (2007). These are Northern City, Anglia Square, Northern Riverside, Colegate, Cathedral Close, Elm Hill and Maddermarket, and Prince of Wales character areas. These

areas vary in terms of their significance, ranging from low significance (Anglia Square), to significant (Northern City, Northern Riverside and Prince of Wales), high (Colegate) and very high (Cathedral Close, and Elm Hill and Maddermarket)

- 6.21. The southern boundary in particular is not clearly justified. It runs down Prince of Wales Road which is the main thoroughfare leading from the train station to the city centre, a focus for commercial and leisure activity. There is no clear justification given for why the north side of Prince of Wales Road is included and not the south side, or on the other hand why the boundary excludes land further to the south, such as Mountergate and King Street which has significant regeneration potential.
- 6.22. The area boundary also does not appear to address local catchments for walking to local services. For example those who live in the Cathedral / Prince of Wales Road area have many local convenience shopping options open to them and are more likely to shop at Riverside or the city centre than in Magdalen Street and Anglia Square.
- 6.23. The area contains a disparate range of local communities / neighbourhoods, many of which have very little relationship with each other. Analysis of Indices of Multiple Deprivation (IMD) data and CACI paycheck data set out in appendix 3 highlights the level of disparity within the proposed neighbourhood area in terms of socio-economic characteristics. The IMD data measures relative deprivation of residents based on a number of indicators including their education, employment, housing and income profile, and shows that deprivation varies significantly between parts of the area, most markedly between Cathedral Close and the northern city centre. Parts of the northern city centre area are within the most 10% of deprived areas in the UK on a wide variety of indicators. Although the IMD shows a significant part of the proposed neighbourhood area (including the Cathedral precinct) as being within the 30% of most deprived areas overall, this classification is based on specific measures, particularly crime, and is considered likely to be a result of being in the area of the city with a vibrant nightlife. The CACI Paycheck income data further highlights this disparity with the most deprived areas having low income and the least deprived areas within the boundary classed as having high income.
- 6.24. The types of business throughout the area help to underscore this disparity, with a vibrant mix of independent shops, ethnic foodstores, cafes, restaurants and budget shopping in the Magdalen Street area, compared with a more traditional range of small shops and offices along Tombland for example.
- 6.25. Icen, on behalf of Anglia Square landowners and developer, considers that it would not be possible to prepare a neighbourhood plan capable of meeting the needs of this area given its diverse nature. To some extent it is to be expected that there will be a range of people, communities and business within a neighbourhood area however the level of disparity in the Cathedral, Magdalen and St Augustine's area suggests that it might be very challenging to develop a plan to satisfy the needs of all residents and businesses in the area.

- 6.26. The delineation of the proposed area boundary impacts on the delivery of Norwich local plan policy. As noted in the consultation response from Late Night Norwich, the proposed boundary bisects the Late Night Activity Zone on Prince of Wales Road which is designated under policy DM23 in the Development Management Policies Plan. A Cumulative Impact Policy was adopted by the city council in 2015 which seeks to control anti-social impacts of new/amended licenses to sell alcohol or late night refreshments in this area. The purpose of the Late Night Activity Zone is to enable effective management of late night and other uses in the zone as a whole.
- 6.27. Designation of the neighbourhood area boundary as proposed could therefore potentially hamper delivery of policy DM23 and the CIP, and cause confusion for businesses/venues located either side of the proposed boundary.
- 6.28. Several suggestions have been made to amend the proposed boundary. Two consultees proposed removing the Barrack Street site, while Historic England proposes a modified northern boundary on Bull Close Road. Norwich BID go further and recommends including only the area 'across the water' in the boundary (ie only the northern city centre area) as a more coherent area for planning purposes.
- 6.29. The proposal to include only the northern city centre (NCC) area within the neighbourhood area is a compelling one and its merits are discussed in more detail below in relation to an alternative neighbourhood area designation. The NCC area excludes both the Barrack Street site and the land between Bull Close Road and Silver Road. The council would have no objection in principle to removal of the Barrack Street site from the neighbourhood area proposed at appendix 1, given its relatively peripheral nature to that boundary, and accepts there is merit in modifying the northern boundary to include currently excluded land on Bull Close Road. However both suggestions are superseded by the alternative designation proposed below.

7. Recommendation on the application for designation of a neighbourhood area

- 7.1. The recommendation to Cabinet is that the application for a neighbourhood area for area shown in appendix 1 be refused for the following reasons:
- The area proposed is of a size and strategic influence that makes it inappropriate for neighbourhood planning. It covers approximately 50% of Norwich City Centre which is a key economic driver for the City and sub-region. Development of a neighbourhood plan for this area could lead to a disjointed approach to delivery of city centre planning policy that could frustrate the objectives of the JCS and Norwich's local plan;
 - It is a very disparate area encompassing a number of different neighbourhoods within the city centre with very different physical, economic and social characteristics and relatively weak connections between them. The differences are particularly stark between the area north and south of the River Wensum which are also physically separated

- by the river. It is considered unlikely that a neighbourhood plan would be relevant to each part of the area and capable of addressing needs;
 - Having a separate neighbourhood plan covering the stretch of the River Wensum from Foundry Bridge until a point north of St Crispin's Road may undermine implementation of the River Wensum Strategy;
 - At a local level some of the boundaries proposed are considered to be illogical, in particular having a southern boundary running down the middle of Prince of Wales Road may create difficulties in implementing consistent policies toward late night economic activities consistently.
- 7.2. As stated earlier in this report, where a local authority refuses to designate a neighbourhood area, in addition to giving its reasons it must use its powers of designation to ensure that some or all of the area applied for forms part of one of more designated neighbourhood areas. This means that it must designate at least part of the area refused, potentially including land outside that area, as one or more neighbourhood areas. Legal advice on the timing of such a designation concludes that it should be undertaken simultaneously with the refusal of the neighbourhood area.
- 7.3. The council has considered the proposed boundary and responses to the public consultation and considers that there are several options open to it in relation to an alternative neighbourhood area designation. These include:
- Designation of the northern city centre area, and /or;
 - Designation of the Cathedral Quarter and Tombland; or
 - Designation of the city centre as a whole.
- 7.4. In addition, when modifying or designating a neighbourhood area the LPA must consider whether it should designate it as a business area under the Town and Country Planning Act 1990 s61H(1), (2). This power can only be exercised if the LPA considers the area to be "wholly or predominantly business in nature". This is a discretionary power and there is no duty to designate.
- 7.5. Looking at the options in turn:
- The designation of the northern city centre area as a neighbourhood area has a number of merits. This area is already established as a regeneration area in the Joint Core Strategy. Policy JCS11 proposes its comprehensive regeneration in order to achieve its physical and social regeneration and to utilise its significant development opportunities. The JCS also identifies Anglia Square as the focus of new residential, commercial and retail development. In addition the area was the subject of the Northern city centre area action plan (2010, now expired) and as such is an established planning unit. A neighbourhood plan for this area could positively build on its significant regeneration potential. This area does not include the River Wensum, so the Broads Authority would not be directly involved in the decision-making process, however it would want to be involved in any emerging neighbourhood plan given the proximity to its executive area.

