

# Planning Committee

## Agenda 09 October 2020

10.00am

This is a remote meeting held under the Broads Authority's [Standing Orders on Procedure Rules for Remote Meetings](#).

**Participants:** You will be sent a link to join the meeting. The room will open at 9.00am and we request that you **log in by 9.30am** to allow us to check connections and other technical details.

**Members of the public:** We will publish a live stream link two days before the meeting at [Planning Committee - 9 October 2020](#). The live stream will be suspended for any exempt items on the agenda. Please email [committees@broads-authority.gov.uk](mailto:committees@broads-authority.gov.uk) with any queries about this meeting.

### Introduction

1. To receive apologies for absence
2. To receive declarations of interest
3. **To receive and confirm the minutes of the Planning Committee meeting held on 11 September 2020** (Pages 3-11)
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](#) and the new Government regulations and standing orders agreed by the Authority.
7. Request to defer applications include in this agenda and/or vary the order of the agenda
8. **To consider applications for planning permission including matters for consideration of enforcement of planning control:**  
There are no applications for consideration.

## Enforcement

9. **Enforcement update** (Pages 12-16)  
Report by Head of Planning

## Policy

10. **Consultation from MHCLG – Planning for the Future White Paper** (Pages 17-42)  
Report by Head of Planning
11. **Policy – Government consultation on Accessible Homes** (Pages 43-46)  
Report by Planning Policy Officer
12. **Planning policy - Fleggburgh Neighbourhood Plan** (Pages 47-50)  
Report by Planning Policy Officer

## Matters for information

13. **Circular 28/83 Publication by Local Authorities of information about the handling of planning applications (Q1)** (Pages 51-57)  
Report by Planning Technical Support Officer
14. **Appeals to the Secretary of State update** (Pages 58-60)  
Report by Senior Planning Officer
15. **Decisions made by Officers under delegated powers** (Pages 61-65)  
Report by Senior Planning Officer
16. **To note the date of the next meeting – Friday 6 November 2020 at 10.00am**

## Heritage Asset Review Group

Member only meeting following the Planning Committee meeting.

# Planning Committee

## Minutes of the meeting held on 11 September 2020

### Contents

|     |  |   |
|-----|--|---|
| 1.  | Apologies and welcome  | 2 |
|     | Openness of Local Government Bodies Regulations 2014   | 2 |
| 2.  | Declarations of interest and introductions   | 2 |
| 3.  | Minutes of last meeting  | 2 |
| 4.  | Points of information arising from the minutes   | 2 |
| 5.  | Matters of urgent business   | 2 |
| 6.  | Chair's announcements and introduction to public speaking  | 2 |
| 7.  | Requests to defer applications and/or vary agenda order  | 3 |
| 8.  | Applications for planning permission   | 3 |
|     | (1) BA/2020/0227/FUL and BA/2020/0228/LBC, Mutton's Mill, Stones Road, Halvergate                    | 3 |
|     | (2) BA/2020/0231/FUL and BA/2020/0232/LBC, High's Mill, Stone Road, Halvergate                       | 3 |
|     | (3) BA/2020/0146/FUL Petos Marsh, Burnt Hill Lane, Carlton Colville                                  | 5 |
| 9.  | Enforcement update   | 5 |
| 10. | Consultation from MHCLG – Changes to the current planning system                                     | 5 |
| 11. | Planning policy – draft Residential Moorings Guide   | 7 |
| 12. | Planning policy – guide to understanding and addressing the impacts of new developments on peat soil | 8 |
| 13. | Filby Neighbourhood Plan   | 8 |
| 14. | Appeals to the Secretary of State  | 9 |
| 15. | Decisions made by officers under delegated powers  | 9 |
| 16. | Date of next meeting   | 9 |

## **Present**

Melanie Vigo di Gallidoro – in the Chair, Harry Blathwayt, Stephen Bolt, Bill Dickson, Andree Gee, Gail Harris (items 1-10), Lana Hemsall (items 1-10), Tim Jickells, Bruce Keith, James Knight (items 1-11), Leslie Mogford, Vic Thomson (items 1-12).

## **In attendance**

Natalie Beal – Planning Policy Officer, Essie Guds – Governance Officer (meeting moderator), Kate Knights – Historic Environment Manager, Jack Ibbotson – Planning Officer, Kayleigh Judson – Heritage Planning Officer, Cheryl Peel – Senior Planning Officer, Marie-Pierre Tighe – Director of Strategic Services, Lewis Treloar – Waterways and Recreation Officer (item 8.3), Maria Conti – Head of Governance (minute taker), Sarah Mullarney – Governance Officer (meeting moderator).

## **1. Apologies and welcome**

The Chairman welcomed everyone to the meeting.

**Apologies** were received from Fran Whymark.

## **Openness of Local Government Bodies Regulations 2014**

The Chairman explained that the meeting would be held remotely in accordance with the Coronavirus Regulations 2020 and the Standing Orders for remote meetings agreed by the Broads Authority on 22 May 2020. The meeting would be live streamed and recorded and the Authority retained the copyright. The minutes remained the record of the meeting.

## **2. Declarations of interest and introductions**

Members and officers introduced themselves. There were no declarations of interest in addition to those already registered.

## **3. Minutes of last meeting**

The minutes of the meeting held on 14 August 2020 were approved as a correct record and would be signed by the Chairman.

## **4. Points of information arising from the minutes**

The Senior Planning Officer reported that the Authority was waiting for North Norfolk District Council's Planning Committee to consider the Ludham Conservation Area appraisal, which the member for that Council added may be at their November meeting.

## **5. Matters of urgent business**

There were no items of urgent business.

## **6. Chair's announcements and introduction to public speaking**

There were no announcements, and no requests for public speaking had been received.

## 7. Requests to defer applications and/or vary agenda order

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

## 8. Applications for planning permission

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

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

(1) BA/2020/0227/FUL and BA/2020/0228/LBC, Mutton's Mill, Stones Road, Halvergate

**Proposal: Comprehensive structural and mechanical repairs to drainage mill, including underpinning and internal and external refurbishment work. Applicant: Water, Mills and Marshes Landscape Partnership Scheme**

(2) BA/2020/0231/FUL and BA/2020/0232/LBC, High's Mill, Stone Road, Halvergate

**Proposal: Underpinning works to internal machinery, reinstatement of historic features and internal and external repairs. Applicant: Water, Mills and Marshes Landscape Partnership Scheme**

The Heritage Planning Officer presented four applications submitted as part of the Water, Mills and Marshes Landscape Partnership Scheme. The report covered two applications at Mutton's Mill and two at High's Mill.

The proposals for Mutton's Mill were for comprehensive structural and mechanical repairs, including underpinning and internal and external refurbishment work, with the aim of returning the mill to a sound structural and mechanical condition and allowing it to operate as it was originally designed. The proposals for High's Mill were for underpinning works to internal machinery, reinstatement of historic features, and internal and external repairs, to conserve the structure.

In terms of consultation responses (section 4 of the report), it was reported that Historic England no longer had reservations about the proposed underpinning of Mutton's Mill. The Heritage Planning Officer also advised the recommendation of an additional condition for both Listed Building Consents covering details of all replacement/repair of all metalwork to be agreed.

In response to a member's question, the Heritage Planning Officer stated that Mutton's Mill would be underpinned by a series of small concrete rafts on piles around the perimeter of the tower, supported with mini piles on either side. Tests had been carried out at the mill to see how far the piles would need to be embedded into the ground.

A member asked how many planning applications for mill restoration were likely to be made through the Water, Mills and Marshes scheme. He also asked about the ongoing maintenance and expected lifespan of the restored structures.

The Historic Environment Manager replied that projects were ongoing at Six Mile House, North Mill, Strumpshaw Engine House and Oby Mill. In addition to the applications for Mutton's Mill and High's Mill, it was intended to submit proposals for Herringfleet Mill, Caldicott Mill and Stone's Mill over the next couple of years. Once works on each mill were completed, ongoing maintenance would be the responsibility of the individual mill owner, as all the mills were in private ownership. However, part of the Water, Mills and Marshes legacy planning was to work with other organisations to continue a similar type of scheme, and perhaps have volunteer mill wardens. In terms of lifespan, the repairs should keep the structures in good order for 20-30 years, although their exposure to the elements meant that ongoing maintenance would be necessary, hence the need at this stage for fundamental works such as underpinning. It was noted that the mills were not originally built to last a long time, so it was amazing they had survived.

A member asked if mill sails could be replaced where possible, as this was an iconic feature of these structures. It was noted that sails would be reinstated on Mutton's Mill and on Herringfleet Mill, but this was not feasible for the other structures because of their poor condition and the weight of the sails. Another member asked if the mills with working sails could be used to generate electricity for the nearby internal drainage mills. The Historic Environment Manager noted that the Mutton's Mill proposal included connecting the raceway to the dyke, although it was unlikely this would be implemented at the moment as it was a considerable undertaking.

In response to a member's questions about bats, the Historic Environment Manager noted that bats were using Mutton's Mill and High's Mill for foraging, but not for roosting. As part of the proposed works, external bat boxes would be installed at both sites, and Mutton's Mill would have gaps in the brickwork to allow them access.

A member commented that the Authority's planning policy approach should consider how to help owners make the mills economically viable so they did not have to be so reliant on funding support. In terms of funding streams, the Chair invited members to suggest potential sources for future work. It was noted that the Authority was already working with Norfolk Windmills Trust, who would hopefully continue to play an active role.

The Chair summed up the Committee's strong support for these proposals, and for the overall aim of the Water, Mills and Marshes scheme to restore these important features of the Broads' landscape.

Andree Gee proposed, seconded by Gail Harris, and

**It was resolved, by 11 votes in favour and 1 abstention, to approve the applications listed above for (1) Mutton's Mill and (2) High's Mill, subject to the conditions outlined in the report and the additional condition covering details of all replacement/repair of all**

**metalwork.** The application is considered to be in accordance with Policies SP5, DM5, DM11, DM13, DM21, DM43 and SSMILLS of the Broads Local Plan.

**(3) BA/2020/0146/FUL Petos Marsh, Burnt Hill Lane, Carlton Colville  
Installation of 25m floating mooring pontoon to be used as short stay 24-hour moorings.  
Applicant: Mr Lewis Treloar on behalf of the Broads Authority.**

The Planning Officer presented this application to install a 25m floating mooring pontoon parallel with the west bank of Oulton Dyke. Suffolk Wildlife Trust (SWT) proposed to link this mooring by way of a riverbank permissive footpath to the existing footpath network on Carlton Marshes.

A member asked if there were plans for any screening between the proposed mooring and the SWT reserve. The Planning Officer replied that neither SWT nor the Authority's Ecologist had asked for this, and a member added that the flood wall between the reserve and the river acted as a screen. There were several bird hides on the reserve, and the Waterways and Recreation Officer reported that preliminary discussions were taking place about possibly installing a hide on the flood bank.

Members voiced their approval for Suffolk Wildlife Trust's project at Peto's Marsh, and the Chair suggested the area for a Members' Annual Site Visit.

Tim Jickells proposed, seconded by James Knight, and

**It was resolved unanimously to approve the application subject to the conditions outlined in the report.** The application is considered to be in accordance with Policies DM5, DM13, DM31, DM33, DM43 and DM46 of the Broads Local Plan.

## 9. Enforcement update

Members received the update report on enforcement matters previously referred to the Committee, and the Senior Planning Officer gave the additional following updates:

- Former Marina Keys: Application received for discharge of some conditions and agent contacted about outstanding conditions
- Beauchamp Arms: Enforcement visit postponed to this month
- Blackgate Farm: BA has until 12 October to submit statement for appeal and will then await hearing date.
- Ditchingham Maltings: Permission granted in August for revised landscaping scheme; works required to be carried out between October 2020 and March 2021.

**The report was noted.**

## 10. Consultation from MHCLG – Changes to the current planning system

The Planning Policy Officer (PPO) introduced the report on the Government consultation on proposed measures to improve the effectiveness of the planning system. The Government

was consulting on four changes, namely how housing need figures are calculated, changes to affordable housing thresholds, introducing a new type of affordable housing, and extending Permission in Principle. The changes would come forward as amendments to the NPPG and it was proposed these could be in place by the end of 2020. The consultation deadline was 1 October, and the PPO summarised the Authority's proposed response and invited members' comments.

The PPO also noted a second Government consultation called 'Planning for the Future', which proposed significant and fundamental structural changes to the planning system. The deadline for this consultation was 29 October 2020, and a report on the proposed changes and the Authority's proposed response would be presented to the next Planning Committee.

A member noted the Authority's proposed response to questions 1-7 (outlined in Appendix 1 to the report), which implied the need for infrastructure to support new housing development. The PPO replied that there could be pressure on finding less suitable sites, and public transport infrastructure would be a consideration. The district planning authorities included this in their criteria for assessing proposed sites.

A member asked if the standard methodology for assessing housing need might be challenged by planning professionals. The PPO noted that the methodology did not apply directly to the Broads Authority, but could impact the next Local Plan and was an issue for discussion with the district planning authorities when the current Local Plan was reviewed. It was noted that this issue might be raised in responses to the 'Planning for the Future' consultation.

A member asked if the Authority was aware how dramatically the methodology would change housing numbers across other districts. The member referred to a proposed SHMA that the Authority should contribute to, and considered that the Authority's consultation response at paragraph 2.9 of the report should be more robust.

