

Planning Committee

Agenda 22 July 2022

10.00am

Yare House, 62/64 Thorpe Road, Norwich

John Packman, Chief Executive – Friday 15 July 2022

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

Introduction

1. To receive apologies for absence
2. To receive declarations of interest
3. **To receive and confirm the minutes of the Planning Committee meeting held on 24 June 2022** (Pages 3-11)
4. To note whether any items have been proposed as matters of urgent business

Matters for decision

5. Chairman's announcements and introduction to public speaking
Please note that public speaking is in operation in accordance with the Authority's [Code of Practice for members of the Planning Committee and officers](#).
6. Request to defer applications include in this agenda and/or vary the order of the agenda
7. **To consider applications for planning permission including matters for consideration of enforcement of planning control:**
 - 7.1. BA/2022/0184/FUL - Snipe Marsh, Ludham (Pages 12-21)

Enforcement

8. **Enforcement update** (Pages 22-27)
Report by Head of Planning

Policy

9. **Lound and Fleggburgh Neighbourhood Plans - adoption** (Pages 28-30)
Report by Planning Policy Officer
10. **Consultation responses** (Pages 31-32)
Report by Planning Policy Officer
11. **Issues and Options consultation - Local Plan for the Broads** (Pages 33-66)
Report by Planning Policy Officer
12. **The Levelling Up and Regeneration Bill - briefing** (Pages 67-76)
Report by Planning Policy Officer

Matters for information

13. **Notes of the Heritage Asset Review Group meeting held on 17 June 2022** (Pages 77-81)
14. **Appeals to the Secretary of State update** (Pages 82-85)
Report by Senior Planning Officer
15. **Decisions made by Officers under delegated powers** (Pages 86-91)
Report by Senior Planning Officer
16. **To note the date of the next meeting – Friday 19 August 2022 at 10.00am at Yare House, 62/64 Thorpe Road, Norwich**

Planning Committee

Minutes of the meeting held on 24 June 2022

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Present

Melanie Vigo di Gallidoro – in the Chair, Harry Blathwayt, Stephen Bolt, Nigel Brennan, Bill Dickson, Andrée Gee, Gail Harris, Paul Hayden, Tim Jickells, James Knight, Leslie Mogford, Vic Thomson and Fran Whymark

In attendance

Natalie Beal – Planning Policy Officer, Jason Brewster – Governance Officer (minute taker), Kate Knights– Historic Environment Manager, Cheryl Peel – Senior Planning Officer, Marie-Pierre Tighe – Director of Strategic Services and Sara Utting – Senior Governance Officer

Steven Bell (solicitor) of Birketts attended for items 8 & 9.

Members of the public in attendance who spoke

None.

1. Apologies and welcome

The Chair welcomed everyone to the meeting.

Apologies were received from Michael Scott.

Openness of Local Government Bodies Regulations 2014

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

2. Declarations of interest and introductions

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

3. Minutes of last meeting

The minutes of the meeting held on 27 May 2022 were approved as a correct record and signed by the Chair.

4. Matters of urgent business

There were no items of urgent business.

5. Chair's announcements and introduction to public speaking

No members of the public had registered to speak. The Chair announced that following the last meeting, a member had subsequently apologised for a comment they made during the debate of the enforcement item relating to the Beauchamp Arms. The Chair read out the apology: "I very much regret the controversy caused by my comments at Planning on Friday (27 May 2022). Of course, I am happy to apologise for any offence which, in no way, was intentional. The matter concerned had been much debated and, having been a major issue for several years, the atmosphere was quite intense. With hindsight, I realise that I could have expressed my opinion somewhat differently."

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

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

7. Applications for planning permission

There were no applications for consideration.

8. Governance - amendment to Scheme of Delegation to include enforcement matters

The Senior Governance Officer (SGO) introduced this item by confirming the actions that arose from the debate on this topic at the Broads Authority meeting 13 May 2022. The SGO explained that the proposed wording change had been updated to clarify that an enforcement matter relating to a member or officer of the Authority would only be brought to committee if it was deemed to be "a breach of planning control". The SGO indicated that the report had been updated to include affirmations to these proposed changes from the solicitor for the Authority and the Monitoring Officer. The SGO explained that the report now included examples of similar provisions within the Scheme of Delegations from other National Park Local Planning Authorities.