- A neighbourhood area could be proposed for designation based on the Cathedral Quarter and Tombland to reflect that area's major cultural and religious significance. However planning policy applying to this area is primarily focused on protecting its archaeological and historic features and retaining its character. There are very limited opportunities for development within this area, so it is not clear what the focus of a neighbourhood plan for this area would be and how it would differ from the approach already taken by the current development plan.
- A neighbourhood area could potentially be proposed for the city centre as a whole. However given the issues raised in this report it is considered that this area is too large and diverse to be appropriate as a neighbourhood area, and its designation could frustrate the objectives of the JCS and Norwich's local plan.

7.6. On the basis of this assessment it is proposed that the northern city centre area (as defined in the northern city centre action plan and set out at Appendix 4) is designated as a neighbourhood area. Although this area contains many businesses and the Large District Centre based on Anglia Square, Magdalen Street and St Augustine's Street, it also includes a significant residential population (approximately 2,600) which is likely to grow substantially if Anglia Square is redeveloped as proposed. The area is not considered to be "wholly or predominantly business in nature" and is therefore considered inappropriate for designation as a business area.

7.7. The reasons for designation of the northern city centre as a neighbourhood area are:

- The area is already established as an appropriate area for planning purposes;
- The area is well-defined with the River Wensum as its southern boundary and follows the line of the historic city walls as the northern boundary for the most part.
- A neighbourhood plan for this area can positively build on its significant regeneration potential.

8. Consideration of the neighbourhood forum application

8.1. There is nothing in law to prevent an application for a neighbourhood forum from being considered even though a relevant neighbourhood area application is refused. The forum application has to be considered on its own merits and provided it meets the necessary conditions.

8.2. The key considerations in reaching a decision on the designation of the proposed neighbourhood forum are set out above in paragraphs 10-12.

8.3. The membership of the proposed forum body at the time of the application and its constitution are available on the council's [website](#).

8.4. The constitution sets out the purpose of the Cathedral Magdalen and St Augustine's neighbourhood forum to be "to produce a Neighbourhood Plan to protect and enhance the inherent qualities of the Area and to further the

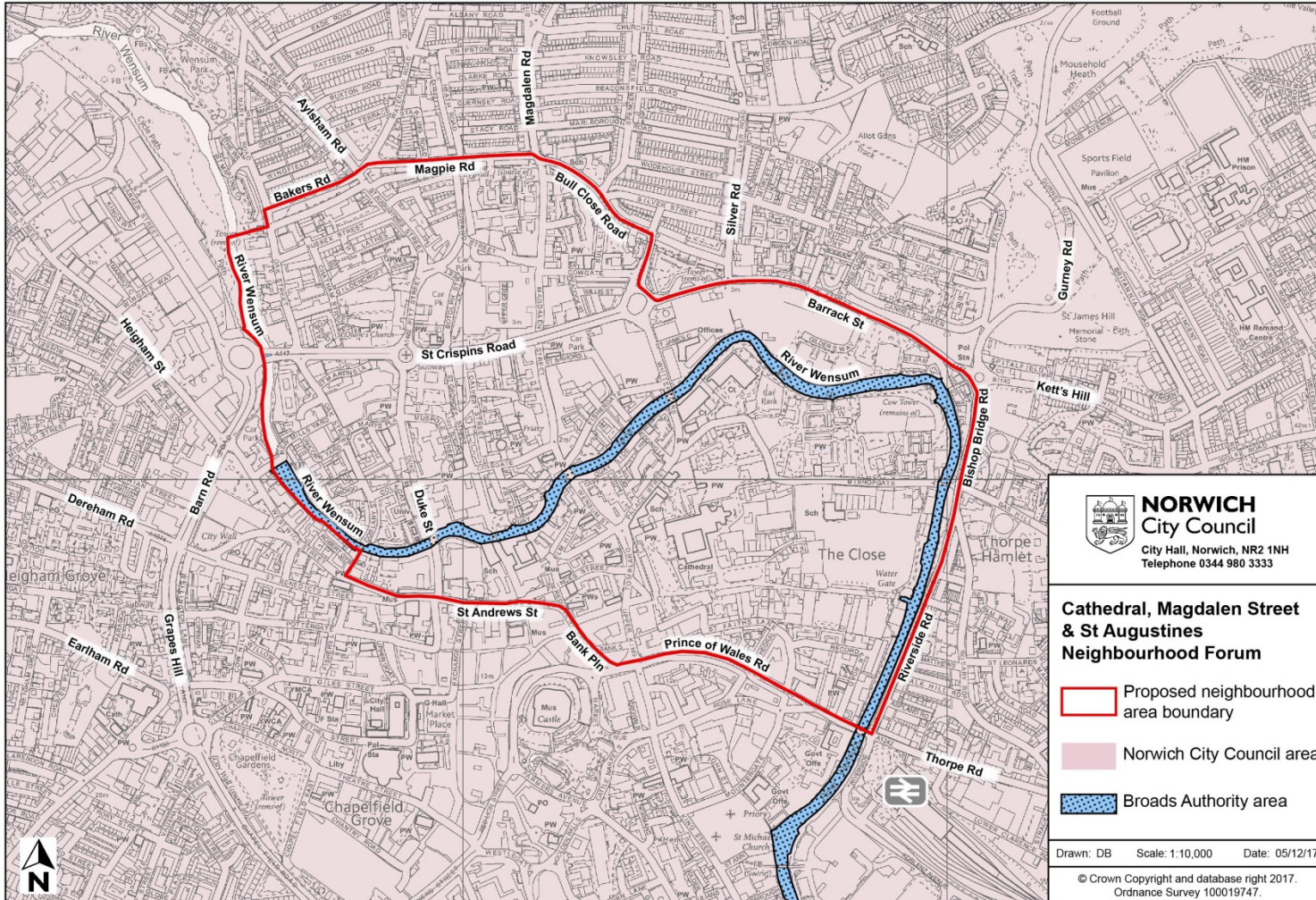
cultural, creative, social, economic and environmental well-being of the Area as shown on the attached plan... (or as amended by agreement with the local authority) and such other purposes as the Executive Committee may from time to time decide.”