The PPO replied that the report included the housing numbers the districts could have and, while the Authority's consultation response acknowledged this as a pressure on the Broads, it could be strengthened if members wished. The proposed SHMA was more of a needs study to look at the housing mix for most of the districts. The PPO was on the project group and had seen the brief, but the Authority had not contributed financially because its Local Plan was adopted recently and it did not need updated housing figures at this stage, especially in light of the potential change to the standard methodology. The Authority might commission a piece of work on how to calculate its own housing number as part of preparing the next Local Plan, in consultation with the districts. The Director of Strategic Services added that the Authority was involved in the Greater Norwich Local Plan partnership and there was a meeting with directors next week.

The member was invited to propose new wording for the response at paragraph 2.9 in the report, but replied that the response needed to be signed off by the Committee. As the consultation deadline was 1 October, it was suggested that the proposed rewording was circulated to members and the final sign off delegated to the Director of Strategic Services, the Chair and Vice-Chair of Planning Committee and the Chair of the Authority.



The Chair of the Authority questioned why proposed new wording had not been submitted sooner for discussion at this meeting. The member said she had difficulty reading the agenda papers on her accessibility reader, and asked if the formatting of the papers had changed, adding that she had emailed the Governance team but had not had a response. The Governance Officer confirmed that there had been no formatting changes to the agenda papers, and apologised to the member as the team had not received an email on this matter. The team was happy to liaise directly with the member outside the meeting to address any issues with accessing the electronic agenda papers. The Chair also asked if the member was able to print off the papers.

Another member commented that the point of committee meetings was to allow members to discuss such issues and propose any changes, rather than simply to accept officer recommendations.

Stephen Bolt proposed, seconded by Andree Gee, and

**It was resolved** unanimously that the member's proposed rewording of the Authority's response in paragraph 2.9 of the report would be circulated for comment to all Committee members, and that the final sign off of the consultation response would be delegated to the Director of Strategic Services, the Chair and Vice-Chair of Planning Committee and the Chair of the Authority.

Lana Hemsall left the meeting.

Harry Blathwayt proposed, seconded Andree Gee, and

**It was resolved** unanimously to approve the proposed consultation response at paragraph 4.5 of the report.

Gail Harris left the meeting.

## 11. Planning policy – draft Residential Moorings Guide

Members received a report on the revised draft Residential Moorings Guide. The guide was being produced to help implement the Local Plan policies relating to residential moorings.

A member commented that the document was presented as a planning document, but was mainly general guidance on how to develop well managed moorings. He felt that developers may be put off by the amount of information in the guide. The Planning Policy Officer replied that the Local Plan policy set the planning application criteria for developers. The purpose of the guide was to address each of those criteria in more detail, with case studies and templates, as a way of providing advice and helping developers to interpret the policy.

A member suggested that the final guide should include the Local Plan policy criteria in an appendix, and this idea was supported.

Tim Jickells proposed, seconded by Bill Dickson, and

**It was resolved unanimously to endorse the revised Residential Moorings Guide and to recommend it to the Broads Authority for public consultation.**

James Knight left the meeting.

## **12. Planning policy – guide to understanding and addressing the impacts of new developments on peat soil**

The Planning Policy Officer introduced her report on a proposed guide to help with the implementation of the policy on peat in the Broads Local Plan. The policy seeks a reduction in the amount of peat that is excavated as part of a development proposal. If peat is excavated, it requires that the special characteristics of the peat are assessed, recorded and considered when disposing of it.

A member asked about proposals to harvest and sell peat, and was advised that the Authority had no such plans. On the contrary, the Authority's objective was to protect the peat and keep it wet. This was evidenced with the CANAPE project, which included paludiculture (wetland agriculture) and biochar initiatives, and the Climate Change Action Plan, both of which were focused on protecting peat and managing wetlands.

A member endorsed the guide, but said while it focused on the disposal of peat in beneficial ways, it did not also mention the Authority's policies on increasing the amount of peat, or offsetting to compensate for peat loss. He suggested changing the guide's title to make this clear. The PPO noted that this document was about reducing peat loss in the first instance, but agreed that the guide's title could be changed for clarity.

A member commented on the difficulties in managing peat, due to its volatile nature. There were many innovative ways to use peat and keep it wet, including the establishment of peat banks.

Members expressed support for the Peat Guide.

Leslie Mogford proposed, seconded by Bruce Keith, and

**It was resolved unanimously to endorse the Peat Guide and to recommend it to the Broads Authority for public consultation.**

Vic Thompson left the meeting.

## **13. Filby Neighbourhood Plan**

Members received a report outlining the Authority's proposed response to Filby Parish Council's consultation on the pre-submission draft of the Filby Neighbourhood Plan.

Tim Jickells proposed, seconded by Harry Blathwayt, and

**It was resolved unanimously to endorse the proposed response to the pre-submission consultation on the Filby Neighbourhood Plan.**

## 14. Appeals to the Secretary of State

The Committee received the latest schedule of appeals to the Secretary of State since January 2020. The Senior Planning Officer also reported the following updates:

- Black Gate Farm: Appeal started, statement to be submitted by 12 October.
- Land east of Brograve, Mill Coast Road: Statement to be submitted by 6 October.
- Gunton Lodge, Oulton Broad: New appeal, start date awaited.

**The report was noted.**

## 15. Decisions made by officers under delegated powers

The Committee received a schedule of decisions made by officers under delegated powers from 1 August to 20 August 2020.

**The report was noted.**

## 16. Date of next meeting

The next meeting of the Planning Committee would be on Friday 9 October 2020 at 10.00am. The meeting would be held remotely.

The meeting ended at 12.47pm.

Signed by

Chairman

# Planning Committee

09 October 2020

Agenda item number 9

## Enforcement update- October 2020

Report by Head of Planning

### Summary

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

### Recommendation

To note the report.

| Committee date | Location                           | Infringement              | Action taken and current situation  |
|----------------|------------------------------------|---------------------------|---|
| 31 March 2017  | Former Marina Keys, Great Yarmouth | Untidy land and buildings | <ul style="list-style-type: none"> <li>• Authority granted to serve Section 215 Notices.</li> <li>• First warning letter sent 13 April 2017 with compliance date of 9 May.</li> <li>• 26 May 2017: Some improvements made, but further works required by 15 June 2017. Regular monitoring of the site to be continued.</li> </ul> |

| Committee date | Location | Infringement | Action taken and current situation   |
|----------------|----------|--------------|--|
|                |          |              | <ul style="list-style-type: none"> <li>• Monitoring 15 June 2017. Further vandalism and deterioration.</li> <li>• Site being monitored and discussions with landowner.</li> <li>• Landowner proposals unacceptable. Further deadline given.</li> <li>• Case under review.</li> <li>• Negotiations underway.</li> <li>• Planning Application under consideration December 2018.</li> <li>• Planning application withdrawn and negotiations underway regarding re-submission.</li> <li>• Works undertaken to improve appearance of building.</li> <li>• Revised planning application submitted 1 April 2019.</li> <li>• Planning Committee 19 July 2019: Resolution to grant planning permission.</li> <li>• Arson at building, with severe damage 18 August 2019.</li> <li>• Discussions around securing building and partial demolition 19 August 2019.</li> <li>• Pre-demolition surveys almost completed and works commence thereafter 24 October 2019.</li> <li>• Works underway to secure and commence agreed demolition. 16 December 2019.</li> </ul> |

| Committee date    | Location   | Infringement                 | Action taken and current situation   |
|-------------------|--|------------------------------|--|
|                   |  |                              | <ul style="list-style-type: none"> <li>• Site now sold. New landowner intends to build out with some amendments to be agreed.</li> <li>• New owner asked to demolish building as does not propose conversion 12 February 2020.</li> <li>• Application received to demolish building (and other amendments to scheme) 20 February 2020.</li> <li>• <b>Application approved and demolition almost complete. 24 September 2020</b></li> </ul>   |
| 14 September 2018 | Land at the Beauchamp Arms Public House, Ferry Road, Carleton St Peter | Unauthorised static caravans | <ul style="list-style-type: none"> <li>• Authority given to serve an Enforcement Notice requiring the removal of unauthorised static caravans on land at the Beauchamp Arms Public House should there be a breach of planning control and it be necessary, reasonable and expedient to do so.</li> <li>• Site being monitored.</li> <li>• Planning Contravention Notices served 1 March 2019.</li> <li>• Site being monitored 14 August 2019.</li> <li>• Further caravan on-site 16 September 2019.</li> <li>• Site being monitored 3 July 2020.</li> <li>• <b>Complaints received. Site to be visited. 24 September 2020</b></li> </ul> |

| Committee date  | Location                                | Infringement  | Action taken and current situation   |
|-----------------|---|---|--|
| 8 November 2019 | Blackgate Farm, High Mill Road, Cobholm | Unauthorised operational development – surfacing of site, installation of services and standing and use of 5 static caravan units for residential use for purposes of a private travellers’ site. | <ul style="list-style-type: none"> <li>• Delegated Authority to Head of Planning to serve an Enforcement Notice, following liaison with the landowner at Blackgate Farm, to explain the situation and action.</li> <li>• Correspondence with solicitor on behalf of landowner 20 November 2019.</li> <li>• Correspondence with planning agent 3 December 2019.</li> <li>• Enforcement Notice served 16 December 2019, taking effect on 27 January 2020 and compliance dates from 27 July 2020.</li> <li>• Appeal against Enforcement Notice submitted 26 January 2020 with a request for a Hearing. Awaiting start date for the appeal. 3 July 2020.</li> <li>• <b>Appeal start date 17 August 2020</b></li> </ul> |
| 6 March 2020    | Ditchingham Maltings                    | Failure to implement approved landscaping scheme (BA/2012/0005/FUL) Approved in August 2016   | <ul style="list-style-type: none"> <li>• Planning Contravention Notice (PCN) served 9 September 2019.</li> <li>• Breach of Condition Notice (BCN) served 22 October 2019 Non-compliance with condition 15 of planning permission - planting not in accordance with approved scheme.</li> <li>• Revised landscaping scheme submitted 21 January 2020.</li> <li>• Authority from Planning Committee to authorise prosecution, but stayed and delegated to Head of Planning to proceed only if adequate measures not undertaken by the</li> </ul>   |

| Committee date | Location | Infringement | Action taken and current situation   |
|----------------|----------|--------------|--|
|                |          |              | <p>developer to implement a satisfactory landscaping scheme and management plan. 6 March 2020.</p> <ul style="list-style-type: none"> <li>• Due to COVID-19, not been possible to engage contractors to work on the landscaping scheme for the site. New contractors now appointed and hoped that work could be progressed in the near future. 29 May 2020.</li> <li>• Maintenance work commenced, with replanting scheduled for autumn 2020/winter 2021 season. 15 June 2020.</li> <li>• Maintenance underway. Awaiting final approval of replanting scheme. 3 July 2020.</li> <li>• <b>Landscaping scheme approved and planting to commence in November 2020.</b></li> </ul> |

Author: Cally Smith

Date of report: 24 September 2020



# Planning Committee

09 October 2020

Agenda item number 10

## Consultation from MHCLG- Planning for the Future White Paper

Report by Head of Planning

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### Summary

The Planning for the Future White Paper proposes major reforms to the operation of the planning process. The document is bold in its aspiration and objectives, but lacking in detail. The vision of the role of planning presented is not incompatible with the proposed reforms, but changes are needed if this is to be met. The key issues to be addressed are around engagement, the retention of the ability of LPAs to make locally relevant policies and, through the national reforms, the embedding of the climate and biodiversity emergencies at the centre of the planning process.

### Recommendation

That the comments are noted and the proposed response is submitted to MHCLG as the formal response of the Broads Authority.

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## Contents

|    |   |    |
|----|---|----|
| 1. | Introduction  | 2  |
| 2. | Overview of the White Paper   | 3  |
|    | Rationale   | 3  |
|    | Pillar One: Planning for development – focussing on local plans and decision-making                                       | 3  |
|    | Pillar Two: Planning for beautiful and sustainable places – focussing on design, environmental impacts and climate change | 6  |
|    | Pillar Three: Planning for infrastructure and connected places – focussing on the infrastructure levy                     | 7  |
| 3. | Commentary  | 8  |
|    | Pillar One: Planning for development – focussing on local plans and decision-making                                       | 8  |
|    | Pillar Two: Planning for beautiful and sustainable places – focussing on design, environmental impacts and climate change | 11 |

|   |    |
|---|----|
| Pillar Three: Planning for infrastructure and connected places – focussing on the infrastructure levy | 13 |
| 4. Delivering change and next steps   | 15 |
| 5. Conclusion and recommendations   | 16 |
| Appendix 1 –Proposed response of Broads Authority   | 17 |
| Summary of main comments  | 17 |

## 1. Introduction

- 1.1. On 6 August 2020 the Government published their ‘Planning for the Future’ White Paper for consultation. The document may be accessed from the following link: [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/907647/MHCLG-Planning-Consultation.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/907647/MHCLG-Planning-Consultation.pdf). The consultation deadline is 29 October 2020.
- 1.2. The White Paper proposes radical and wide-ranging reforms to the planning system "to streamline and modernise the planning process, bring a new focus to design and sustainability, improve the system of developer contributions to infrastructure, and ensure more land is available for development where it is needed."
- 1.3. The White Paper has five keys strands:
- Streamlining the planning process “with more democracy taking place more effectively at the plan making stage”
  - Taking a radical, digital-first approach “to modernise the planning process, moving from a process based on documents to a process driven by data”
  - Bringing a new focus on design and sustainability
  - Improving infrastructure delivery and ensuring developers play their part, through reform of developer contributions
  - Ensuring more land is available “for homes and development that people and communities need”
- 1.4. It sets out 24 proposals which are organised under three ‘pillars’, with a series of questions relating to each proposal. The pillars are:
- Pillar 1: Planning for development – focussing on local plans and decision-making
- Pillar 2: Planning for beautiful and sustainable places – focussing on design, environmental impacts and climate change
- Pillar 3: Planning for infrastructure and connected places – focussing on the infrastructure levy

- 1.5. This report will set out a summary of the White Paper and provide a commentary on some of the key issues. It will then recommend a response relating to the 24 proposals, as relevant.
- 1.6. Members should be aware that the commentary and responses recommended will relate primarily to the impact of the White Paper's proposals on the Broads, both as an area and as a Local Planning Authority (LPA).