The SGO highlighted a correction to section 1.2 of the report where a reference to councillors should be replaced by Broads Authority members.

A member noted that this report was a considerable improvement on the previous version (presented to the Planning Committee on 29 April 2022) and had now addressed the risk of unjustifiable complaints being brought to committee. The member questioned whether this change was necessary given that it was only addressing the scenario where no action would be taken. This specific scenario raised a concern with the member about the fairness of bringing it to the committee. The member believed that in this circumstance, unlike an enforcement where action was required which might end up in court, the member or officer of the Authority involved in the enforcement would not be able to present their case. The member also questioned the timing of this change and felt that, like previous changes to the Social Media Policy, Scheme of Delegation and Code of Conduct, it was an overreaction. The

member proposed updating the wording in 3.7 of the report to reference “a **material** breach of planning control”.

Another member also voiced their support for this updated report and seconded the proposed update to section 3.7. The member confirmed that this report was clearer in its objectives and, having voted against it previously, they were in support of the proposed changes.

One member commented that the restriction to a material breach would result in more enforcement matters being processed by officers and thus would reduce the transparency of these decisions when a member or officer was involved. The solicitor for the Authority added that planning officers would be familiar with the term material in the context of planning considerations and, in his view, it was within their capability to resolve in this circumstance.

Another member spoke in favour of the report which would provide greater transparency to these matters and removed the planning enforcement officer from a potential conflict of interest. The member acknowledged that these changes should not be necessary but it was prudent to be proactive and avoid having to address such governance matter while dealing with a live situation involving a member or officer.

James Knight proposed, seconded by Fran Whymark and

It was resolved unanimously to

- **recommend to the Broads Authority that a new section (46) be added to the planning section of the Scheme of powers delegated to the Chief Executive and other authorised officers to read “The determination of enforcement cases is considered to fall within the delegation scheme and will be undertaken by officers, unless any Authority member (including co-opted members of the Navigation Committee) or Authority officer is involved in a material breach of planning control”, and**
- **to delegate authority to the Director of Strategic Services to make the necessary changes to the Local Enforcement Plan.**

9. Enforcement update

In the absence of the Head of Planning Members received an update report from the Director of Strategic Services on enforcement matters previously referred to the Committee. Further updates were provided at the meeting for:

Land at the Beauchamp Arms (Unauthorised static caravans): First meeting with solicitors regarding commencement of prosecution had taken place 22 June 2022.

Blackgate Farm, High Mill Road, Cobholm: A site visit was planned for week commencing 27 June 2022.

Land east of North End, Thorpe next Haddiscoe: A site visit on 22 June 2022 had revealed that the majority of the clearance work had been completed.

Land at the Beauchamp Arms (Unauthorised development): Enforcement Notices (ENs) associated with the workshop and kerbing and lighting would take effect 29 June 2022 (this was also the deadline for the operator of the Beauchamp Arms to appeal these ENs).

10. Draft Design Guide for consultation

The Historic Environment Manager (HEM) provided an overview of the report into the creation of the Broads Authority's Design Guide. The National Planning Policy Framework (NPPF) was updated last year and a new requirement was for Local Planning Authorities (LPAs) to prepare design guides consistent with the principles set out in the National Design Guide and National Model Design Code (both of which were also published in 2021).

Government advice indicated that public consultation is integral to the development of design guides and codes and should take place throughout the development lifecycle. The LPA for the Broads surveyed residents, visitors and users of the Broads to assess what was important to them about the Broads built environment and received approximately 150 replies. A key message from these responses was that people valued the traditional buildings and their setting within the Broads landscape. The LPA for the Broads along with consultants used the survey results to create an initial draft of the Design Guide.

The first part of the Guide covered the 6 main building types representing those buildings most commonly presented in development management terms within the Broads. The second part of the Guide was the design code which sets out requirements or guidelines that should be adhered to. This section focussed on urban design principles with additional architectural detailing.