- 8.5. The constitution demonstrates that the neighbourhood forum is established for the expressed purpose of promoting or improving the social, economic and environmental well-being of the area. It also states the terms of membership of the forum which is open to residents living in the area, individuals who work there, and local members. The constitution therefore satisfies the key requirements of the Neighbourhood Planning regulations set out in S.61F(5).
- 8.6. The Neighbourhood Planning regulations state amongst other things that a local planning authority must have regard to the desirability of designating an organisation or body whose membership is drawn from different places in the neighbourhood area and from different sections of the community in that area (S7(a)(ii)).
- 8.7. The list of membership supplied by the forum at the time of the application shows that the proposed forum is not representative of the proposed area, as can be seen from appendix 5. The majority of residents live in the Cathedral Close with very few in the Magdalen Street area whereas a greater proportion of business members are located in the Magdalen / St Augustine’s street area. It has limited representation from key institutions / organisations active in the area.
- 8.8. This is echoed by comments received through the consultation process which include concern that the forum is not representative of the wider business community, that local businesses who would have expected to be invited to be involved in the process were not, and concerns at the fact that the forum would be an unelected body. The BID states that the unrepresentative nature of the forum is of concern as the neighbourhood plan could have widespread implications for growth, economics and site availability that could impact on profitability or viability of businesses in the area.
- 8.9. Since the original application was made for designation of the neighbourhood forum, the forum membership has been growing. The forum states that it currently has 87 members although a number live outside the area shown in Appendix 1. Analysis of information supplied to the council shows that current membership is 68 in total within the area. There is some overlap between categories of membership, however overall the membership comprises 38 residents, 21 businesses, 9 organisations, and no current local authority members. Unfortunately the Forum is unable to make this information available publicly at present which means that this application for designation needs to be made on the basis of the information that is currently in the public domain.

9. Recommendation on the application for designation of a neighbourhood area

- 9.1. Consideration of the designation of the neighbourhood forum for the originally proposed neighbourhood area is largely academic now that this area is recommended to be refused and subsequently modified. However, on the basis of the above information and assessment, the application for designation of the Cathedral, Magdalen and St Augustine's neighbourhood forum as an appropriate body for neighbourhood planning is recommended for refusal. The reason for refusal is:
- That the membership of the proposed body at the time of submission is not representative of the proposed neighbourhood area.
- 9.2. Given the proposed designation of the northern city centre neighbourhood area, the CMSA Forum may wish to consider adapting its membership and constitution based on the modified area, and to come back with an application for designation as a neighbourhood forum on this basis. The council is keen to work with community groups to assist with this process. It should also be noted that there is considerable scope for further neighbourhood areas to be identified, in addition to the northern city centre, within the area proposed in Appendix 1 and outside it, and the city council remains open to discussing such proposals.

Appendix 1: proposed Cathedral, Magdalen and St Augustine's neighbourhood area boundary



Appendix 2: summary of consultation responses

Name	Organisation	Proposed Neighbourhood Forum	Proposed Neighbourhood Plan Area	Other Comments
Nicki Farenden	BPA Pipelines	Neutral Not in Zone of Interest	Neutral Not in Zone of Interest	
Hugh McGlyn	Cathedral, Magdalen & St Augustine's Neighbourhood Forum	Support Forum has robust & well drafted constitution	Support	
Ian Gilles	Cathedral, Magdalen & St Augustine's Neighbourhood Forum	Support	Support	
Helen Adcock	Code (For Jarrolds)	Object Requests member status of the forum if their site is retained within the boundary	Object Requests revision of boundary to exclude site at Barrack street/Whitefriars	
Former Councillor Lesley Grahame	Norwich City Council - Thorpe Hamlet Ward	Support	Support The area is a diverse but cohesive community.	
David Broad	Cruising Association	Neutral	Neutral	
Davina Galloway	Highways England	Neutral	Neutral	
Edwards James	Historic England	Neutral	Object Alignment with city wall 'abandoned' between Bull Close Road & Silver Road.	

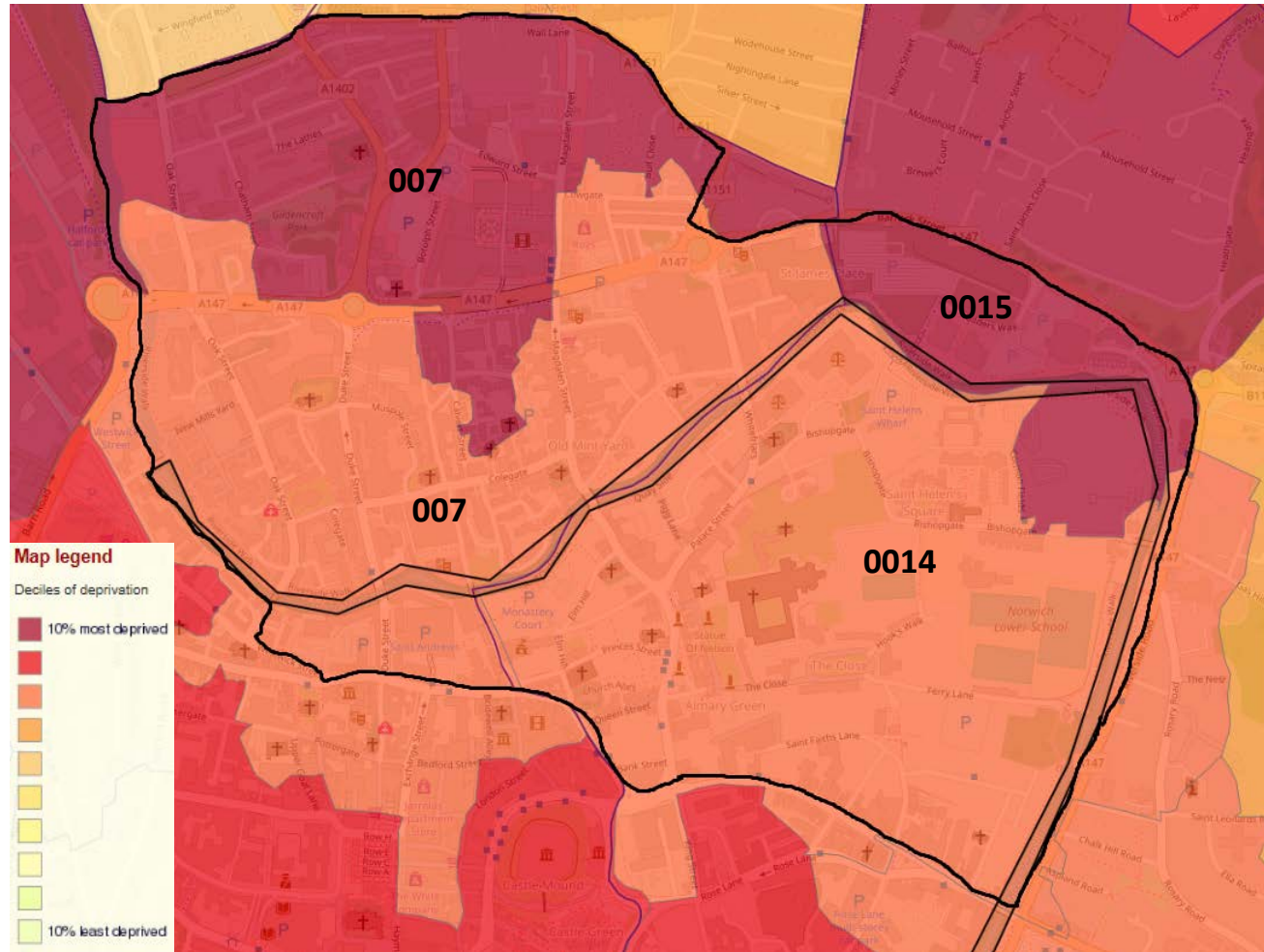
Name	Organisation	Proposed Neighbourhood Forum	Proposed Neighbourhood Plan Area	Other Comments
Ian Anderson (Chief executive)	Iceni (on behalf of Weston Homes & Columbia Threadneedle)	Object Encourage wider representation of demographics within the forum.	Object Diverse area, not sufficiently coherent & logical boundary. Timing in relation to Anglia square redevelopment is inappropriate.	
Andy Gotts	Late Night Norwich	Object Area conflicts with BID boundary, conflicts with Late Night Activity Zone designation/does not include the wider Late Night Economy operation, not a consistent character/need across area.	Object Group is limited in its representation of parties & concern is raised about its implications.	
Joanne Widgery	Natural England	Neutral	Neutral	General advice provided on information sources useful in developing a neighbourhood plan
Phil Harris	Norcom (Managing Director)	Object Insufficient community representation, narrow representative group; not a democratic forum - questions mandate & need.	Object proposed boundary arbitrary without logic - should have had greater consultation before formal proposal, different characteristics in proposed area,	
Stefan Gurney	Norwich BID	Object Not representative of the business interests in the area, yet could have significant impact.	Object Proposed area has overlap/conflict with BID boundary. Not a logical boundary.	