## 2. Overview of the White Paper

### Rationale

- 2.1. There is justification for the proposed changes throughout the White Paper, both in terms of the overall approach and in relation to many of the individual changes. The main justifications put forward in the document relate to the 5 key strands identified at 1.4 above, and can be summarised as follows:
  - The current planning system is too complex, with too much uncertainty and delay. This applies to both plan-making and development management processes.
  - Decisions are based on 'discretion' (i.e. a judgement against policy) rather than rules based, so are not transparent. There is a lack of public trust in the process.
  - There is insufficient use of modern technology and a reliance on paper based-documents.
  - The system does not encourage beauty or quality of development, nor does it create the vibrant and diverse communities which are needed.
  - The system does not deliver enough homes.

### Pillar One: Planning for development – focussing on local plans and decision-making

- 2.2. Plan-making underpins the whole planning system and the White Paper identifies and proposes this as an area for major change, in order both to simplify and speed up the process. It becomes the central part of the system, where the main public engagement takes place and where the key decisions on location, scale and type of development would be made. It is proposed to extend the scope of plan making so that, unlike under the current system, the Plan would actually grant planning in principle for some development types, as well as simplify the application process for others.
- 2.3. A simplified system would see all land categorised into one of three areas, with different implications for their development and the subsequent processes:

| Area            | Scale of development   | Approval process   |
|-----------------|--|--|
| Growth Areas    | Suitable for substantial development. LPA and/or developers encouraged to produce Masterplans, which would effectively form the basis of the permission. Can include suitable development uses, as well as limitations on height and/or density. LPAs to require mix of developers in schemes in Growth Areas, to better enable SMEs to contribute to regeneration and growth. Areas should also be specifically identified for self and custom-build homes, and community-led housing developments. | Outline approval for development would be automatically granted for forms and types of development specified in the Plan. Use of Local Development Orders to create local Permitted Development Rights.  |
| Renewal Areas   | Smaller areas, which might be urban or rural, and town centres and rural areas not identified in the other categories. Could cover existing built up areas as well as greenfield sites. 'Gentle densification' and infill. Can include suitable development uses, as well as limitations on height and/or density.   | Statutory presumption in favour of development being allowed for the uses specified in the Plan. Use of Local Development Orders or Neighbourhood Development Orders to create local Permitted Development Rights. Prior Approval type process for certain building types. |
| Protected Areas | Areas covered by existing designations where stronger controls on development would be applied. Identified in the Plan, Protected Areas would also include areas identified as locally important because of, for example, cultural characteristics or an important view.   | Either application-based or presumption in favour where criteria in Plan met.  |

2.4. The Plan would identify the areas suitable for Growth, Renewal or Protection status in order to meet a range of development needs such as homes, businesses and community facilities for a minimum period of 10 years.

2.5. The plan making process would be simplified, with a statutory 30 month timescale:

|         |  |           |
|---------|--|-----------|
| Stage 1 | LPA calls for suggestions for areas under the three categories and for ways to achieve public involvement at this plan-shaping stage for where development should go and what it should look like. | 6 months  |
| Stage 2 | LPA draws up proposed Plan, plus evidence to justify proposals   | 12 months |
| Stage 3 | Submission of Plan to Planning Inspectorate (PINS) with statement of reasons and, simultaneously, publication and consultation with public.  | 6 weeks   |
| Stage 4 | Examination against 'sustainability' statutory test and national guidance by PINS, plus Examination.   | 9 months  |
| Stage 5 | Finalisation of Plan and adoption.   | 6 weeks   |

- 2.6. In respect of housing, the standard methodology for numbers and distribution would be set nationally, taking account of local factors. This methodology is currently the subject of a separate consultation (Changes to the current planning system – August 2020) which was presented to the Planning Committee at their September meeting. Higher levels of housing would be proposed for areas of high unaffordability in order to boost supply, whilst in areas where demand is greater than supply this would be factored into calculation of the housing requirement. The LPA would determine through the Plan how to meet the need and the Housing Delivery Test would be retained to monitor this.
- 2.7. The existing test of soundness would be abolished, to be replaced by a statutory 'sustainable development' test. The duty to co-operate would be also be abolished, and requirements for environment and viability assessment updated.
- 2.8. Neighbourhood Plans would be retained.
- 2.9. The fundamentally different Local Plan, with its identification of what development is allowed and where, would reduce the need for a development management process. In Growth Areas, identified development would be automatically granted outline permission, whilst in Renewal Areas there would be a statutory presumption for certain types of development. In both these areas, this identification process and the use of Reserved Matters to agree details and Local Development Orders, Neighbourhood Development Orders and Prior Approval-type processes would result in most development being effectively agreed at the Plan stage. In Protected areas, the current system of application to the LPA would continue.
- 2.10. Development Management policies would be set out nationally in a revised National Planning Policy Framework (NPPF), and the Plan should contain only site or area-specific requirements, including broad height limits and scale and/or density limits for land included in Growth and Renewal areas.
- 2.11. Determination timescales would become binding, with permission by default if not met and/or fee refunds (including where appeals allowed), in order to speed up decision making.

- 2.12. Throughout the White Paper there is a strong emphasis on the role of technology in making the planning process simpler, quicker and more accessible. Plans should move away from being paper and document based to web-based interactive maps so users can click on an area and see what would be allowed. A standard 'model' template for Plans is to be developed, which will be primarily map based with text limited to spatially-specific elements only.
- 2.13. Plans and policies should also be machine readable so that with increased digitisation, standardised technical information (e.g. on flood risk) and the automation of some processes, some applications would be able to be determined automatically.

### **Pillar Two: Planning for beautiful and sustainable places – focussing on design, environmental impacts and climate change**

- 2.14. In the Overview to Pillar 2, the White Paper states that “planning should be a powerful tool for creating visions of how places can be, engaging communities in that process and fostering high quality development: not just beautiful buildings, but the gardens, parks and other green spaces between, as well as the facilities which are essential for building a real sense of community”.
- 2.15. To improve standards of design, the Government is to produce National Model Design Code (autumn 2020) setting out design parameters to complement Principles in National Design Code (October 2019), along with revised Manual for Streets. This should be the basis for promoting good design and place making through planning.
- 2.16. It advises that LPAs should develop these locally and prepare design guides and codes which reflects local character and preferences, to avoid the creation of 'anywhere-ville' communities. These should be built on empirical evidence and developed through local engagement and will supplement the Plan.
- 2.17. Government will also develop “a limited set of form-based development types” which would benefit from permitted development rights, but with prior approval needed for details (e.g. materials) so they can be adapted to local contexts, or LPAs could modify them through local orders. All streets are to be tree lined.
- 2.18. In Growth Areas, masterplans and design codes should be part of permission in principle and can be prepared by LPA or site promoter. In Renewal Areas particularly, homes built in accordance with 'pattern book' rules could be covered by permitted development rights (for example, using a Local Development Order) and these and other scheme which meet local design codes should be fast tracked to approval.
- 2.19. A new body would be established to support the delivery of design codes across the country and each LPA should have a design champion.
- 2.20. The White Paper advises that historic buildings should play a part in renewal of built up areas (urban and rural) and have better energy efficiency performance. They will need to adapt to challenges and there will be a review of the listed building and conservation areas framework, to consider how to both conserve and adapt. The Government will

also consider new framework for consenting certain contractors to do certain works under an 'exemption'.

- 2.21. The Government also proposes to amend the NPPF to ensure that planning can promote mitigation and adaptation to climate change, maximise environmental benefits and contribute to net biodiversity gain.
- 2.22. Looking at the wider environmental issues, there will be a quicker, simpler framework for assessing environmental impacts and enhancement opportunities, "that speeds up the process while protecting and enhancing the most valuable and important habitats and species in England." It is proposed that this will be achieved mainly by doing it at the Plan making stage.
- 2.23. In order to address climate change, from 2025, homes will be carbon ready and with 75-80% lower CO2 emissions compared to current levels. The White Paper advises that LPAs have responsibility in this and have a role to play in setting energy efficiency standards.

### **Pillar Three: Planning for infrastructure and connected places – focussing on the infrastructure levy**

- 2.24. The current system for securing contributions from developers and capturing uplift in land values in order to fund public services and infrastructure is either through the s106 mechanism or by the Community Infrastructure Levy (CIL). The White Paper details the problems with these approaches, which are primarily uncertainty and delay, but confirms commitment to the principle of the mechanism of developer funding stating that it is "central to our vision for renewal of the planning system".
- 2.25. It proposes the replacement of all existing contribution mechanisms with a nationally set levy to be charged as a fixed proportion of the development value above a threshold, with a mandatory nationally-set rate or rates at either a single rate, or at area specific rates. The current system of planning obligations would be abolished. The scope of the Infrastructure Levy could be extended to capture changes of use through permitted development rights.
- 2.26. Ambitiously, the government intends this new levy to "raise more revenue than under the current system of developer contributions, and deliver at least as much – if not more – on-site affordable housing".
- 2.27. It also proposes to extend the levy to include affordable homes, or land for local authority to build itself, and include mechanisms to incentivise provision.
- 2.28. It also proposes to widen the scope of the spend of the infrastructure levy to other council priorities, e.g. reducing council tax or green infrastructure.
- 2.29. The cost of operating the new planning system should be principally funded by the beneficiaries of planning gain – landowners and developers – rather than the national or local taxpayer. This will include allocating some 'gain' for local plan work.

- 2.30. The White Paper also wishes to see LPAs place more emphasis on the enforcement of planning standards and decisions.

### 3. Commentary

- 3.1. In considering the commentary, it is worth remembering that this is a White Paper and, as such, it sets out proposals for future legislation. Much of the detail which will be required to enact the proposals (and which would be in the legislation) is absent, which makes it harder to comment as the detail will be important in terms of both the operation and effect of the new system. It is also a consultation, so some elements are likely to change and one of the messages from MHCLG in the webinars about the White Paper are that they would welcome ideas on things to consider as well as details as they progress the proposals.
- 3.2. It is also worth remembering that there has been considerable and significant change to the planning system over recent years, most of it incremental. The abolition of regional planning, the streamlining of national policy into the NPPF, changes to Local Plans through duty to cooperate, the soundness test and alterations in housing policy, Neighbourhood Planning and a stream of Written Ministerial Statements have altered the planning policy landscape, whilst major extensions to Permitted Development Rights and Prior Approval processes have taken many forms of development out of the planning approval processes altogether.
- 3.3. It is unarguable that the system has become more complicated. The proposals in the White Paper are unequivocally intended to dismantle the system and replace it with a simpler and clearer system, which “will speed up the plan-making and decision-making process, improve public participation and deliver better quality development in the places it is needed”.
- 3.4. This commentary will consider the key messages and proposals, discuss the main implications for the Broads and recommend what response should be made.

#### **Pillar One: Planning for development – focussing on local plans and decision-making**

- 3.5. The ambition to speed up the Plan making process is welcome (and the statistic that only 50% of LPAs have an up-to-date Local Plan explains the aim), however any proposed timeline must be realistic and provide opportunity for meaningful public engagement at the appropriate stages. The statutory 30 month timeline proposed (see 2.5 above) is doubtlessly challenging as it will need to include the identification of the three generic areas (Growth, Renewal and Protection), the patterns of acceptable land use in those areas, the necessary infrastructure to support that development, as well as the scale, form and design of the development. The work on the three generic areas will need to happen more or less simultaneously, and has the potential to be technical, overwhelming and confusing for stakeholders. This would limit participation. Further, our experience is that the general public in particular tend to respond more readily to local proposals where they can see the details, so consultation on high-level



'allocations' may not maximise engagement. Furthermore, if Stage 1 becomes the only stage of engagement before submission, as proposed, there is the potential for disenfranchisement and disconnect, or challenge further down the line when the details become clear. Given the radical nature of the changes proposed to the system, and the scale of development it is designed to bring forward, it is essential that communities are engaged and able to influence the plans in a meaningful way. There is a lot of benefit in frontloading the system, but the consultation needs to be relevant and engaging. The importance of this is further reinforced by the fact that, under the proposals, much development would in effect be automatically consented on adoption of the plan. It is unclear therefore how the proposal would address the problem which has been identified in the White Paper that there is a lack of public trust in the process.