The next stage of consultation would be run concurrently with the Local Plan consultation scheduled for early August 2022 and would run over 10 weeks. The Guide would be available for review and feedback online as well as at drop in locations in northern, central and southern areas of the Broads. The HEM explained that the co-ordination with the Local Plan consultation was not just beneficial in terms of resources but might also attract a wider audience than that usually associated with just a design guide consultation.

A member voiced their support for the Design Guide and confirmed that South Norfolk District Council had found their Design Guide to be beneficial when dealing with developers.

Some members were concerned by a perceived trade-off between sustainability and affordability or aesthetic appearance and affordability. The HEM did not believe that these paired elements were mutually exclusive; the Design Guide did promote activities to reduce the carbon footprint associated with a development however it did not mandate them. Similarly building requirements now expected certain thermal efficiencies to be achieved and solutions were available where these standards could be met without sacrificing the aesthetic characteristics of a development. A member commented that the Design Guide was more focussed on the quality of a development rather than the aesthetics and included sustainability and environmental factors such as Nutrient Neutrality.

Members asked if the Design Guide would stifle innovative contemporary design such as that demonstrated by the Garden Room at Norfolk Mead, Coltishall. The HEM explained that the Design Guide was not prescriptive and should not restrict designs.

The Chair thanked the HEM for her work on this matter.

Vic Thompson proposed, seconded by Stephen Bolt and

It was resolved unanimously to approve public consultation for the Broads Authority Design Guide.

11. East Suffolk Affordable Housing SPD for endorsement

The Planning Policy Officer (PPO) introduced this report on endorsing the East Suffolk Affordable Housing SPD. The PPO explained that the Broads Authority was not a housing authority and as such deferred to East Suffolk Council (and other Councils as relevant) in this regard and the Broads Local Plan made reference to this situation. Liaising with East Suffolk Council, the SPD also reflects this situation. The PPO concluded that it would be prudent to acknowledge this interdependency by the Authority endorsing the East Suffolk Affordable Housing SPD.

Gail Harris proposed, seconded by Fran Whymark and

It was resolved unanimously to recommend that the Broads Authority endorses the East Suffolk Affordable Housing SPD.

12. Coastal Adaptation SPD - update

The Planning Policy Officer (PPO) provided an update on the Coastal Adaptation SPD prepared by the partnership of East Suffolk Council, Great Yarmouth Borough Council, North Norfolk District Council, the Broads Authority, and the shared Coastal Partnership East team (first brought to Planning Committee 17 July 2020). The PPO confirmed that the next version of this document was expected to be available by the end of the year for consultation.

A member was very impressed with the co-operation and co-ordination demonstrated by the partnership on this matter.

Members were interested in when the impacts of sea level rise on inland areas would be considered. The PPO responded that this issue would be looked into as the next iteration of the Local Plan is produced. The Director of Strategic Services (DoSS) added that the Planning Committee would be briefed on coastal adaptation options as a precursor to considering equivalent options inland. A member referenced the work underway by the Norfolk Strategic Flooding Alliance, chaired by Lord Dannatt, that was also assessing inland flood risks and mitigations.

In response to a member's question, the DoSS explained that roll-back is a planning process whereby assets at risk are relocated to less vulnerable locations.

The Chair thanked the PPO for her work on this matter.

The report was noted.

13. Consultation responses

The Planning Policy Officer (PPO) introduced the report, which provided a proposed response to the Hemsby Parish Council Neighbourhood Plan (NP) Regulation 14 consultation.

The PPO had provided detailed feedback ready for this NP to proceed to the next stage.

Stephen Bolt proposed, seconded by Harry Blathwayt and

It was resolved unanimously to note the report and endorse the proposed response.

14. Local Plan Issues and Options Bite Size Pieces

The Planning Policy Officer (PPO) introduced the report, which provided members with sections of the emerging draft Issues and Options stage of the Local Plan, as part of the review of the Local Plan, and inviting members' thoughts and comments. The areas covered were: Housing needs study and associated narrative section, Gypsy and traveller and residential caravans needs study and associated narrative section, Residential caravans needs section, Call for sites for residential dwellings and moorings (Broads-wide) plus residential caravans and gypsy and traveller sites (Great Yarmouth Borough) and Design section.