Name	Organisation	Proposed Neighbourhood Forum	Proposed Neighbourhood Plan Area	Other Comments
Paul Scruton	Norwich Over the Water Group	Support	Support	
Stuart McLaren	St Augustine's Community Together Residents' Association	Support	Support	
Lydia Voyias	Savills on behalf of Hill Residentil Ltd.	Support	Object Regarding the site south of Barrack Street: Given the complex nature of the site & well established redevelopment proposals it is requested that it is omitted from the boundary.	
Philip Broadbent-Yale	Sustrans	Neutral	Neutral	
Cathryn Brady	Water Management Alliance	Neutral	Neutral	
Amelia Sissons		Support Individual respondent feels the forum will enable community members to be considered more in future planning of the area.	Support The historic and modern connection between these areas forms a solid foundation for the proposed area.	
Late Representations				
Charlotte Jarvis	Historic Environment	Neutral	Neutral	General/Factual advice given for next stages

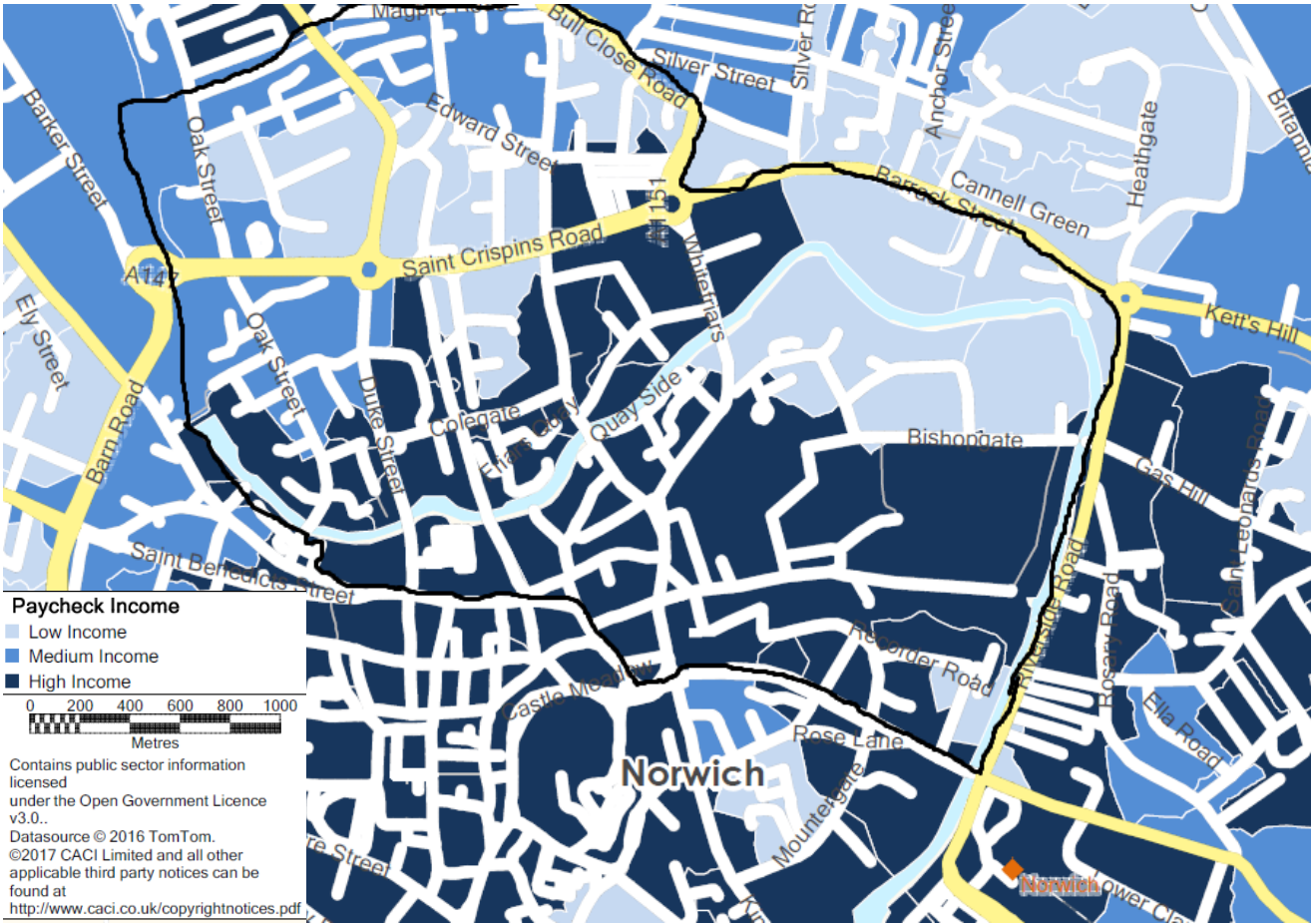
Name	Organisation	Proposed Neighbourhood Forum	Proposed Neighbourhood Plan Area	Other Comments
Hannah Bevins	Amec Foster Wheeler on behalf of National Grid	Neutral	Neutral	National Grid wishes to be involved in the preparation, alteration and review of plans and strategies which may affect its assets. National Grid has identified that it has no record of specific apparatus within the Neighbourhood Plan area.