- 3.6. There is no detail on the mechanism by which land would be separated into one of the three identified categories – Growth, Renewal and Protection – or what the parameters for these would be or from where they would be derived. If they are derived locally this could result in considerable inconsistency. This is important because there is no mention in the White Paper of strategic or cross-boundary planning, other than the removal of the duty to cooperate. Significant infrastructure will be required to support the Growth category due to the scale of the development, for example, whilst the identified Protected Areas of one LPA may need to be recognised by its neighbours. Currently the strategic element is dealt with through the statutory duty to cooperate and the S17(a) duty in the Norfolk and Suffolk Broads Act 1988 requires adjacent authorities to take account of National Park purposes (which includes the Broads) in decision making. A weakening of either duty risks undermining public benefits, including that arising from development, and jeopardising necessary collaboration.
- 3.7. Given the growth agenda context in which it is made, the rationale for the three land use groupings (Growth, Renewal and Protection) is understood, however actual land use is usually complex and the categories seem simplistic. Protected landscapes (including National Parks, the Broads and AONBs) currently comprise 26% of UK land use and it is proposed that areas of open countryside outside of Growth and Renewal Areas can be designated a Protected Area. Unless it is proposed that they will have the same status, there will need to be a mechanism to distinguish between nationally designated landscapes and those identified locally as Protection Areas.
- 3.8. One of the main themes is the need to increase housebuilding, with the proposal to use a nationally set methodology for calculating need and a target of 337,000 new homes per annum. Concurrent to this consultation is the consultation 'Changes to the current planning system (August 2020)' which covers the new methodology; this was considered by the Planning Committee at their September meeting. Concerns were raised then about the proposed new methodology and, particularly, the implications for a very significant increase in targets locally and the consequent need to identify less suitable sites, plus increased recreational (and other) pressures on the Broads. Currently some of the Broads' housing need is met outside of its area through the duty to cooperate, but this may become harder to achieve if the Districts' targets increase

significantly, resulting in either unmet need or a pressure to allow develop on less suitable sites within the Broads. This will be exacerbated by the removal of the duty to cooperate.

- 3.9. It is unclear whether and how a standard methodology and the housing delivery test will apply to the National Parks and the Broads, especially as a mechanism to address affordability and/or supply. These tests do not currently apply to the Broads and National Parks. The approach of increasing allocations as a means to increase delivery and improve affordability is over simplistic, with the Letwin Review (2018) finding that build-out rates are largely determined by market absorption (where price is only one element), and does not promote the levelling up agenda. Historically housing has been restricted in these areas (most recently under footnote 6 in the NPPF) in recognition of the special character of the areas and the White Paper recognises that “National Parks are highly desirable and housing supply has not kept up with demand; however, the whole purpose of National Parks would be undermined by multiple large-scale housing developments so a standard method should factor this in.” (page 32). There is a clearly a tension here, in that if the market were to absorb more housing in the National Parks and Broads, it would undermine the value of the designation. If the objective is to improve affordability and meet demand, both of which are laudable aims, there are better and more local ways of doing this. This could include identifying and prioritising demand for housing, so that development which supports and sustains local communities takes preference over that aimed primarily at well-resourced incomers, which accelerates the growth in prices. NPAs have a proven track record of using a rural exceptions site type approach to provide housing in their areas to address local need, and this would not fit well in either the Growth or Renewal model. It is also an approach which can secure local support, as the communities benefit from the development, as well as being flexible in application and potentially more attractive to SMEs.
- 3.10. The White Paper is right to identify housing as one of the key challenges for a reformed planning system, but creation of sustainable places, whether new or ‘densified’, needs to be developed locally and a ‘one size fits all’ approach does not seem appropriate. There are existing models and approaches which have worked well within the National Parks and Broads and there is much merit in using these.
- 3.11. The White Paper reaffirms the Government’s commitment to Neighbourhood Plans as an important component of the planning system, but there are no details on how these would relate to the Local Plan or the process for their preparation. It would be very challenging for Parish Councils and/or other Neighbourhood Planning groups, who are typically volunteers, to resource and undertake the process identified for LPAs, especially with the strong emphasis on frontloading, engagement and digital access. There is also a question around the role of and need for a Neighbourhood Plan if the community are fully engaged in development of the Local Plan.

- 3.12. There is a strong emphasis in the White Paper on the use of technology in plan-making and the provision of interactive maps and web-based material. This is welcome in principle and offers the opportunity to present material in innovative and flexible ways and engage with a wider audience. The Covid-19 pandemic has driven a change in the way in which we all communicate, and there are many benefits to the new methods, but it is very important to remember that not all groups and areas are able to access digital technology easily. There is currently a statutory requirement to set out in the Statement of Community Involvement (SCI) how an LPA has engaged with 'hard to reach' groups and it will be important not to create new barriers to participation.
- 3.13. The NPPF has been a useful approach to setting a national policy context, with technical guidance and interpretation in the supplementary National Planning Policy Guidance (NPPG). Nonetheless, there are many local issues which are not covered by the NPPF and which need, therefore, to be set out in a Local Plan. In the Broads this has included policies on residential moorings, protection of peat and the provision of public moorings within commercial development. The proposal to provide a national set of development management policies will limit the ability of an LPA to address local issues and, in addition to raising contradictions with the goal of place making, this conflicts with the objective to involve local communities in the process. It will also introduce uncertainty as there will not be a policy framework against which to judge such proposals with its local characteristics.

### **Pillar Two: Planning for beautiful and sustainable places – focussing on design, environmental impacts and climate change**

- 3.14. The White Paper has a very strong emphasis on quality of new development and improving design, and this is wholly welcome. It proposes to do this through the use of masterplans for Growth Areas, guided by a National Model Design Code and pattern books. This approach can be appropriate for large scale development, but is of less use at the smaller scale where local context is a primary consideration. The Broads and other designated areas, particularly Conservation Areas, are identified and protected precisely because of their special character and there is potential for this to be undermined by generic development, even if it was designed for the Broads. This is easily illustrated by contrasting the forms of riverside development in Horning, where the smaller bungalows upstream give way to 1½ and then 2 storey properties as the river approaches Horning Corner, after which the character again changes to a much more mixed and dense pattern of commercial and holiday properties, moorings and an abundance of dykes, before becoming more open again towards the downstream end of the river. Whilst guidance could be provided on typical form and materials, it would be difficult to produce a pattern book for the Broads which offered designs which would fit in anywhere.
- 3.15. The same concerns apply in respect of the proposals to extend permitted development rights to “a limited set of form-based development types” devised nationally.

- 3.16. It should also be noted that good development comprises more than just approved design and there needs to be a mechanism to cover the myriad of other factors, which might include access, flood risk and neighbour amenity. These can be identified and addressed in a masterplan for a Growth Area, or considered when making an 'allocation' of a Renewal Area, but a different process is required when dealing with small scale and windfall development, which in areas like the Broads, makes up the majority of the schemes that come forward. This consideration is not fully recognised.
- 3.17. One of the key drivers for the use of design codes approach is to enable development to be in effect automatically approved at the allocation stage in Growth and Renewal Areas, and approved in principle subject to conformity with the design code elsewhere. The purpose of this is to speed up approvals by reducing the need for a development management process. This would be the main change to the system, in that the 'rules' are set in the masterplan or design code and the role of the development management process would be simply to confirm compliance with the codes. This has implications for community involvement, in that the only input would be at the 'allocation' and design code stage (stage 1), and there would be a reduced role for Councillors and Planning Committees in determining planning applications.
- 3.18. The White Paper is clear in its ambition to make planning more about place-making and less about process and this is welcome. However, a 'one size fits all' approach based on master planning for significant schemes will not transfer readily to smaller sites, particularly in rural areas, where caution needs to be exercised. Furthermore, looking at design, the idea of a locally-developed design code is in principle attractive, but views on design can be very personal and vary widely, so the achievement of local consensus on such a code may necessarily result in the triumph of the lowest common denominator. It has been suggested that, instead, this might be better approached as a 'framework for quality' which sets expectations of what will be accepted in particular areas and reflecting community preferences.
- 3.19. The White Paper lacks detail on many of the proposals, but this absence is most apparent for the areas of heritage and environment. The White Paper is critical of the level of detail currently required within the system, arguing that "Assessments of housing need, viability and environmental impacts are too complex and opaque ... (they) add complexity and bureaucracy but do not necessarily lead to environmental improvements nor ensure sites are brought forward and delivered..." (p12). It specifically identifies Strategic Environmental Assessment (SEA), Sustainability Appraisal (SA) and Environmental Impact Assessment (EIA) as leading to duplication and "overly-long reports which inhibit transparency and add unnecessary delays."
- 3.20. It is accepted that a high level of information, some of it very specialised, is required within the planning process, but this is because plan-making and decision-taking on development is based on facts. These will include details of the site including flood risk, environmental designations and sensitivities and, potentially, matters such as highway capacity and air quality. Currently, different levels of information are required at

different stages of the process. For example, SEA is undertaken at the early plan-making stage to screen out sites which are unsuitable for development on environmental grounds, whilst EIA is done at an application stage to drill down to the specific impacts of a specific proposal. These processes should be complementary, not repetitious. Removing the requirement for this information on the grounds of speeding up the process will often mean that it will need to be provided at another time and simply pushes it down the line. There is also a concern that if the information requirements are reduced, this will result in ad hoc impacts, particularly on the environment, which are unplanned and difficult to resolve or mitigate.

- 3.21. Finally, Pillar 2 sets out the approach by which the new planning system will assist with mitigation and adaptation to climate change. At 267 words it lacks details, but the document explains elsewhere that the planning regime will tie in with the 25 Year Environment Plan and the draft Environment Bill to achieve environmental benefits, as well as setting an aspiration for 'net gain' from all development rather than simply 'no net harm'. The policies to achieve this will be set out in the amended NPPF and the Local Plan will address area-specific issues only, although this could include identification of areas for, for example, habitat recreation. If the Government is really serious about addressing the climate and biodiversity emergencies, the reform of the planning system is an opportunity to make genuinely transformational change in the way in which land use is planned and ensure that the radical measures which are required are embedded in the legislation as a statutory minimum. Both the Environment Plan and the Environment Bill have the development of Nature Recovery Networks at their centre and the links with the White Paper and, in future, with the amended NPPF presents the mechanism to enact this. Referring back to the point at 3.20, this illustrates the need for adequate information to support development proposals in order that the baseline is clear.

### **Pillar Three: Planning for infrastructure and connected places – focussing on the infrastructure levy**

- 3.22. Pillar 3 focuses mainly on the replacement of S106 and CIL with a new payment regime, called, unsurprisingly, the Infrastructure Levy, which is proposed to be quicker and simpler to administer, with more consistency and buoyancy so it can respond to changes in development values. It is agreed that s106s can take time to negotiate, however if they are started early in the process and the principles agreed between the parties, they need not impact significantly on determination times.
- 3.23. One of the reasons they need to be negotiated on a case by case basis (unlike CIL or the new levy) is that they relate to a particular development, however this is an advantage as it allows discretion and flexibility in response to particular circumstances, as well as allowing an LPA to include non-financial requirements. Open space, for example, is usually dealt with via S106. There will also always be a need to document trigger points for payments and other obligations, so even with a standard levy there is still need for negotiation and a formal agreement.

- 3.24. Due to the type of development we deal with in the Broads, the LPA rarely uses S106s, however in recent years a financial contribution to the provision of offsite affordable housing in Great Yarmouth was secured through the Marina Quays scheme, as well as significant financial contributions to community projects and open space at Ditchingham Maltings. Both of these have uplift clauses so that additional monies can be secured if the development values increase. There is also a boatyard and public moorings required by S106 on the Pegasus at Oulton Broad. None of this could have been achieved under a simple levy, or other than by S106 or similar process.
- 3.25. The Broads Authority is amongst the 50% of LPAs that did not adopt CIL. Partly because the Broads does not have the level of development to justify it, but also because CIL is complicated and time consuming to calculate, consult on and adopt, with all the discussions about land and development values taking place up front. There may be an argument for replacing CIL with a nationally set formula, and this may be the most efficient model for volume housebuilders on standard sites with known constraints and agreed infrastructure requirements, but this does not mean that there is no place for a locally negotiated agreement in the form of a S106.
- 3.26. The proposal to extend the infrastructure levy to schemes which come forward under permitted development rights is welcome, and important too given the very significant extension of these rights and the burden this places on local facilities. This should also apply to Prior Approval schemes which generate significant new development. The ability for LPAs to have more options over what they fund through the levy, which could include affordable housing, is also welcome.
- 3.27. The White Paper states the “cost of operating the new planning system should be principally funded by the beneficiaries of planning gain”. Government has previously explored a ‘cost recovery’ approach to development management, including locally set fees, but has not pursued this. Certainly there is an argument that costs should be borne by the applicant or developer as the principal recipient of any financial uplift, however, society as a whole also benefits from a strong planning system which should be (and be seen to be) about more than land value and housebuilding. The funding mechanism, however, will need to be fair and it must be recognised that there will be less development which generates fees in the protected landscapes, but the plan making and other requirements are the same.
- 3.28. It is clear that such significant changes will require a range of new skills, and a potentially re-assignment of roles within planning departments across the country. The front-loading of the system places a greater emphasis on plan-making and engagement. The White Paper recognises an imbalance in resources where the level of development is likely to fall significantly short of drawing in the income necessary to resource a planning department. It is important this detail is addressed.
- 3.29. Finally, the White Paper emphasises the importance of enforcement in planning. This will become much more important if development is consented automatically through,

for example, Growth Area status or design codes, subject to its being in accordance with the 'rules' as compliance will need to be checked. This will require resourcing.