The PPO confirmed that the updated Issues and Options ready for consultation would be brought to the Planning Committee next month for endorsement.

Housing needs study

The PPO explained that the Broads Authority, along with other National Parks (NPs), were not subject to the Government's Standard Methodology and therefore a consultant was commissioned to assess the housing need for the Broads. This study had been produced in conjunction with Great Yarmouth Borough Council (GYBC) and the PPO announced that the projection was for 17.9 new homes per year in the Broads. The PPO confirmed that the average for new homes permitted in the Broads, as set out in the Annual Monitoring Reports, was approximately 16 per year over the previous 3 years although at these low numbers the figures were prone to a high degree of variance. The PPO confirmed that these figures factored in empty homes including holiday rental properties.

Gypsy and traveller and residential caravans needs study

The PPO explained that this study had been produced in collaboration with GYBC and reflected a need that was demonstrated by a recent unauthorised encampment in the Broads part of the Borough. In response to a question from a member the PPO confirmed that the Broads area in previous and current iterations of the Local Plan had no need for Gypsy and traveller and residential caravans. The need for 10 Gypsy and Traveller pitches and 12 residential caravans was focussed on Great Yarmouth Borough and the Local Plan would seek sites for Gypsy and Travellers and residential caravans in the Broads part of Great Yarmouth in the call for sites.

Gypsy and traveller and residential caravans needs section

A member welcomed the inclusion of this section within of the Local Plan as a proactive step to supporting these needs.

Call for sites for residential dwellings and moorings (Broads-wide) plus residential caravans and gypsy and traveller sites (Great Yarmouth Borough)

The PPO confirmed that the study associated with residential moorings would be available at the next Planning Committee meeting. This call for sites would be facilitated through an online survey portal (Survey Monkey) and the PPO explained that the questionnaire and use of Survey Monkey had undergone testing by officers.

A member questioned the relevance of the reference to Nutrient Neutrality as this requirement did not apply to the entire Broads Executive Area. The PPO responded that this requirement was qualified within this section to the Broads Special Area of Conservation catchment.

Design section

The PPO confirmed that this section was included to highlight the joint consultation with the Design Guide.

Each study and section were unanimously endorsed for inclusion in the Local Plan.

15. Appeals to the Secretary of State

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

16. Decisions made by officers under delegated powers

The Committee received a schedule of decisions made by officers under delegated powers from 18 May to 10 June 2022 and any Tree Preservation Orders confirmed within this period.

17. Date of next meeting

The next meeting of the Planning Committee would be on Friday 22 July 2022 10.00am at Yare House, 62- 64 Thorpe Road, Norwich.

The meeting ended at 11.19am.

Signed by

Chair

Appendix 1 – Declaration of interests Planning Committee, 24 June 2022

Member	Agenda/minute	Nature of interest
Andrée Gee	11	East Suffolk Councillor - other registerable interest.

DRAFT

Planning Committee

22 July 2022

Agenda item number 7.1

BA/2022/0184/FUL: Catfield: Snipe Marsh, Ludham NR29 5PQ

Report by Planning Officer

Proposal

Proposal to eradicate *Crassula helmsii* at Snipe Marsh, works include infilling and reprofiling dykes at Snipe Marsh and the creation of a scrape.