Appendix 3: socio-economic data

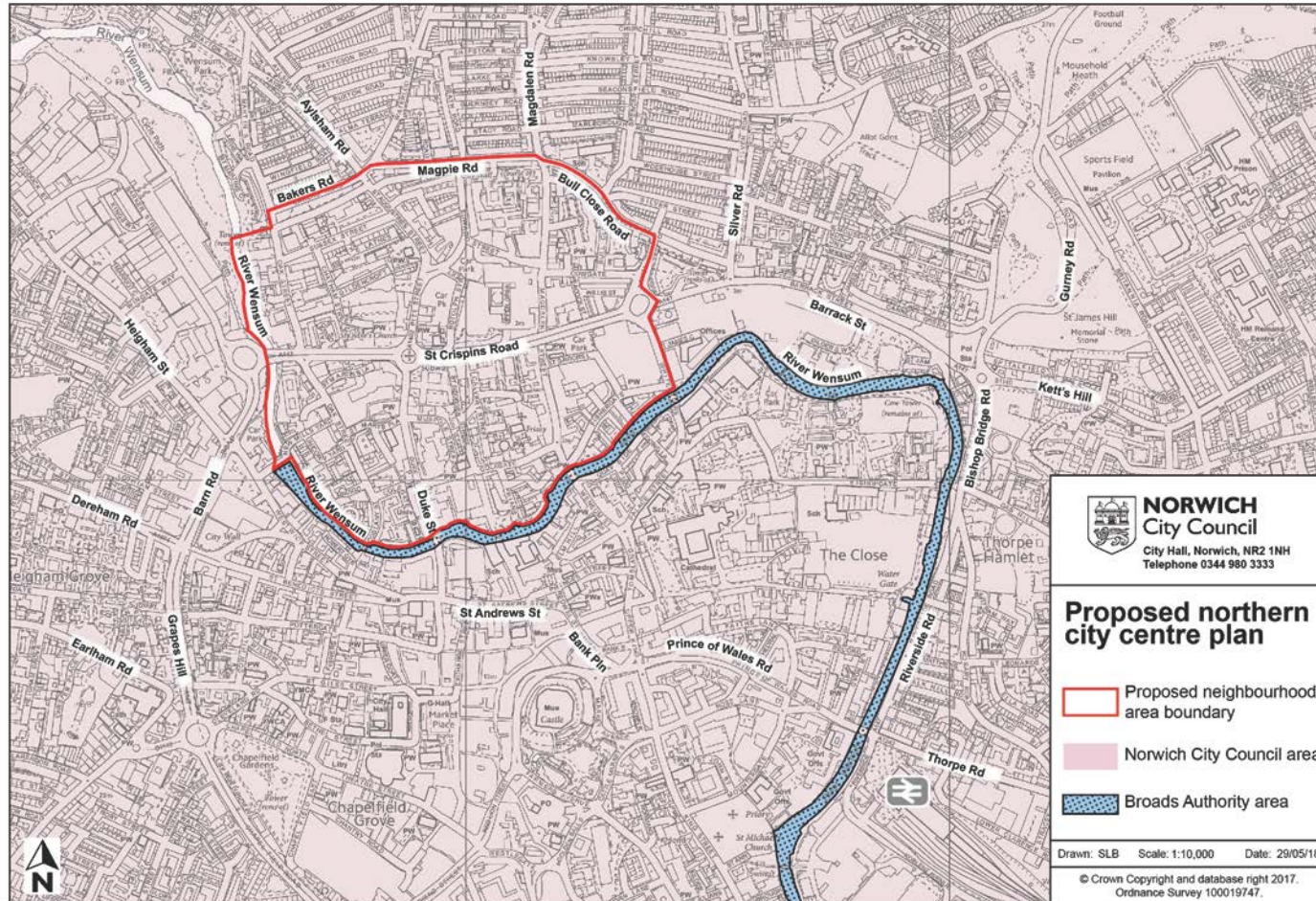
Indices of Multiple Deprivation data



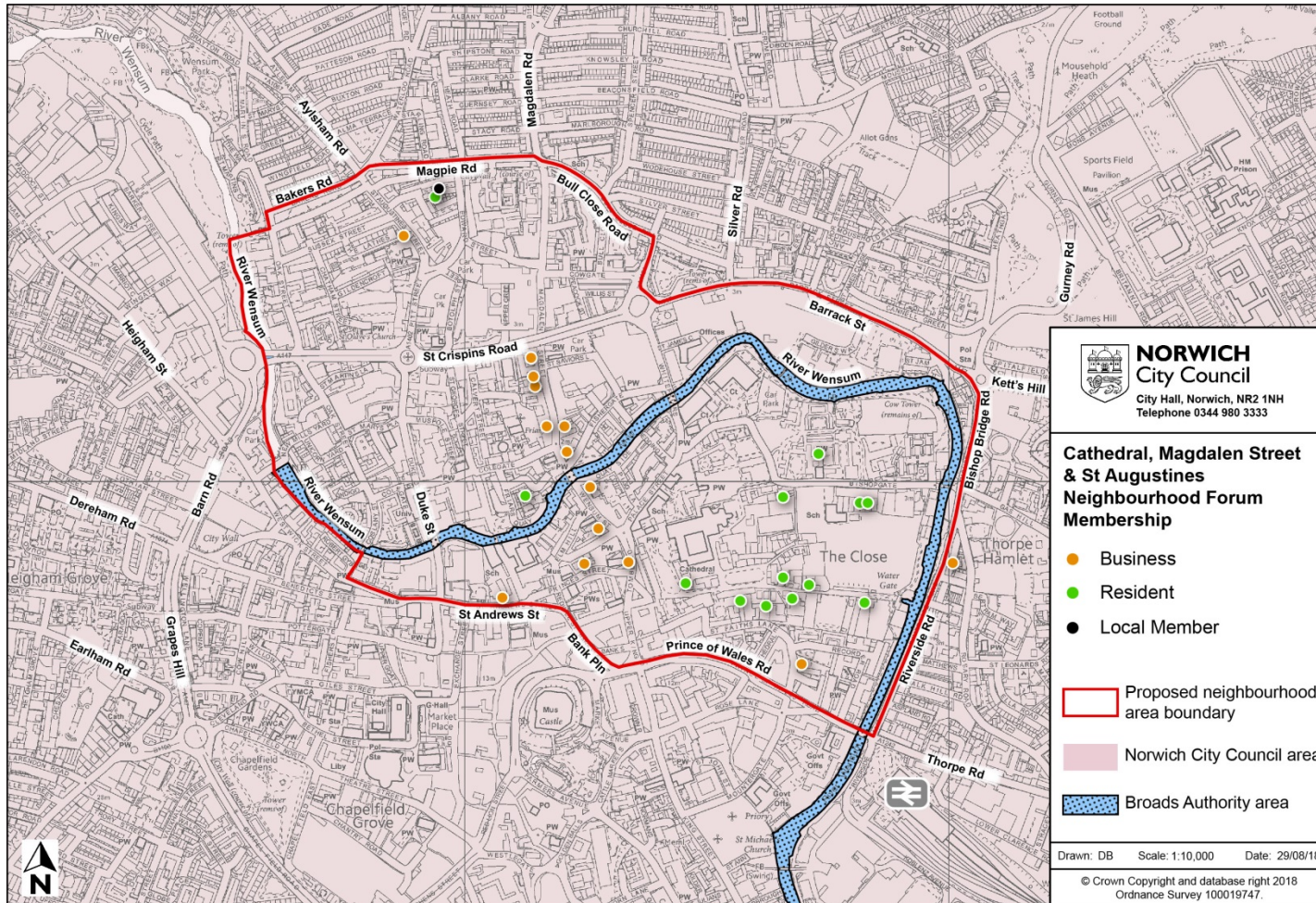
CACI Paycheck data



Appendix 4: proposed northern city centre neighbourhood area boundary



Appendix 5: Cathedral Magdalen St Augustine's neighbourhood forum: distribution of membership



Integrated impact assessment



NORWICH
City Council

Report author to complete

Committee:	Cabinet
Committee date:	13 June 2018
Director / Head of service	Dave Moorcroft
Report subject:	Neighbourhood area and forum applications
Date assessed:	24 May 2018

	Impact			
Economic (please add an 'x' as appropriate)	Neutral	Positive	Negative	Comments
Finance (value for money)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Designation of neighbourhood area will have resource implications for the city council but this should be partially offset by government grant. The extent of the impact is not known so it is assessed as neutral at present.
Other departments and services e.g. office facilities, customer contact	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No direct impact arising from neighbourhood area designation
ICT services	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No direct impact arising from neighbourhood area designation
Economic development	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No direct impact arising from neighbourhood area designation
Financial inclusion	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No direct impact arising from neighbourhood area designation
Social (please add an 'x' as appropriate)	Neutral	Positive	Negative	Comments
Safeguarding children and adults	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No direct impact arising from neighbourhood area designation
S17 crime and disorder act 1998	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No direct impact arising from neighbourhood area designation
Human Rights Act 1998	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No direct impact arising from neighbourhood area designation
Health and well being	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No direct impact arising from neighbourhood area designation
Equality and diversity (please add an 'x' as appropriate)	Neutral	Positive	Negative	Comments
Relations between groups (cohesion)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No direct impact arising from neighbourhood area designation but preparation of a neighbourhood plan in future may improve community cohesion
Eliminating discrimination & harassment	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No direct impact arising from neighbourhood area designation
Advancing equality of opportunity	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No direct impact arising from neighbourhood area designation
Environmental (please add an 'x' as appropriate)	Neutral	Positive	Negative	Comments

	Impact			
Transportation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No direct impact arising from neighbourhood area designation at this stage but there may be impacts from a future neighbourhood plan
Natural and built environment	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No direct impact arising from neighbourhood area designation at this stage but there may be impacts from a future neighbourhood plan
Waste minimisation & resource use	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No direct impact arising from neighbourhood area designation but there may be impacts from a future neighbourhood plan
Pollution	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No direct impact arising from neighbourhood area designation
Sustainable procurement	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No direct impact arising from neighbourhood area designation
Energy and climate change	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No direct impact arising from neighbourhood area designation at this stage but there may be impacts from a future neighbourhood plan
(Please add an 'x' as appropriate)	Neutral	Positive	Negative	Comments