## 4. Delivering change and next steps

- 4.1. The White Paper concludes with two final sections – 'delivering change' and 'what happens next'. The latter is primarily a statement of intent, reiterating the commitment to a reform of the planning system, subject to the outcome of the consultation, and advising of the ambitious implementation timescale of the end of this Parliament (December 2024).
- 4.2. The preceding 'delivering change' section, however, sets the proposed reforms within the context of other changes, including the parallel consultation on 'Changes to the current planning system (August 2020)', changes to the way public assets and investment are handled and supporting innovation through, for example, greater use of development corporations. It then goes on to outline in more detail what the reforms will mean for planners and LPAs.
- 4.3. It acknowledges explicitly the scale of the change that is required, stating:

“The preparation of reformed Local Plans, development of new design codes, a major overhaul of development contributions, and a new streamlined approach to decision-making will have profound implications for how local planning authorities operate in future. They will need to have sufficient leadership, a strong cadre of professional planners and good access to technical expertise, as well as transformed systems which utilise the latest digital technology. But equally importantly, there must be a fundamental cultural change on how planning departments operate. They need to be more outward looking, proactively engaging with developers, businesses, architects and designers, as well as a wider cross-section of their local communities”.
- 4.4. The recognition of the scale of the change is welcome, as is the acknowledgement of the impact on LPAs and the cultural shift that will be required if the reforms are to be delivered. The 'delivering change' section also, however, remarks that:

“...we know that local authority planning departments are under great pressure – with spending per person on planning and development down 60 per cent and shortages of specialist skills such as design and ecology. And the technology in local planning authorities to support modern services is not there – whilst PropTech firms are developing new apps and other digital services to engage with development in new ways, in few places can this be captured by the local authority ...”
- 4.5. The importance of the need to provide planners and LPAs with the resources they will require if they are to implement the proposed reforms cannot be overstated.

## 5. Conclusion and recommendations

- 5.1. The reforms proposed are ambitious and the objectives on which they are based are sound, in the main. The proposals lack detail, which limits productive comment (and raises concern) and the singular focus on housing significantly diminishes the scope of the vision. The commitment made by the Government to address the climate and biodiversity emergencies – which are land use-led, and can be challenged through land use – is side stepped.
- 5.2. These criticisms notwithstanding, there are bold ideas in the White Paper and it offers an opportunity to have a modern conversation about planning and what it is for.
- 5.3. The planning system exists to manage and control land use. For many years now, it has sought to do so through the lens of sustainable development; considering the environmental, social and economic dimensions of decisions, in both a proactive and reactive way. It exists to mediate and manage competing interests. It aims to act in the greater good: drawing on evidence, and considering people’s views and interests in an open and democratic way. In doing so, it should act neutrally and independently, not influenced by personal or financial interests. It seeks to address market failure, recognising where the market cannot or will not deliver, and where intervention is needed to protect the environment, deliver infrastructure, or address social inequality or disadvantage.<sup>1</sup>
- 5.4. This vision of the role of planning is not incompatible with the proposed reforms, but changes are needed if this is to be met. The key issues to be addressed are around engagement, the retention of the ability of LPAs to make locally relevant policies and, through the national reforms, the embedding of the climate and bio-diversity emergencies at the centre of the planning process.
- 5.5. It is recommended that the responses attached at Appendix 1 are submitted to MHCLG as comprising the formal response of the Broads Authority, with a simple statement identifying the key concerns as outlined at 5.4 above.
- 5.6. Members should be aware that officers have liaised with colleagues in the National Park Authorities and contributed to a joint response being submitted by NPE on behalf of the authorities.

Author: Cally Smith

Date of report: 29 September 2020

Background papers: Planning for the Future, White Paper August 2020

Appendix 1 – Proposed response of Broads Authority

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<sup>1</sup> Thanks to Dan Janota, Head of Forward Planning and Economy at Dartmoor NPA for this overview of what planning is about. I could not come up with a better summary.



# Appendix 1 –Proposed response of Broads Authority

## Summary of main comments

- The commitment made by the Government to address the climate and biodiversity emergencies, which are land use led and can be challenged through land use, is side stepped.
- The key issues to be addressed as proposals are worked up are around engagement, the retention of the ability of LPAs to make locally relevant policies and, through the national reforms, the embedding of the climate and bio-diversity emergencies at the centre of the planning process.
- The White Paper lacks detail on many of the proposals, but this absence is most apparent for the areas of heritage and environment.

| Proposal number  | Question number and proposed response  |
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|  | (Question 1 – 4 not completed)   |
| <p><b>Proposal 1:</b> Simplifying the role of Local Plans, to focus on identifying land under three categories - Growth areas suitable for substantial development, Renewal areas suitable for development and areas that are protected. .</p> | <p>Question 5: Support proposals to speed up Local Plan production, subject to caveats around ensuring participation.</p> <p>Clarification needed around how the areas would be defined (e.g. national or local parameters) and how Protection Areas would be defined. If they are derived locally this could result in considerable inconsistency. This is important because there is no mention in the White Paper of strategic or cross-boundary planning, other than the removal of the duty to cooperate. Significant infrastructure will be required to support the Growth category due to the scale of the development, for example, whilst the identified Protected Areas of one LPA may need to be recognised by its neighbours.</p> <p>Emphasis within protected landscapes should be on protection, but with ability to meet local need.</p> <p>Actual land use is usually complex and the categories seem simplistic.</p> <p>There will need to be a mechanism to distinguish between nationally designated landscapes and those identified locally as Protection Areas.</p> |

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| <p><b>Proposal 2:</b> Development Management policies established at national scale and an altered role for Local Plans.</p>                             | <p>Question 6: There are many local issues which are not covered by the NPPF (and to do so would not necessarily be appropriate) and which need, therefore, to be set out in a Local Plan. In the Broads this has included policies on residential moorings, protection of peat and the provision of public moorings within commercial development. The proposal to provide a national set of development management policies will limit the ability of an LPA to address local issues and, in addition to raising contradictions with the goal of place making, this conflicts with the objective to involve local communities in the process. It will also introduce uncertainty as there will not be a policy framework against which to judge such proposals with its local characteristics.</p> <p>At this stage, with the limited details available, we would support the alternative options in 2.16 of the document.</p> <p>There seems to be no mention of strategic policies and these are the policies with which Neighbourhood Plans need to conform. Clarity needed over whether Local Plans will still need to set out strategic policies.</p> |
| <p><b>Proposal 3:</b> Local Plans should be subject to a single statutory “sustainable development” test, replacing the existing tests of soundness.</p> | <p>Question 7(a): Agree that system is complex, but sufficient and good quality information is needed to make good decisions. There may be scope for consolidation and/or simplification, but detail of this will be critical.</p> <p>Plan-making and decision-taking on development is based on facts. These will include details of the site including flood risk, environmental designations and sensitivities and, potentially, matters such as highway capacity and air quality. Currently, different levels of information are required at different stages of the process. Removing the requirement for this information on the grounds of speeding up the process will often mean that it will need to be provided at another time and simply pushes it down the line. There is also a concern that if the information requirements are reduced, this will result in ad hoc impacts, particularly on the environment, which are unplanned and difficult to resolve or mitigate.</p>  |

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|   | <p>There seems to be no mention of HRAs or how these issues will be addressed after Brexit.</p> <p>Question 7(b): Duty to Cooperate has been very effective in Norfolk, with useful policy documents produced and collaboration. In the absence of formal strategic or regional planning, suggest this is retained.</p>   |
| <p><b>Proposal 4:</b> A standard methodology for establishing housing requirement figures. This would factor in land constraints and be focused on areas where affordability pressure is highest to stop land supply being a barrier to enough homes being built.</p> | <p>Question 8(a):</p> <p>It is unclear whether and how a standard methodology and the housing delivery test will apply to the National Parks and the Broads, especially as a mechanism to address affordability and/or supply.</p> <p>If the market were to absorb more housing in the National Parks and Broads, it would undermine the value of the designation. If the objective is to improve affordability and meet demand, both of which are laudable aims, there are better and more local ways of doing this. This could include identifying and prioritising demand for housing, so that development which supports and sustains local communities takes preference over that aimed primarily at well-resourced incomers, which accelerates the growth in prices. NPAs have a proven track record of using a rural exceptions site type approach to provide housing in their areas to address local need, and this would not fit well in either the Growth or Renewal model. It is also an approach which can secure local support, as the communities benefit from the development, as well as being flexible in application and potentially more attractive to SMEs.</p> <p>The White Paper is right to identify housing as one of the key challenges for a reformed planning system, but creation of sustainable places, whether new or 'densified', needs to be developed locally and a 'one size fits all' approach does not seem appropriate. There are existing models and approaches which have worked well within the National Parks and Broads and there is much merit in using these.</p> |

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|   | <p>Question 8(b): Different places have different constraints and their ability to take growth depends on many factors. It is not always the case that the bigger the settlement the more growth it can take – capacity of water recycling centres, junctions, schools are all site specific issues.</p>   |
| <p><b>Proposal 5:</b> Areas identified for Growth Areas automatically granted outline permission, with similar for pre-established development types in other areas</p> | <p>Question 9(a): No objection in principle, subject to improved consultation and engagement arrangements to ensure local input before allocations confirmed.</p> <p>Question 9(b): As above.</p> <p>Question 9(c): Unclear of the difference between substantial new development in Growth Areas and new settlements. There is no justification made for an additional process outside of the new Local Plan arrangements, and note that the NSIP process is complex for the public to engage in.</p>   |
| <p><b>Proposal 6:</b> Decision-making should be faster and more certain, within firm deadlines, and should make greater use of data and digital technology.</p>         | <p>Question 10: There is potential for greater use of technology and shared or standard information, which will offer time and cost benefits. This relies on collaboration and at a strategic level may be compromised by the loss of the duty to cooperate. Formal mechanisms to achieve this will be required.</p> <p>The emphasis on personal technology (eg smart phones) is noted, but this will require a significant stepchange in public understanding before it can wholly replace existing methods of publicity. As noted elsewhere, reliance of technology risks excluding those without access to it.</p> <p>The proposed increased use of permission in principle and Prior Approval, automatic outline permission and wider permitted development will result in a reduced use of planning applications. These are likely to focus on the more sensitive and/or contentious schemes and/or in protected areas and may not be suitable for the digital processing.</p> <p>This has implications for community involvement, in that the only input would be at the ‘allocation’ and design</p> |

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|   | <p>code stage (stage 1), and there would be a reduced role for Councillors and Planning Committees in determining planning applications.</p>   |
| <p><b>Proposal 7:</b> Local Plans should be visual and map-based, standardised, based on the latest digital technology, and supported by a new standard template.</p>   | <p>Question 11: Support proposal, but note that it will require additional support to get in place. The Covid-19 pandemic has driven a change in the way in which we all communicate, and there are many benefits to the new methods, but it is very important to remember that not all groups and areas are able to access digital technology easily. There is currently a statutory requirement to set out in the Statement of Community Involvement (SCI) how an LPA has engaged with ‘hard to reach’ groups and it will be important not to create new barriers to participation.</p>  |
| <p><b>Proposal 8:</b> Local authorities and the Planning Inspectorate will be required through legislation to meet a statutory timetable (of no more than 30 months in total) for key stages of the process, and there will be sanctions for those who fail to do so.</p> | <p>Question 12: This is a very challenging timescale and there is potential for it to be complex given the range of issues to be dealt with simultaneously.</p> <p>There is a trade-off between speed and engagement, and the proposal relies on limiting public engagement to the initial and the submission phases only. If the Government view is that more engagement results in a better plan, a further consultation stage should be introduced between stage 2 and 3.</p> <p>The work on the three areas of plan making will need to happen more or less simultaneously, and has the potential to be technical, overwhelming and confusing for stakeholders. This would limit participation.</p> <p>Further, our experience is that the general public in particular tend to respond more readily to local proposals where they can see the details, so consultation on high-level ‘allocations’ may not maximise engagement.</p> <p>If Stage 1 becomes the only stage of engagement before submission, as proposed, there is the potential for disenfranchisement and disconnect, or challenge further down the line when the details become clear.</p> <p>The importance of this is further reinforced by the fact that, under the proposals, much development would in</p> |

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|  | <p>effect be automatically consented on adoption of the plan. It is unclear therefore how the proposal would address the problem which has been identified in the White Paper that there is a lack of public trust in the process.</p> <p>Taking a third of the 30 months to examine the plan seems quite heavy at the end of the process. Better resourcing of PINS could reduce stage 3 by 3 months, which could 'pay' for new consultation stage which we introduced earlier.</p>   |
| <b>Proposal 9:</b> Neighbourhood Plans to be retained  | <p>Question 13(a): Support their retention. Clarity needed as to how they will fit with Growth etc Areas and conformity of designations.</p> <p>Question 13(b): Support will need to be made available to neighbourhood planning groups if they are to implement the digital requirements. Risk that process overtakes content, so need clear objectives and allow communities to produce their own plans</p>  |
| <b>Proposal 10:</b> A stronger emphasis on build out through planning  | <p>Question 14: Strongly support in principle. Evidence (eg Letwin) shows that slow build-out rates have significant impact on failure to meet housing target, with land banked planning permissions being a real issue. Completing permitted schemes preferable to further allocations as earlier consents likely to be sequentially preferable. This is also effective in increasing competition and improving affordability, so can be a priority.</p> <p>Sanctions are proposed for LPAs to ensure compliance with plan making or determination targets, but no intervention where build out stalls. Intervention by, eg, Homes England or equivalent might be considered.</p> |
|  | (Question 15 & 16 not completed)   |
| <b>Proposal 11:</b> Expect design guidance and codes to be prepared locally with community involvement and make them more binding on planning decisions. | <p>Question 17: Agree in principle with actions to improve design, but note that "beauty" is subjective and use of design codes should recognise importance of context and innovation and not result in 'identikit' schemes.</p>   |