Applicant

The Broads Authority

Recommendation

Approve subject to conditions

Reason for referral to committee

The applicant is the Broads Authority

Application target date

15 July 2022

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1. Description of site and proposals

- 1.1. The application site is Snipe Marsh, a fen marshland to the north east of How Hill, Ludham in the parish of Catfield. Snipe Marsh is approximately 3.75 hectares in area and is situated between How Hill Road, which runs south to north from School Road in the village of Ludham, and Sharp Street, which runs east to west from Ludham Road to the edge of Crome's Broad. Access to the site is via a timber gate approximately in the middle north of the site on Sharp Street.
- 1.2. The Broads Authority manages Snipe Marsh and it is home to the Authority's wild ponies. Snipe Marsh is bounded by isolated dyke channels.
- 1.3. Snipe Marsh is a RAMSAR site and is part of the Ant Broads and Marshes Site of Special Scientific Interest (SSSI), Broadland Special Protection Area (SPA), and The Broads Special Area of Conservation (SAC). The soil type on the site is peat.
- 1.4. Snipe Marsh is within Flood Zone 3.
- 1.5. One of the dyke channels in Snipe Marsh has become infested with the non-native species *Crassula helmsii*. This non-native species poses a threat to the site's integrity as if it spreads it could clog the dyke system; it has the potential to spread into the wider Ant system. The proliferation of *Crassula helmsii* has the potential to cause degradation to the habitats where the non-native species is present.
- 1.6. The infested dyke channel is an 'L' shaped dyke in the middle of Snipe Marsh and measures approximately 220m in length, 3.83m wide, and a maximum depth of 1.5m.
- 1.7. This application seeks consent for works aimed at eradicating *Crassula helmsii* from the site. The proposed method to eradicate the invasive species is through burying. The first phase of the development would include the installation of piling at either ends of the infested dyke, to contain the *Crassula helmsii*. The edges of the boundary dyke on the eastern part of the site would be reprofiled; this dyke has steep edges into the site and it would be reprofiled to a more gradual decline to the water. The spoil generated from the proposed reprofiling works would be used to infill the infested 'L' shaped dyke. It is anticipated that the spoil arising from the reprofiling works would be sufficient to bury the *Crassula helmsii* thus eradicating the species from the site and halting its proliferation.
- 1.8. Should the spoil generated by the reprofiling works to the outer dyke not be enough to infill the infested dyke, consent is also being sought for the creation of a small scrape on the site measuring 0.5m deep and 100m². The spoil generated from the scrape would be used to complete the infilling of the dyke. Planning permission is required because much of this work constitutes an engineering operation and is therefore development.

- 1.9. The banks of the dykes surrounding the site, which are proposed to be reprofiled, are unnaturally high for a fen land habitat. The raised banks keep the soil above the water line thus drying it out; the bank has become dominated by tall ruderal vegetation, predominately nettle, thistle and bramble. The lowering of the dyke edges would restore the soil depth thus making it more susceptible to fen land flora, including Yellow Water Iris, reeds, rushes and sedges.
- 1.10. The volume of the area which needs to be filled is 1263.9m³ and this amounts to 1243.7 tonnes of material.

2. Site history

- 2.1. No planning history

3. Consultations received

Broads Authority – Ecology Team

- 3.1. No objection - The HRA screening assessment concluded there would be no likely significant effect on the interest features of the designated site. We support this conclusion. The works to eradicate a particularly invasive non-native plant species are necessary, and will improve the site floristic condition, ensuring that native flora is not out-competed.

Environment Agency

- 3.2. No objection - We have reviewed the documents as submitted and can confirm we have no objection to this planning application, providing that you have taken into account the flood risk considerations which are your responsibility.

Natural England

- 3.3. No objection - As outlined in section 8 of the Habitat Regulations Assessment Screening document, we acknowledge and support the measures that will be implemented to minimise the risk to the interest features of the site. This includes following strict biosecurity measures.

Water Management Alliance

- 3.4. No objection - The site is within the Internal Drainage District (IDD) of the Broads Internal Drainage Board (IDB) and therefore the Board's Byelaws apply. Whilst the Board's regulatory process (as set out under the Land Drainage Act 1991, including the Board's Byelaws) is separate from planning, the ability to implement a planning permission may be dependent on the granting of any required consents. As such I strongly recommend that any required consent, as set out below, is sought prior to determination of the planning application.

4. Representations

- 4.1. No representations have been received.