Risk management	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No direct impact arising from neighbourhood area designation

Recommendations from impact assessment	
Positive	
None at this stage	
Negative	
None at this stage	
Neutral	
All impacts are assessed as neutral as there are no direct impacts arising from the designation of a neighbourhood area at this stage (aside from impact on resources).	
Issues	
There are likely to be direct impacts once a neighbourhood plan is prepared.	

Customer Satisfaction Survey 2018
Report by Planning Technical Support Officer

Summary: The Broads Authority's Planning Department has recently undertaken a second Customer Satisfaction Survey which shows a high level of satisfaction with the planning service. This report provides details.

Recommendation: That the report be noted.

1.0 Introduction

- 1.1 As part of its commitment to best practice in delivery of the planning service, the Broads Authority as Local Planning Authority (LPA) engages regularly with its service users to seek their views on the quality of the service. This usually occurs annually(although most National Parks undertake this on a two yearly cycle) over a specific period of time.
- 1.2 A customer satisfaction survey was carried out from January to March 2018, and this report sets out the results of this 2018 engagement.

2.0 Customer satisfaction survey

- 2.1 The customer satisfaction survey was undertaken by sending a questionnaire to all applicants and agents who had received a decision on a planning application during the period 1st January and 31st March 2018. A total of 81 survey forms were sent out, in line with the standard methodology used by all of the National Parks. The contact details used were those submitted on the relevant application form.
- 2.2 The questionnaire asked the recipients to respond and rate the service in respect of the following areas:
- 1) Advice prior to, and during, the application process
 - 2) Communication on the progress of the application
 - 3) Speed of response to queries
 - 4) Clarity of the reasons for the decision
 - 5) Being treated fairly and being listened to
 - 6) The overall processing of the application
- 2.3 The survey also gave the opportunity for users to rate the service on things it did well and things which could be improved, as well as giving a general comments section. A copy of the questionnaire is attached at Appendix 1.

- 2.4 Thirteen completed questionnaires were returned, representing a response rate of 16%. This is a significant reduction in response rate compared to 2017 (35.1%) which is disappointing. For future surveys, it will be investigated what more could be done to encourage a higher response rate which would give a better understanding of the level of satisfaction.
- 2.5 In considering the results from the questionnaire and assessing the level of satisfaction, the scoring parameters used are based on information published by Info Quest, a company that specialises in customer satisfaction surveys and analysis. These note that a goal of 100% satisfaction is commendable, but probably unattainable as people tend to be inherently critical and it is practically impossible to keep everyone satisfied at all times. Scores being rated from 1 (very poor) to 5 (excellent), they therefore consider that a customer awarding a score of 4 or above (out of 5) is a satisfied customer. They also note that, on average, any measurement that shows a satisfaction level equal to or greater than 75% is considered exceptional. It should be noted that applicants for all decisions – approvals and refusals were asked to take part in the survey. The scoring parameters are:

% Satisfaction	Qualitative assessment	
75% +	Exceptional	There is little need or room for improvement
60% - 75%	Very Good	You are doing a lot of things right
45% - 60%	Good.	Most successful companies are at this level.
30% - 45%	Average.	Bottom line impact is readily attainable.
15% - 30%	Problem.	Remedial actions are needed
0% - 15%	Serious Problem	Urgent Remedial actions are needed