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|  | <p>A 'one size fits all' approach based on master planning for significant schemes will not transfer readily to smaller sites, particularly in rural areas, where caution needs to be exercised.</p> <p>Views on design can be very personal and vary widely, so the achievement of local consensus on such a code may necessarily result in the triumph of the lowest common denominator. This might be better approached as a 'framework for quality' which sets expectations of what will be accepted in particular areas and reflecting community preference.</p> <p>A National Model Design Code and pattern books can be appropriate for large scale development, but is of less use at the smaller scale where local context is a primary consideration. The Broads and other designated areas, particularly Conservation Areas, are identified and protected precisely because of their special character and there is potential for this to be undermined by generic development, even if it was designed for the Broads where the character of even a settlement is varied over a small area. Whilst guidance could be provided on typical form and materials, it would be difficult to produce a pattern book for the Broads which offered designs which would fit in anywhere</p> <p>Good development comprises more than just approved design and there needs to be a mechanism to cover the myriad of other factors, which might include access, flood risk and neighbour amenity. These can be identified and addressed in a masterplan for a Growth Area, or considered when making an 'allocation' of a Renewal Area, but a different process is required when dealing with small scale and windfall development, which in areas like the Broads, makes up the majority of the schemes that come forward. This consideration is not fully recognised.</p> |
| <p><b>Proposal 12:</b> Establish a new body to support the delivery of local design codes and each LPA</p> | <p>Question 18: Support the proposal. It will need to be properly resourced if it is to be successful.</p>   |

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| to have a chief officer for design and place-making  |   |
| <b>Proposal 13:</b> Consider how Homes England’s strategic objectives to give greater emphasis to delivering beautiful places.   | Question 19: Support the proposal in principle, but subject to caveat in question 17.   |
| <b>Proposal 14:</b> Introduce a fast-track for beauty to automatically permit proposals for high quality developments where they reflect local character and preferences.                        | <p>Question 20: Support the proposal in principle, but this will be more suitable for development in Growth Areas, than for Renewal where consideration needs to be given to context, amenity and other considerations. It will also be subject to caveat in question 17.</p> <p>Caution needs to be exercised in protected landscapes and Protected Areas, as character is difficult to codify.</p> <p>How something looks is one aspect, but planning has a wider remit and will consider, for example, whether there is sufficient capacity at a Water Recycling Centre and access issues. These issues also need to be addressed.</p> |
| <b>Proposal 15:</b> Amend the National Planning Policy Framework to focus on where planning can address climate change mitigation and adaptation and facilitate environmental improvements.      | (no question)   |
| <b>Proposal 16:</b> Introduce a quicker, simpler framework for assessing environmental impacts and enhancement opportunities to speed up the process whilst protecting and enhancing ecosystems. | (no question)   |
| <b>Proposal 17:</b> Conserving and enhancing historic buildings and areas  | (no question)   |
| <b>Proposal 18:</b> Improvements in energy efficiency and  | (no question)   |



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| commitment to net zero by 2050   |   |
|  | (Question 21 not answered)  |
| <p><b>Proposal 19:</b> The Community Infrastructure Levy to be reformed as a nationally-set fixed proportion of development value above a threshold. A single rate or varied rates could be set.</p> | <p>Question 22(a): Do not support proposal – S106 Agreements offer wider scope for contribution than simply monies, as well as having flexibility to address local issues.</p> <p>It is agreed that s106s can take time to negotiate, however if they are started early in the process and the principles agreed between the parties, they need not impact significantly on determination times.</p> <p>One of the reasons they need to be negotiated on a case by case basis (unlike CIL or the new levy) is that they relate to a particular development, however this is an advantage as it allows discretion and flexibility in response to particular circumstances, as well as allowing an LPA to include non-financial requirements.</p> <p>There may be an argument for replacing CIL with a nationally set formula, and this may be the most efficient model for volume housebuilders on standard sites with known constraints and agreed infrastructure requirements, but this does not mean that there is no place for a locally negotiated agreement in the form of a S106.</p> <p>Question 22(b): A national rate will favour more prosperous areas and reinforce existing differences and advantages, whilst a local rate may be insufficient to fund local needs in areas where development values are lower. But, there is also opportunity to incorporate a redistributive element and contribute to levelling up agenda, and this should be explored.</p> <p>Question 22(c): No comment.</p> <p>Question 22(d): No comment.</p> |
| <p><b>Proposal 20:</b> Extend the scope of the consolidated Infrastructure Levy to capture</p>   | <p>Question 23: Support the proposal.</p> <p>This will be resource intensive to monitor and collect.</p>  |

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| changes of use through permitted development rights.   |  |
| <b>Proposal 21:</b> Ensure the new Infrastructure Levy allows local planning authorities to secure more on-site housing provision.   | <p>Question 24(a): Strongly agree, but the actual method of securing affordable housing is not clear.</p> <p>Question 24(b): This will depend on local circumstances and the levy should be flexible.</p> <p>Question 24(c): As 24 (b) – the levy should be flexible to local circumstances</p> <p>Question 24(d): As 24 (b) - the levy should be flexible to local circumstances.</p>   |
| <b>Proposal 22:</b> Give local authorities more freedom over how the Levy can be spent.  | <p>Question 25: Support the principle of greater flexibility, subject to essential needs being delivered first.</p> <p>Question 25(a): Yes. The provision of more housing, and more affordable housing particularly, is the impetus for the reforms, so this should be delivered as a priority.</p>  |
| <b>Proposal 23:</b> Development of a comprehensive resources and skills strategy for the planning sector so LPAs are equipped to create great communities through world-class civic engagement and proactive plan-making | <p>Whilst no specific question was asked on this proposal, the White Paper recognises an imbalance in resources where the level of development is likely to fall significantly short of drawing in the income necessary to resource a planning department. It is important this detail is addressed. The funding mechanism, however, will need to be fair and it must be recognised that there will be less development which generates fees in the protected landscapes, but the plan making and other requirements are the same.</p> |
| <b>Proposal 24:</b> We will seek to strengthen enforcement powers and sanctions so that as we move towards a rules-based system, communities can have confidence those rules will be upheld.                             | <p>Whilst no question was asked specifically on this proposal, this will become much more important if development is consented automatically through, for example, Growth Area status or design codes, subject to its being in accordance with the ‘rules’ as compliance will need to be checked. This will require resourcing.</p>   |
|  | (Question 26 not answered)   |

# Planning Committee

09 October 2020

Agenda item number 11

## Policy – Government consultation on Accessible Homes

Report by Planning Policy Officer

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### Summary

The Government consultation on Accessible Homes considers how to raise accessibility standards, recognising the importance of suitable homes for older and disabled people.

### Recommendation

To endorse the proposed response to this consultation.

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## 1. Introduction

- 1.1. This consultation considers how to raise accessibility standards, recognising the importance of suitable homes for older and disabled people. The provision of appropriate housing for older and disabled people is crucial in helping them to live safe and independent lives. An ageing population will see the numbers of disabled people continuing to increase and it is important we plan early to meet their needs.
- 1.2. This is relevant to the Broads Authority as, according to the 2011 Census, a large proportion of the Broads population is elderly. We also have an adopted policy in our Local Plan relating to accessible dwellings – policy DM43. This says:

h) Accessibility and adaptability: Developments shall be capable of adapting to changing circumstances, in terms of occupiers, use and climate change (including changes in water level). In particular, dwelling houses should be able to adapt to changing family circumstances or ageing of the occupier(s) and commercial premises should be able to respond to changes in industry or the economic base. Applicants are required to consider if it is appropriate for their proposed dwelling/ some of the dwellings to be built so they are accessible and adaptable and meet Building Regulation standard M4(2) and M4(3). If applicants do not consider it appropriate, they need to justify this. For developments of five dwellings or more, 20% will be built to meet Building Regulation Standard M4(2).

## 2. Current Accessible Homes Standards and the Building Regulations

- 2.1. The Building Regulations apply to building work, typically the erection or extension of a building; and the material alteration or change of use of a building. Building Regulations only apply at the time that building work takes place or when a material change of use occurs. They do not apply retrospectively for existing buildings.
- 2.2. Part M (Access to and Use of Buildings) of the Building Regulations sets minimum access standards for all new buildings
  - M4(1) Category 1: Visitable dwellings
  - M4(2) Category 2: Accessible and adaptable dwellings
  - M4(3) Category 3: Wheelchair user dwellings
- 2.3. M4(1): Visitable Dwellings - sets basic standards for all new homes. This section of the Approved Document sets out guidance on minimum standards of accessibility and is applicable to all newly erected dwellings, unless an optional requirement applies. Guidance is provided on level access, level thresholds, door and corridor widths, entrance level WCs and accessible heights for controls.
- 2.4. M4(2): Accessible and Adaptable Dwellings - sets a higher standard for accessible homes. This section of the Approved Document sets out guidance which needs to be followed where a planning authority sets a requirement for optional requirement M4(2). This optional requirement is broadly equivalent to the Lifetime Homes Standard, which provides enhanced accessibility in circulation spaces and sanitary provision (bathrooms) to make new homes more accessible. It also includes features to make homes more easily adaptable over time to a wide range of occupants, including older people, those with reduced mobility and some wheelchair users.
- 2.5. M4(3): Wheelchair User Dwellings - sets a standard for wheelchair accessible homes. This section sets out guidance which needs to be followed where a planning authority sets a requirement for optional requirement M4(3). This requirement can be for either a wheelchair adaptable home (which includes design features to make a home easy to convert to be fully wheelchair accessible) or a wheelchair accessible home (which includes the most common features required by wheelchair users). It also includes use of any private outdoor spaces, parking and communal facilities that may be provided for the use of the occupants.
- 2.6. M4(2) and M4(3) are optional requirements for dwellings, and local authorities can apply these through planning policies where they have identified a local need and where the viability of development is not compromised. This is done through local planning policies, which can set out the proportion of new dwellings in the area that are required to meet each of these higher standards. This is then applied to individual developments through planning applications.

- 2.7. Once triggered, the optional standards then have the same legal weight as the mandatory provisions in the Building Regulations.
- 2.8. At present, requirement M4(1) is the default standard and applies as a mandatory requirement when no higher standard is applied locally.
- 2.9. The estimated additional cost per new dwelling is approximately £1,400 for units which would not already meet M4(2).

### 3. The proposed options for consideration

- 3.1. Option 1: Consider how recently revised planning policy on the use of optional technical standards impacts on delivery of accessible housing.
- 3.2. Option 2: To mandate the current M4(2) requirement in Building Regulations as a minimum standard for all new homes, with M4(1) applying by exception only where M4(2) is impractical and unachievable (e.g a new build flat above a garage). M4(3) would apply where there is a local planning policy in place in which a need has been identified and evidenced.
- 3.3. Option 3: Remove M4(1) altogether, so that all new homes will have to at least have the accessible and adaptable features of an M4(2) home. M4(3) would apply where there is a local planning policy in place in which a need has been identified and evidenced. This would mean that no new homes could be built as M4(1).
- 3.4. Option 4: To mandate the current M4(2) requirement in Building Regulations as a minimum standard for all new homes with M4(1) applying by exception only, a set percentage of M4(3) homes would also need to be applied in all areas. So rather than local authorities setting a local planning policy for the provision of M4(3), a defined and constant percentage would apply to all new housing.
- 3.5. Option 5: Change the content of the mandatory technical standard. This could be done by upgrading the statutory guidance to create a revised M4(1) minimum standard. This revised standard could be pitched between the existing requirements of M4(1) and M4(2), adding more accessible features into the minimum standard.

### 4. Proposed response

- 4.1. The following response is proposed to some of the questions asked in the consultation:

**Question 3: Do you support the Government's intention to raise accessibility standards for new homes?**

Yes. The 2011 Census shows the Broads Authority Executive Area as having an ageing population. We also have an adopted policy that requires development to meet M4(2) requirements, so it is an area already recognised in our Local Plan.

**Question 4: Which of the 5 options do you support? You can choose more than one option or none**

Option 1 does not seem to be an option like the other four. It seems to be research to inform the way forward and it is something that we think needs to be completed regardless. But, it is not really a way forward to address the issue of accessible homes in itself.

Option 2 and 4 seem to be logical. This will result in a significant step change in delivery of accessible homes. It will level the playing field for all new development, rather than relying on LPAs applying different standards. There could be instances where new homes could be provided to meet the current general need for more housing, but the layout or location of the site or the constraints at the site do not lend itself to being able to achieve accessible dwellings. This may be the case for some dwellings in the Broads, such as replacement dwellings on plots which may be at risk of flooding; increasing the footprint could potentially cause flood risk, design and landscape related concerns. Options 2 and 4 seem to allow dwellings that may be constrained due to the site characteristics to still come forward. So, whilst not all homes that come forward will be accessible homes, options 2 and 4 would help meet another type of need – general need for housing.