5. Policies

- 5.1. The adopted development plan policies for the area are set out in the [Local Plan for the Broads](#) (adopted 2019).
- 5.2. The following policies were used in the determination of the application:
- DM5 - Development and Flood Risk
 - SP4 - Soils
 - DM10 - Peat soils
 - SP6 - Biodiversity
 - DM13 - Natural Environment
 - SP7 - Landscape
 - DM16 - Development and Landscape
 - DM18 - Excavated Material
 - DM21 - Amenity

6. Assessment

- 6.1. The main reason this development has been proposed is to eradicate a non-native invasive species (*Crassula helmsii*) from the site thus preventing its potential proliferation further into the Broads network. In terms of the assessment of this application, the main issues for consideration relate to the principle of the development and whether the proposed development would have an acceptable impact on the natural environment. The impact the development would have on peat soils will be also considered. Due to the type of work and scale of the site an additional key consideration is the landscape impact of this proposal. The impact upon flood risk and neighbouring amenity will also be considered.

Principle of development

- 6.2. The scheme includes installing a small section of piling, extracting material from boundary dykes and potentially an additional scrape and using this to infill the infested dyke, thereby burying the invasive species. Habitat protection and restoration is supported in principle by Local Plan Policy DM13, the development is assessed against the relevant criteria below.
- 6.3. Policy DM13 criteria (a) requires that development will protect biodiversity and minimise the fragmentation of habitats. In this case, the proposal would not result in the fragmentation of habitat, the reprofiling of the dyke edges would result in a more suitable ground level for fen land habitats. The eradication of the *Crassula helmsii* would allow for continued growth of fen land native species.

- 6.4. Criteria (b) of Policy DM13 requires that development maximises the opportunities for restoration and enhancement of habitats. The reprofiling works would restore the dyke edges to typical ground levels for fen land; the removal of *Crassula helmsii* allow for further enhancement of the fen land species.
- 6.5. Criteria (c) requires the scheme to incorporate biodiversity and geological conservation features. Given the overarching objective of the works is one of biodiversity conservation then it is considered that this criteria has been met. The site will be monitored on a regular basis to ensure the complete eradication of *Crassula helmsii*.
- 6.6. Criteria (d) requires the inclusion of green infrastructure where appropriate. The proposal does not include additional green infrastructure as this is not considered appropriate in this sensitive location. This is acceptable in relation to criteria (d) of Policy DM13.
- 6.7. Where a development could affect the integrity of a SPA, SAC, or Ramsar site, in line Policy DM13 a Habitats Regulation Assessment (HRA) has been undertaken. The HRA assesses the impact on the integrity of the site and its qualifying features. Based on a matrix of 'low', 'medium' and 'high' risk, the impacts arising from the development are assessed against a particular species or site feature. The HRA concludes the development would have low risk to no impact on all of the site interests.
- 6.8. The proposed development is not considered to have an adverse impact on the designated site, Snipe Marsh. Strict biodiversity measures have been included within the HRA and it is considered these should be included within the planning permission as the implementation of such measures would minimise the risk to the interest features of the site and beyond.
- 6.9. The principle of the development to eradicate an invasive species from the protected site has been assessed against Local Plan Policy DM13. The works proposed to carry out the removal of *Crassula helmsii* is not considered to have a detrimental impact on the site itself or the wider natural environment and the principle of the development is therefore considered acceptable.

Peat Soils

- 6.10. The underlying soil type is fen peat soil and consequently Local Plan Policy DM10 will be considered. This Policy maintains a presumption in favour of preservation in-situ for peat; this means the favourable state is to leave the peat where it is. By the nature of the proposed development, soil, including peat, will be shifted around the site; mainly by moving it from raised dyke edges and using it to fill in the infested dyke. Four criteria need to be considered where development would have an impact on peat.
- 6.11. Criterion (i) of Policy DM10 requires the applicant to consider a less harmful viable option. The development seeks to only source material/sediment from the site to fill in the infested dyke; there is no less harmful viable option.