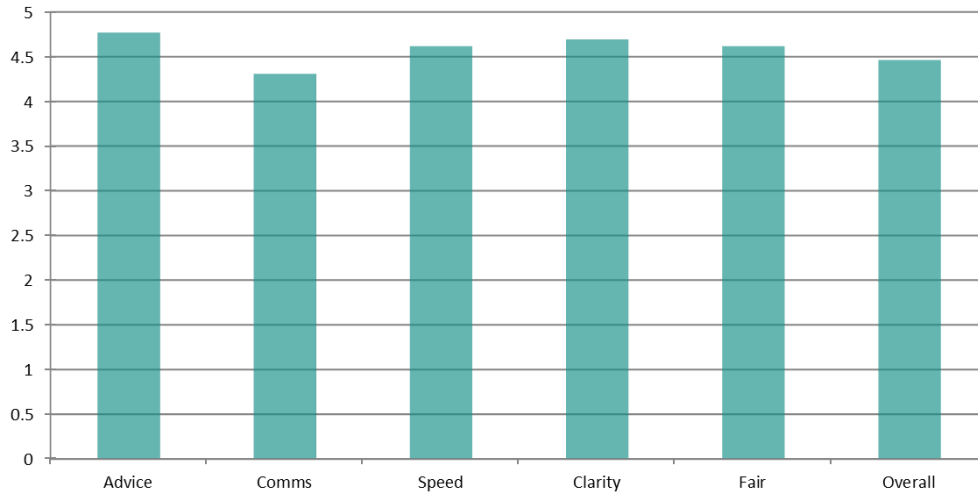
Results of the customer satisfaction survey

- 2.6 The questionnaire asked customers to rate the service on a scale of 1 – 5, where 5 was the highest score, for the 6 areas identified in 2.2. The results are as follows:

Question	Score 1 – 5 and number of respondents					
	5	4	3	2	1	No answer
1 Advice	10	3	0	0	0	0
2 Communications	6	5	2	0	0	0
3 Speed of response	9	3	1	0	0	0
4 Clarity of decision	10	2	1	0	0	0
5 Treated fairly	9	3	1	0	0	0
6 Overall	7	5	1	0	0	0

Average scores for the questions are shown in the following graph;

**Development Control - Customer Satisfaction Survey
Results 2018 - Average Marks**



2.7 It is noted that over 69% of respondents scored the service at least 4 out of 5 on all six of the aspects. With Info Quest assumption that a customer awarding a score of 4 or 5 (out of 5) is a satisfied customer, the overall results are represented in the diagram below. The level of satisfied customers is above 80% for all 6 areas where service has been assessed.



2.8 The survey also provided an opportunity for customers to comment on what the planning team did well, and where improvements could be made. These comments are summarised, respectively, below.

2.9 The things that were done well were identified as:

- Clear communication
- Quick response times with calls and emails
- Good pre-application service
- Beneficial site meetings and discussions
- Helpful and knowledgeable Case Officers
- Application well presented at Committee by Case Office

2.10 The areas for improvement noted by the respondents are:

- Application form too complicated
- Should accept applications by email
- We requested too much information
- Response to email enquiries
- Time taken to process application

Seven of the thirteen respondents had no suggestions for improvements.

2.11 The areas for improvement have been noted for consideration, although several, such as the over-complicated application form, are beyond the control of the planning team.

2.12 The final question on the form sought suggestions on what other improvements could be made more generally, with the question designed to pick up examples of best practice from elsewhere. The majority of responses to this question echoed the previous comments made in the areas for improvement section.

2.13 Overall, the comments received were useful in highlighting particular areas for improvement. However, it was clear that in some cases the comments were the result of a single, specific application type, or were affected by past experiences. Whether positive or negative, these may not be representative of an 'average' application. This suggests the more extreme results, for both good ("A breath of fresh air from dealing with other LPAs...") and bad ("Officers should be able to make more decisions without the need for consultation") should not necessarily be taken at face value.

3. **Conclusion**

3.1 The results of the 2018 customer satisfaction survey are positive, and evidence a very high level of customer satisfaction. Whilst some caution should be exercised in interpreting the results given the relatively low numbers of responses, reassurance can be given that the survey has not evidenced any significant dissatisfaction. This is all the more reassuring since it is generally the case that it is more expected from customers to complain than to give praise.

Background papers:None

Appendices: Appendix 1: Questionnaire for Customers

Author: Thomas Carter

Date of report: 7 June 2018

Customer Satisfaction Survey

Your comments on the Broads Authority's Planning Service.

The Broads Authority is doing a brief survey of people who have submitted planning applications to us and is asking them for their feedback on the quality of service they received. The comments that we receive are really important to help us understand what we do well and what we need to improve. We know these sorts of questionnaires can be time consuming to complete so we have kept it really simple, but if you want to add further details (or even email or telephone with further comments) these would be very welcome.

Thanking you in anticipation of your feedback.

Yours sincerely

Cally Smith
Head of Planning
Broads Authority

T: 01603 756029

E: cally.smith@broads-authority.gov.uk

Please tell us about your overall satisfaction level around:

5 = very good 4 = good 3 = okay 2 = poor.... 1 = very poor

- 1 The advice and help you were given in submitting your application _____
- 2 How well you were kept informed of progress on your application _____
- 3 How promptly we dealt with your queries _____
- 4 How clearly you understood the reasons for the decision _____
- 5 Whether you felt you were treated fairly and your views were listened to _____
- 6 The overall processing of your planning application _____

Please tell us about:

7 Things we did well

.....
.....
.....
.....

8 Things we could improve

.....
.....
.....
.....

9 Any other things we could do to improve the service

.....
.....
.....
.....

Thank you for your time in completing this.

Appeals to the Secretary of State: Update
Report by Administrative Officer

Summary: This report sets out the position regarding appeals against the Authority since 1 June 2018.

Recommendation: That the report be noted.

1 Introduction

1.1 The attached table at Appendix 1 shows an update of the position on appeals to the Secretary of State against the Authority since June 2018.

2 Financial Implications

2.1 There are no financial implications.

Background papers: BA appeal and application files

Author: Sandra A Beckett
Date of report: 7 June 2018

Appendices: APPENDIX 1 – Schedule of Outstanding Appeals to the Secretary of State since June 2018

APPENDIX 1

Schedule of Appeals to the Secretary of State received since 1 June 2018

Start Date of Appeal	Location	Nature of Appeal/ Description of Development	Decision and Date
Awaited	APP/E9505/W/18/3204127 BA/2017/1030/OUT BA/2017/0487/COND Hedera House The Street THURNE NR29 3AP Mr Richard Delf	Appeal against grant of Planning Permission with Conditions	Committee Decision on 18 August 2017/ 2 March 2018

Decisions made by Officers under Delegated Powers
Report by Head of Planning

**Broads Authority
Planning Committee**

22 June 2018

Agenda Item No.16

Summary:	This report sets out the delegated decisions made by officers on planning applications from 09 May 2018	to 06 June 2018
Recommendation:	That the report be noted.	