Please note that just because we do not say that options 3 and 5 are our favoured options, it does not mean that we do not support them at all. It is more that options 2 and 4 seem more pragmatic.

**Question 8: Do you have any comments on the costs and benefits of the other options set out above?**

Has the cumulative cost of various recent and forthcoming requirements relating to residential development been assessed? For example, the Future Homes Standard and Biodiversity Net Gain are requirements that will have a cost attached to them. All of these requirements, which all seem logical and needed, could have the undesired effect of passing the cost onto would-be buyers (and make houses less affordable) and/or reduce the potential to seek affordable housing from schemes.

The consultation document states ‘In terms of benefits, the mandating M4(2) may potentially reduce the need for social care’. It seems therefore that there is an expected increase in the cost of providing social care over the coming years and this could be reduced if M4(2) was in place. Is there scope to link these two issues together? Is there scope to provide a grant to developers that covers some of the cost of meeting the need for M4(2) standard and off set that cost against the reduced need for social care? Such a grant could help deliver accessible homes, recognising that there are other requirements on developers coming that would increase the cost of development (with the potential unintended consequences as set out above).

Author: Natalie Beal

Date of report: 25 September 2020

# Planning Committee

09 October 2020

Agenda item number 12

## Planning policy – Fleggburgh Neighbourhood Plan

Report by Planning Policy Officer

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### Summary

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

### Recommendation

To note the report and endorse the proposed response.

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## 1. Introduction

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

Author: Natalie Beal

Date of report: 25 September 2020

Appendix 1 – Planning Policy consultations received

# Appendix 1 – Planning Policy consultations received

**Organisation:** Fleggburgh Parish Council

**Document:** <https://fleggburghpc.norfolkparishes.gov.uk/neighbourhood-plan/>

**Due date:** 09 October 2020

**Status:** Pre-Submission Consultation

**Proposed level:** Planning Committee endorsed

## Notes

Fleggburgh Parish Council are now consulting on their Pre-Submission Draft of the Neighbourhood Plan. This consultation is in line with Regulation 14 of the Neighbourhood Planning Regulations (2012) and will run for a period of just over six weeks from 27 August to 8 October 2020.

The consultation offers a final opportunity for you to influence Fleggburgh’s Neighbourhood Plan before it is submitted to Great Yarmouth Borough Council.

All comments received by 8 October will be considered by the Parish Council and may be used to amend this draft. A Consultation Statement, including a summary of all comments received and how these were considered, will be made available alongside the amended Neighbourhood Plan at a future date.

The full draft Neighbourhood Plan contains policies on the following topics:

- Housing and Design
- The Natural Environment
- The Built Environment
- Access and Transport

## Proposed response

### Main comments

Policy 1 – where it talks about outside of development boundaries. As written, it could be anywhere in the parish. Is it better to say ‘adjacent’ to development boundaries? Otherwise it might be contrary to GYBC and BA Local Plan policies (see our Strategic Housing policy) and the NPPF, which defines rural exceptions sites.

Paragraph 29 is policy wording and strongly recommend that if you want this standard, it is within the policy.

Policy 9a – is too permissive and could be contrary to the equivalent policy in the Local Plan for the Broads and potentially GYBC, emerging or adopted. Perhaps it could be simplified along the lines of the following:

Policy 9 Designated and non-designated heritage assets.



The character, integrity and appearance of all heritage assets will be protected and where possible enhanced.

Policy 9a: Designated Heritage Assets –development affecting listed buildings should not harm the significance of the heritage asset and should preserve its character and appearance. It should be considered in accordance with national planning guidance.

Policy 9b: Non-designated heritage assets – The non-designated heritage assets listed in Para 65 have considerable local significance. Any development proposals that effect these assets or their setting will need to demonstrate that they do not harm, or have minimised harm, to the significance of the asset, and should make clear the public benefits that the proposal would deliver so that any harm to the asset’s significance or setting can be weighed against the benefits.

Any planning or listed building consent application for works to a designated or non-designated heritage asset will need to be supported by a Heritage Statement. This will describe the significance of the asset, the works being proposed and why, and how the significance of the asset will be affected by those proposals, along with any mitigation measures.

#### **Detailed comments**

Paragraph 4 – you might want to say something about character of the Broads?

Paragraph 6 – the first reference to local plan is GYBC’s Local Plan – you might want to make that clear.

Paragraph 8 – you might want to say that the Local Plan for the Broads was adopted in May 2019.

Policy 2 – says ‘New development should be well integrated into the landscape and maintain the quality of transition between the settled and agricultural landscape’. But what about a non agricultural landscape, like the Broads?

Policy 2 - When you say ‘these requirements should not be seen as discouraging innovation, which will be welcomed’, do you mean in terms of the appearance of a new building? Because the policy then goes on to say ‘Development...must be very sympathetic in scale, type and design to the existing traditional character’... etc. I wonder if some more thought needs to be given as to exactly what type of development you want to see. Perhaps you include the text that stresses the emphasis on traditional scale and material but say something like ‘buildings of innovative contemporary design will also be welcomed, as long as their scale, materials and design reflect the predominant building characteristics and enhance their surroundings’ – or something of that sort, as otherwise it sounds a bit contradictory.

Paragraph 23 – the BA also have a policy on rural exceptions sites.

Paragraph 27 – design affects functionality as well

Paragraph 27 – suggest this is reworded to state: ...’Clippesby was considered to be characterised by cottages of a traditional design built in vernacular materials such as flint and

red brick. Most people wanted new homes to relate well to their context, so that they blend in with their surroundings. However, design is about more than just appearance and also relates to layout, scale, density and how the building and area functions’.

Policy 3 says ‘Applications that avoid environmental harm through the preservation of natural features, particularly trees and hedgerows, on site will be considered more favourably’. Did you want to consider putting this the other way around? To make it an instruction? Perhaps something like ‘applications are expected to protect natural features, such as trees and hedgerows’?

Policy 3 supporting text – did you want to refer to our biodiversity enhancement guide?

Policy 5, first sentence includes this ‘They will be supported where:’ It might not be needed/maybe some of the policy is missing?

Policy 6. The ILP guide has been updated recently: <https://theilp.org.uk/publication/guidance-note-1-for-the-reduction-of-obtrusive-light-2020/>

Para 67: The whole of the Broads has been designated as an Area of Exceptional Waterlogged Archaeology

Para 67: ‘..is shown on Saxton’s map’.

Could figure 11 show a map of the designated and non-designated heritage assets?

### **Typographical/grammatical errors**

Paragraph 12 – lots of random letters.

Paragraph 21 – missing word? ‘Consultation with the community **to (?)** develop the neighbourhood plan indicated a need to help younger people onto the housing ladder and there is support for more affordable homes’.

Paragraph 53 says the following, and it seems there are words missing: In the main, the existing built up areas of **Fleggburgh (?)** are not constrained by fluvial flood risk.

Policy 9 says this and I think there are words missing: ‘To achieve **this, (?)** a Heritage Statement will be required.’

Paragraph 71 has a missing word: ‘The parish **has (?)** a number of Public Rights of Way that connect the villages, particularly Fleggburgh, with surrounding countryside’.

Policy 11 says : Development proposals that deliver such measures to encourage reduced vehicle speeds and safe pedestrian crossings along Main Road will be treated as achieving significant community benefit.

# Planning Committee

09 October 2020

Agenda item number 13

## Circular 28/83 Publication by Local Authorities of information about the handling of planning applications (Q1)

Report by Planning Technical Support Officer

### Summary

This report sets out the development control statistics for the quarter ending 30 June 2020

### Recommendation

To note the report

## 1. Development control statistics

1.1. The development control statistics for the quarter ending 30 June 2020 are summarised in the tables below.

**Table 1**

Number of applications

| Category   | Number of applications |
|--|------------------------|
| Total number of applications determined              | 36                     |
| Number of delegated decisions                        | 32                     |
| Numbers granted                                      | 35                     |
| Number refused                                       | 1                      |
| Number of Enforcement Notices                        | 0                      |
| Consultations received from Neighbouring Authorities | 16                     |

**Table 2**

Speed of decision

| Speed of decision | Number | Percentage of applications |
|-------------------|--------|----------------------------|
| Under 8 weeks     | 22     | 61.1%                      |

| Speed of decision | Number | Percentage of applications |
|-------------------|--------|----------------------------|
| 8-13 weeks        | 1      | 2.8%                       |
| 13-16 weeks       | 0      | 0%                         |
| 16-26 weeks       | 2      | 5.6%                       |
| 26-52 weeks       | 0      | 0%                         |
| Over 52 weeks     | 0      | 0%                         |
| Agreed Extension  | 9      | 25%                        |

**Table 3**

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

| National target   | Actual |
|---|--------|
| 60% of Major applications <sup>1</sup> in 13 weeks (or within agreed extension of time) | 100%   |
| 65% of Minor applications <sup>2</sup> in 8 weeks (or within agreed extension of time)  | 64.3%  |
| 80% of other applications <sup>3</sup> in 8 weeks (or within agreed extension of time)  | 100%   |

Author: Thomas Carter

Date of report: 25 September 2020

Appendix 1 – PS1 returns

Appendix 2 – PS2 returns

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<sup>1</sup> Majors refers to any application for development where the site area is over 1000m<sup>2</sup>

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

<sup>3</sup> Other refers to all other applications types

## Appendix 1 – PS1 returns

| Measure | Description  | Number of applications |
|---------|--|------------------------|
| 1.1     | On hand at beginning of quarter  | 42                     |
| 1.2     | Received during quarter  | 42                     |
| 1.3     | Withdrawn, called in or turned away during quarter   | 3                      |
| 1.4     | On hand at end of quarter  | 45                     |
| 2.      | Number of planning applications determined during quarter  | 36                     |
| 3.      | Number of delegated decisions  | 32                     |
| 4.      | Number of statutory Environmental Statements received with planning applications   | 0                      |
| 5.1     | Number of deemed permissions granted by the authority under regulation 3 of the Town and Country Planning General Regulations 1992 | 0                      |
| 5.2     | Number of deemed permissions granted by the authority under regulation 4 of the Town and Country Planning General Regulations 1992 | 0                      |
| 6.1     | Number of determinations applications received   | 0                      |
| 6.2     | Number of decisions taken to intervene on determinations applications  | 0                      |
| 7.1     | Number of enforcement notices issued   | 0                      |
| 7.2     | Number of stop notices served  | 0                      |
| 7.3     | Number of temporary stop notices served  | 0                      |
| 7.4     | Number of planning contravention notices served  | 0                      |
| 7.5     | Number of breach of conditions notices served  | 0                      |
| 7.6     | Number of enforcement injunctions granted by High Court or County Court  | 0                      |
| 7.7     | Number of injunctive applications raised by High Court or County Court   | 0                      |

## Appendix 2 – PS2 returns

**Table 1**

Major applications

| Application type                         | Total    | Granted  | Refused  | 8 weeks or less | More than 8 and up to 13 weeks | More than 13 and up to 16 weeks | More than 16 and up to 26 weeks | More than 26 and up to 52 weeks | More than 52 weeks | Within agreed extension of time |
|--|----------|----------|----------|-----------------|--------------------------------|---------------------------------|---------------------------------|---------------------------------|--------------------|---------------------------------|
| Dwellings                                | 0        | 0        | 0        | 0               | 0                              | 0                               | 0                               | 0                               | 0                  | 0                               |
| Offices/ Light Industry                  | 0        | 0        | 0        | 0               | 0                              | 0                               | 0                               | 0                               | 0                  | 0                               |
| Heavy Industry/Storage/Warehousing       | 0        | 0        | 0        | 0               | 0                              | 0                               | 0                               | 0                               | 0                  | 0                               |
| Retail Distribution and Servicing        | 0        | 0        | 0        | 0               | 0                              | 0                               | 0                               | 0                               | 0                  | 0                               |
| Gypsy and Traveller Sites                | 0        | 0        | 0        | 0               | 0                              | 0                               | 0                               | 0                               | 0                  | 0                               |
| All Other Large-Scale Major Developments | 1        | 1        | 0        | 0               | 0                              | 0                               | 0                               | 0                               | 0                  | 1                               |
| <b>Total major applications</b>          | <b>1</b> | <b>1</b> | <b>0</b> | <b>0</b>        | <b>0</b>                       | <b>0</b>                        | <b>0</b>                        | <b>0</b>                        | <b>0</b>           | <b>1</b>                        |