- 6.12. Criterion (ii) requires the amount of harm to be reduced to the minimum possible. The construction process would involve a digger extracting the soil and moving it to the receptor site almost immediately. The digger would track along the firm ditch margins and track mats would be used to reduce impact damage on the peat below. The applicant has confirmed that the soil would be transported to the receptor site immediately, but a condition to ensure the peat is not left on ground to dry would be appropriate in this instance.
- 6.13. Criterion (iii) requires satisfactory provision to be made for the evaluation, recording and interpretation of the peat soil. Peat cores have been taken at Snipe Marsh as part of the Discovery Project so the Broads Authority (as applicant) already holds data on peat in this location. Details of the methodology for the recording of the peat on this particular site have been requested and will be covered by planning condition.
- 6.14. Criterion (iv) requires the peat to be disposed of in a way that limits carbon loss to the atmosphere. The peat would be retained on site and will be moved to the receptor site before allowing it to dry out (and lose the carbon stored). The peat would be placed in a dyke where it would be kept wet. It is not considered that the development would result in a significant loss of carbon from the peat, because when extracted it would be sent to the receptor site to be kept wet.
- 6.15. The favourable presumption of Policy DM10 is for peat to remain in-situ. The proposal involves the excavation of peat and there will inevitably therefore be an impact, however the methods proposed to transfer it promptly to the receptor site and the intrinsic nature of that receptor site (as a wet feature) means that there will be minimal change to the character and properties of the peat and it is not considered that the development would have a significant or detrimental impact on the peat soil. The proposed protection measures and the short time in which the peat will be out of the ground mean that the impact on peat would be kept to a minimum. It is therefore considered that the proposal is not unacceptable in terms of DM10 of the Local Plan for the Broads (2019).

Flood Risk

- 6.16. According to the Environment Agency's flood maps, the application site lies in fluvial Flood Zone 3b, functional floodplain. Under Table 2 of the Environment Agency's Flood risk vulnerability classification the proposed development is water-compatible as it relates to nature conservation and biodiversity. Water-compatible development is acceptable in Flood Zone 3 subject to the development meeting the Sequential Test and being supported by a site-specific Flood Risk Assessment (FRA).
- 6.17. The FRA submitted with the application indicates that the water flow around the boundary of the site is unlikely to be adversely affected by isolating and infilling the dyke in the middle (infested dyke). The Environment Agency has raised no objection from the proposed development at Snipe Marsh and do not consider that infilling the infested dyke will reduce the flood storage capacity available on the site.

- 6.18. In terms of the Sequential Test, which requires the taking of a sequential approach in considering other sites, in this instance the test is not warranted because only the 'L' shaped dyke is infested with *Crassula hemslsii* and the proposed development is required to eradicate the invasive species. There is no other site where the proposed development could take place that would achieve the objective of the application and be at a lower risk of flooding.
- 6.19. The proposed development is compatible with national policy on flood risk and the site-specific FRA demonstrates the development would not have a detrimental impact on flood risk. The proposed development is considered acceptable in terms of DM5 of the Local Plan for the Broads (2019).

Impact upon the Landscape

- 6.20. The proposed development would change the physical landscape of the site. The profile of the dyke edges of the eastern dyke would be reduced in height by approximately 0.5m and the spoil extracted transported to fill in the 'L' shaped dyke. It is not considered that a minor reduction in the height of the boundary dykes would have a detrimental impact on the landscape character. The creation of the scrape would be a new landscape feature; a scrape is a typical landscape feature within a wetland environment and it is not considered to be an adverse feature.
- 6.21. Potential visual receptors are limited and looking into the site from Sharpe Street, it is difficult to see the dykes throughout the site as yellow water iris is the dominant fen type in Snipe Marsh and the views into the site make the site appear as a flower meadow. It is difficult to see into the site from How Hill Road as the southern part of the site is well screened with dense foliage.
- 6.22. In terms of the excavated material, Policy DM18 sets out a hierarchy for managing excavated material. Firstly, schemes are required to reduce to a minimum the volume of material that needs to be disposed of. In this instance, the material would be gathered from the surrounding dykes within the site and from a scrape. The minimum amount of materials would be used fill in the dyke and eradicate the invasive species.
- 6.23. Secondly, DM18 states, left over material is required to be put to a productive use with the preference being used on site. There would be no left-over material as all of the material needed would be used to fill in the infested dyke. Finally, DM18 requires any remaining material to be disposed of in a considerate and acceptable manner, there would be no remaining material and all material would be kept on site.
- 6.24. The impacts on landscape character are not considered to be adverse from the proposed development and the works are characteristic of fen land management works. The excavation of the material is in line with the objectives of Policy DM18. The proposed development is considered to be in accordance with Policies DM16 and DM18 of the Local Plan for the Broads (2019).