Application	Site	Applicant	Proposal	Decision
Ashby, Herringfleet And Somerleyton PC				
BA/2017/0484/FUL	Old School House St Olaves Road Herringfleet NR32 5QT	The Trustees of the 1971 Somerleyton Settlement	Extension and change of use to dwelling.	Approve Subject to Conditions
Belaugh Parish Meeting				
BA/2018/0126/HOUSEH	River Cottage 7 The Street Belaugh Norwich NR12 8XA	Mr Robert Spelman-Marriott	Erect a garden shed on a concrete base.	Approve Subject to Conditions
Brundall Parish Council				
BA/2018/0159/AGR	Ponds Farm Strumpshaw Road Brundall Norwich Norfolk NR13 5PG	Mr Alan Secker	Barn	Prior Approval not Required
BA/2018/0082/FUL	Eastwood Marina 68 Riverside Estate Brundall Norwich Norfolk NR13 5PU	Barnes Brinkcraft Ltd	Boat-building shed	Approve Subject to Conditions
BA/2018/0104/FUL	Norwood 30 Riverside Estate Brundall Norwich NR13 5PU	Carol Head	Replace shed	Approve Subject to Conditions
BA/2018/0096/FUL	Marine Power Trading Limited West Lane Brundall Norwich Norfolk NR13 5RG	Mr Samuel Dacre	12 No. additional windows	Approve Subject to Conditions

Application	Site	Applicant	Proposal	Decision
Burgh St Peter/ Wheatacre Parish Council				
BA/2018/0121/APPCON	Waveney Inn And River Centre Staithe Road Burgh St Peter NR34 0BT	Mr James Knight	Details of Conditions 5: Management Plan and 8: Flood Evacuation Plan of permission BA/2016/0356/COND.	Approve
Coltishall Parish Council -				
BA/2018/0135/ADV	Horstead Mill Mill Road Horstead With Stanninghall Norwich Norfolk	Horstead With Stanninghall Parish Council	1 No. information board	Approve Subject to Conditions
Dilham Parish Council				
BA/2018/0150/FUL	Pump House Oak Road Dilham NR28 9PW	Mr L Paterson	Access track	Approve Subject to Conditions
Halvergate Parish Council				
BA/2018/0103/HOUSEH	4 Marsh Road Halvergate Great Yarmouth NR13 3PT	Mr Craig Durrant	Two storey side extension.	Approve Subject to Conditions
Hickling Parish Council -				
BA/2017/0101/NONMAT	Hickling Broad Visitor Centre Stubb Road Hickling Norfolk NR12 0BW	Mr Ian Leatherbarrow	Removal of swale and installation of pipe to nearby ditch, non-material amendment to permission BA/2016/0277/FUL.	Approve
Horning Parish Council -				
BA/2018/0142/HOUSEH	Dove Cottage Ropes Hill Horning Norfolk NR12 8PA	Mr David Williams	New boathouse	Approve Subject to Conditions
BA/2018/0128/COND	Sunrise, Plot 6 Thurne Dyke Ludham Norfolk NR29 5NT	Mr Habgood	To replace drawings 'Site Plan' ref 17-17.138-02 and 'Proposed Plans and Elevations ' ref 17-138-10, variation of condition 2, and removal of condition 4 boundary treatments of permission BA/2017/0307/FUL.	Approve Subject to Conditions

Application	Site	Applicant	Proposal	Decision
BA/2018/0127/COND	Bureside Water Works Lane Horning NR12 8NP	Prof. E Denton And Mr R Cavendish	Reduce floor area and modify elevations, variation of condition 2, of permission BA/2016/0323/FUL.	Approve Subject to Conditions
Langley With Hardley PC				
BA/2018/0129/HOUSEH	Chet Cottage Hardley Road Hardley NR14 6DA	Mr M Whitehouse	Single storey side and rear extensions	Approve Subject to Conditions
Ludham Parish Council -				
BA/2018/0140/HOUSEH	8 Johnson Street Ludham Norfolk NR29 5NZ	Mr Algy Yates	Covered way	Approve Subject to Conditions
Mautby Parish Council				
BA/2018/0106/FUL	Highgate Farm Swim Road Runham Mautby NR29 3EH	Mr And Mrs Smith	Erection of 10m x 12m glasshouse on land used for agricultural purposes	Approve Subject to Conditions
Ormesby St Michael Parish Council				
BA/2018/0148/NONMAT	Broadswater House Main Road Ormesby St Michael Norfolk NR29 3LS	Mrs C Brown	Removal of glazed gable end, installation of B1 fold doors only and removal of side panels of porch, non-material amendment to previous permission BA/2017/0113/HOUSEH.	Approve
Oulton Broad Parish Council -				
BA/2018/0136/HOUSEH	Marsh House Marsh Road Lowestoft Suffolk NR33 9JY	Mr Mark Turrell	Two storey extension (resubmission of application BA/2017/0413/HOUSEH) and retention of amendments to approved extension (BA/2015/0261/HOUSEH).	Approve Subject to Conditions
BA/2018/0073/FUL	Plot 17 Boathouse Lane Lowestoft NR32 3PP	Mr Mike Davies	Replacement of timber quay heading with galvanised interlocking lite pile 4.5 meters long with tanalised timber whaling and cap.	Approve Subject to Conditions
BA/2018/0080/FUL	Romany Staithe Broadview Road Lowestoft NR32 3PL	Mr Alan Morton	Replacement quayheading and pontoon.	Approve Subject to Conditions

Application	Site	Applicant	Proposal	Decision
Potter Heigham Parish Council				
BA/2018/0109/ADV	Lathams Bridge Road Potter Heigham Norfolk NR29 5JE	Mr Paul Lemmon	2 No. Fascia signs and 11 No. window covers.	Approve Subject to Conditions
Thorpe St Andrew Town Council				
BA/2017/0429/FUL	River Green And Public Conveniences Yarmouth Road Thorpe St Andrew Norwich Norfolk	Mr Thomas Foreman	Memorial garden and part change of use of public conveniences to office.	Approve Subject to Conditions
Thurne Parish Council				
BA/2017/0373/HOUSEH	Thurne Cottage The Staithe Thurne Norfolk NR29 3BU	Ms Carol Delf	Two storey rear extension, shed and re-located oil tank.	Approve Subject to Conditions
West Caister Parish Council				
BA/2018/0107/HOUSEH	West Farm Low Road West Caister NR30 5SP	Mr And Mrs Spink	Proposed 2 storey side extension and installation of 2 no. dormers	Approve Subject to Conditions