**Table 2**

## Minor applications

| Application type                     | Total     | Granted   | Refused  | 8 weeks or less | More than 8 and up to 13 weeks | More than 13 and up to 16 weeks | More than 16 and up to 26 weeks | More than 26 and up to 52 weeks | More than 52 weeks | Within agreed extension of time |
|--------------------------------------|-----------|-----------|----------|-----------------|--------------------------------|---------------------------------|---------------------------------|---------------------------------|--------------------|---------------------------------|
| Dwellings                            | 2         | 2         | 0        | 0               | 0                              | 0                               | 0                               | 0                               | 0                  | 0                               |
| Offices/Light Industry               | 0         | 0         | 0        | 0               | 0                              | 0                               | 0                               | 0                               | 0                  | 0                               |
| General Industry/Storage/Warehousing | 1         | 1         | 0        | 1               | 0                              | 0                               | 0                               | 0                               | 0                  | 0                               |
| Retail Distribution and Servicing    | 0         | 0         | 0        | 0               | 0                              | 0                               | 0                               | 0                               | 0                  | 0                               |
| Gypsy and Traveller Sites            | 0         | 0         | 0        | 0               | 0                              | 0                               | 0                               | 0                               | 0                  | 0                               |
| All Other Minor Developments         | 11        | 10        | 1        | 6               | 1                              | 0                               | 2                               | 0                               | 0                  | 2                               |
| <b>Minor applications total</b>      | <b>14</b> | <b>13</b> | <b>1</b> | <b>7</b>        | <b>1</b>                       | <b>0</b>                        | <b>2</b>                        | <b>0</b>                        | <b>0</b>           | <b>2</b>                        |

**Table 3**

## Other applications

| Application type                                | Total     | Granted   | Refused  | 8 weeks or less | More than 8 and up to 13 weeks | More than 13 and up to 16 weeks | More than 16 and up to 26 weeks | More than 26 and up to 52 weeks | More than 52 weeks | Within agreed extension of time |
|---|-----------|-----------|----------|-----------------|--------------------------------|---------------------------------|---------------------------------|---------------------------------|--------------------|---------------------------------|
| Minerals  | 0         | 0         | 0        | 0               | 0                              | 0                               | 0                               | 0                               | 0                  | 0                               |
| Change of Use                                   | 2         | 2         | 0        | 0               | 0                              | 0                               | 0                               | 0                               | 0                  | 2                               |
| Householder Developments                        | 17        | 17        | 0        | 13              | 0                              | 0                               | 0                               | 0                               | 0                  | 4                               |
| Advertisements                                  | 0         | 0         | 0        | 0               | 0                              | 0                               | 0                               | 0                               | 0                  | 0                               |
| Listed Building Consent to Alter/Extend         | 2         | 2         | 0        | 2               | 0                              | 0                               | 0                               | 0                               | 0                  | 0                               |
| Listed Building Consent to Demolish             | 0         | 0         | 0        | 0               | 0                              | 0                               | 0                               | 0                               | 0                  | 0                               |
| Certificates of Lawful Development <sup>4</sup> | 0         | 0         | 0        | 0               | 0                              | 0                               | 0                               | 0                               | 0                  | 0                               |
| Notifications                                   | 2         | 2         | 0        | 1               | 0                              | 1                               | 0                               | 0                               | 0                  | 0                               |
| <b>Other applications total</b>                 | <b>23</b> | <b>23</b> | <b>0</b> | <b>16</b>       | <b>0</b>                       | <b>1</b>                        | <b>0</b>                        | <b>0</b>                        | <b>0</b>           | <b>6</b>                        |

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



**Table 4**

Totals by application category

| <b>Application type</b>  | <b>Total</b> | <b>Granted</b> | <b>Refused</b> | <b>8 weeks or less</b> | <b>More than 8 and up to 13 weeks</b> | <b>More than 13 and up to 16 weeks</b> | <b>More than 16 and up to 26 weeks</b> | <b>More than 26 and up to 52 weeks</b> | <b>More than 52 weeks</b> | <b>Within agreed extension of time</b> |
|--------------------------|--------------|----------------|----------------|------------------------|---------------------------------------|--|--|--|---------------------------|--|
| Major applications       | 1            | 1              | 0              | 0                      | 0                                     | 0                                      | 0                                      | 0                                      | 0                         | 1                                      |
| Minor applications total | 14           | 13             | 1              | 7                      | 1                                     | 1                                      | 2                                      | 0                                      | 0                         | 2                                      |
| Other applications total | 21           | 21             | 0              | 15                     | 0                                     | 1                                      | 0                                      | 0                                      | 0                         | 6                                      |
| <b>TOTAL</b>             | <b>36</b>    | <b>35</b>      | <b>1</b>       | <b>22</b>              | <b>1</b>                              | <b>0</b>                               | <b>2</b>                               | <b>0</b>                               | <b>0</b>                  | <b>9</b>                               |
| <b>Percentage (%)</b>    |              | <b>97.2%</b>   | <b>2.8%</b>    | <b>61.1%</b>           | <b>2.8%</b>                           | <b>0%</b>                              | <b>5.6%</b>                            | <b>0%</b>                              | <b>0%</b>                 | <b>25%</b>                             |

# Planning Committee

09 October 2020

Agenda item number 14

## Appeals to Secretary of State update- October 2020

Report by Senior Planning Officer

### Summary

This report sets out the position regarding appeals against the Authority since January 2020.

### Recommendation

To note the report.

| Application reference number  | Applicant    | Start date of appeal   | Location  | Nature of appeal/ description of development  | Decision and dates   |
|-------------------------------|--------------|--|---|---|--|
| <b>APP/E9505/C/20/3245609</b> | Larry Rooney | Appeal submitted 26 January 2020<br>Request for Hearing<br><br>Start date 17 August 2020 | Black Gate Farm, Cobholm, Great Yarmouth NR31 0DL | Appeal against Enforcement Notice: Change of use and standing of seven caravans for residential use | Committee decision 8 November 2019.<br>Request for Hearing.<br>Statement to be submitted by 12 October 2020. |

| <b>Application reference number</b>                   | <b>Applicant</b>     | <b>Start date of appeal</b>                                      | <b>Location</b>  | <b>Nature of appeal/ description of development</b>   | <b>Decision and dates</b>  |
|---|----------------------|--|--|---|--|
| <b>APP/E9505/X/20/3246539<br/>BA/2019/0458/CLEUD</b>  | Mrs Amanda Jefferies | Appeal submitted 7 February 2020<br><br>Start date 6 May 2020    | Plot K, Bureside Estate, Crabbetts Marsh, Horning        | Appeal against refusal of Certificate of Lawful Use of use as a boathouse (C3dwellinghouse)                                       | Delegated decision 28 January 2020<br>Statement submitted 12 June 2020.                  |
| <b>APP/E9505/W/19/3240574<br/>BA/2018/0012/CU</b>     | Mr Gordon Hall       | Appeal submitted 14 February 2020<br><br>Start date 26 May 2020  | Barn Adjacent Barn Mead Cottages Church Loke Coltishall. | Appeal against refusal of planning permission: Change of Use from B8 to residential dwelling and self contained annexe.           | Delegated decision 15 April 2019<br>Request for Hearing Statement submitted 30 June 2020 |
| <b>APP/E9505/W/20/3256122<br/>BA/2018/0463/FUL</b>    | Henry Harvey         | Appeal submitted 16 July 2020<br><br>Start date 1 September 2020 | Land east of Brograve Mill Coast Road, Waxham NR12 0EB   | Appeal against refusal of planning permission: To retain a scrape which has already been dug on land to the east of Brograve Mill | Delegated decision 5 February 2020.<br>Statement to be submitted by 6 October 2020.      |
| <b>APP/E9505/D/20/3258679<br/>BA/2020/0105/HOUSEH</b> | Mr N Hannant         | Appeal submitted 2 September 2020<br>Awaiting start date.        | Gunton Lodge Broadview Road Lowestoft                    | Appeal against refusal of planning  | Delegated decision 25 August 2020.   |

| Application reference number | Applicant | Start date of appeal | Location | Nature of appeal/<br>description of development | Decision and dates |
|------------------------------|-----------|----------------------|----------|---|--------------------|
|                              |           |                      |          | permission: Second floor balcony.               |                    |

Author: Cheryl Peel

Date of report: 24 September 2020

Background papers: BA appeal and application files

# Planning Committee

09 October 2020

Agenda item number 15

## Decisions made by officers under delegated powers – October 2020

Report by Senior Planning Officer

### Summary

This report sets out the delegated decisions made by officers on planning applications from 29 August 2020 to 25 September 2020.

### Recommendation

To note the report.

| Parish               | Application         | Site  | Applicant         | Proposal   | Decision                      |
|----------------------|---------------------|---|-------------------|--|-------------------------------|
| Beccles Town Council | BA/2020/0153/FUL    | Morrisons Superstore George Westwood Way Beccles Suffolk NR34 9BJ | Mr Marc Green     | Creation of a dedicated left turn access road to superstore. | Approve Subject to Conditions |
| Beccles Town Council | BA/2020/0213/HOUSEH | Tylers Puddingmoor Beccles NR34 9PL                               | Mr Richard Baylis | Infill extension with glazed door.                           | Approve Subject to Conditions |

| <b>Parish</b>                   | <b>Application</b>  | <b>Site</b>   | <b>Applicant</b>     | <b>Proposal</b>   | <b>Decision</b>               |
|---------------------------------|---------------------|---|----------------------|---|-------------------------------|
| Brundall Parish Council         | BA/2020/0205/HOUSEH | Sylvestrii 49<br>Riverside Estate<br>Brundall Norwich<br>Norfolk NR13 5PU | Mrs Angela Sylvester | Refurbish current approved dock   | Approve Subject to Conditions |
| Brundall Parish Council         | BA/2020/0214/HOUSEH | 31 Riverside Estate<br>Brundall Norwich<br>NR13 5PU                       | Mr Raymond Hilburn   | Extension to the existing chalet's river facing elevation.  | Approve Subject to Conditions |
| Brundall Parish Council         | BA/2019/0384/HOUSEH | Norwood 30<br>Riverside Estate<br>Brundall Norwich<br>NR13 5PU            | Mrs Carol Head       | Mooring cut in quay heading   | Approve Subject to Conditions |
| Carlton Colville Parish Council | BA/2020/0146/FUL    | Petos Marsh Burnt Hill Lane Carlton Colville Suffolk                      | Mr Lewis Treloar     | Installation of 25m floating mooring pontoon to be used as short stay, 24 hour moorings for boat users on The Broads. | Approve Subject to Conditions |
| Filby Parish Council            | BA/2020/0223/HOUSEH | The Flints Thrigby Road Filby Norfolk NR29 3HJ                            | Mr Glenn Unstead     | Demolish/remove existing summer house/shed and erection of timber Summer House.                                       | Approve Subject to Conditions |

| Parish                            | Application         | Site  | Applicant                         | Proposal   | Decision                      |
|-----------------------------------|---------------------|---|-----------------------------------|--|-------------------------------|
| Filby Parish Council              | BA/2020/0251/HOUSEH | The Hollies Thrigby Road Filby NR29 3HJ   | Mrs Jessica Coker                 | Extension to existing chalet bungalow to incorporate more first floor accommodation and ground floor annex for elderly relation. Demolition of existing and erection of new, single detached garage. | Approve Subject to Conditions |
| Haddiscoe And Toft Monks PC       | BA/2020/0194/CPLUD  | White House Farm Thorpe Road Haddiscoe NR14 6PP                                     | Ms Helen Hayward & Mr Ian Barclay | Stationing of a caravan within the domestic curtilage for use as a granny annex incidental to the dwelling.  | CLUED Issued                  |
| Hickling Parish Council           | BA/2020/0189/FUL    | Hickling Windsurfing Club - Beach Launch Area To The Northern End Of Hickling Broad | Mr Martin Harwood                 | To replace existing half round timber vertical pole reedbed protection, to similar design as approved by the Broads Authority previously.  | Approve Subject to Conditions |
| Ormesby St Michael Parish Council | BA/2020/0125/HOUSEH | The Ark Decoy Road Ormesby St Michael Norfolk NR29 3LX                              | Mr Paul Vickary                   | Erection of cart shed  | Approve Subject to Conditions |

| <b>Parish</b>               | <b>Application</b>  | <b>Site</b>   | <b>Applicant</b>              | <b>Proposal</b>  | <b>Decision</b>               |
|-----------------------------|---------------------|---|-------------------------------|--|-------------------------------|
| Oulton Broad Parish Council | BA/2020/0168/FUL    | Swan View/Ivy Farm Dairy 111 Bridge Road Lowestoft Suffolk NR33 9JU | Metka UK Ltd                  | Alterations to facade of buildings in courtyard. Change of Use of courtyard buildings to Class E (Retail Use). Retrospective Application.                      | Approve Subject to Conditions |
| Surlingham Parish Council   | BA/2020/0180/APPCON | Riverscourt Church Lane Surlingham NR14 7DF                         | Mr & Mrs Mark & Helen Webster | Details of Condition 5: Landscaping scheme of permission BA/2017/0208/FUL  | Approve                       |
| Wroxham Parish Council      | BA/2020/0261/HOUSEH | Barton House 19 Hartwell Road Wroxham Norwich Norfolk NR12 8TL      | Mr Peter Bower                | Replacing 43m wooden quay heading on river frontage with steel quay heading and wooden capping and whaling   | Approve Subject to Conditions |
| Wroxham Parish Council      | BA/2019/0409/COND   | Mallards Beech Road Wroxham Norwich NR12 8TP                        | Mr Tony Clegg                 | Allow any moored boat using the approved lay-by/mooring to protrude from near edge of the existing dyke, removal of condition 5 of permission BA/2019/0050/FUL | Approve Subject to Conditions |
| Wroxham Parish Council      | BA/2020/0225/FUL    | Coot Corner Beech Road Wroxham Norwich NR12 8TP                     | Mr Philip Dickinson           | Single storey carport  | Approve Subject to Conditions |



Author: Cheryl Peel

Date of report: 28 September 2020