Amenity of residential properties

- 6.25. There are two residential properties on Sharp Street overlooking Snipe Marsh, these are Snipe Marsh Cottage and Summerhouse Farm. Cobb Cottage is at the far western end of Snipe Marsh, with Swallowtail Cottage and Grove Farm House across the road from Snipe Marsh to the east.
- 6.26. It is not considered that the proposed development would have a detrimental impact on the existing levels of amenity currently enjoyed by the nearby residential dwellings. This is because the dyke reprofiling, dyke infill and creation of a scrape, would not increase overshadowing or result in an overbearing development. The proposed development is in accordance with Policy DM21 of the Local Plan for the Broads (2019).

7. Conclusion

- 7.1. The development has been proposed as a means to eradicate the non-native invasive species *Crassula helmsii* from the infested dyke within Snipe Marsh. The development would protect the fen habitat at Snipe Marsh by alleviating the invasive species from choking the dykes and allowing native fen species to flourish. The potential for adverse impacts on the site's protected features, habitat and species has been identified and assessed in the form of a Habitats Regulation Assessment; these are all low-risk impacts. Natural England have raised no objection to the proposed development. The development is supported in principle by Policy DM13 and the NPPF.
- 7.2. The works do involve the excavation of peat soils and the peat extracted would be used to fill in the dyke thus keeping the peat wet and it would not be left out to dry. The proposal would have an impact on peat soil, although it is not considered to be significantly detrimental to the condition of the soil. The proposal is not considered to be unacceptable in terms of the impact on peat.
- 7.3. The proposed development is water compatible development and is not considered to increase flood risk at the site or elsewhere.
- 7.4. The works involve the creation of a new landscape feature. The landscape feature would not have an adverse impact on the landscape character. The proposed development is not considered to result in adverse impacts on residential amenity.

8. Recommendation

- 8.1. That planning permission be granted subject to the following conditions:
- i. Standard time limit
 - ii. In accordance with approved plans
 - iii. Recording of peat
 - iv. No spoil shall be removed from land within the blue line as shown on the site location plan (as filed with the application)
 - v. Peat buried within 7 days

9. Reason for recommendation

- 9.1. The proposed development has been assessed against the Local Plan for the Broads (2019) and the NPPF. The development is found to be in accordance with Policies DM5, DM13, DM16, DM18, DM21 and in partial accordance with DM10 of the Local Plan for the Broads (2019) and the development is in accordance with the NPPF.

Author: Calum Pollock

Date of report: 11 July 2022

Appendix 1 – Location map

Appendix 1 – Location map

BA/2022/0184/FUL - Snipe Marsh, Ludham, NR29 5PQ



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Planning Committee

22 July 2022

Agenda item number 8

Enforcement update

Report by Head of Planning

Summary

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

Recommendation

To note the report.

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

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

Committee date	Location	Infringement	Action taken and current situation
			<ul style="list-style-type: none"> Enforcement Notices served 30 November, with date of effect of 29 December 2021. Compliance period of 3 months for cessation of unauthorised residential use and 4 months to clear the site. 6 Dec. 2021 Site to be visited after 29 March to check compliance – 23 March 2022 Site visited 4 April and caravans appear to be occupied. Further PCNs served on 8 April to obtain clarification. There is a further caravan on site. 11 April 2022 PCN returned 12 May 2022 with confirmation that caravans 1 and 3 still occupied. Additional caravan not occupied. Recommendation that LPA commence prosecution for failure to comply with Enforcement Notice. 27 May 2022 Solicitor instructed to commence prosecution 31 May 2022 Prosecution in preparation. 12 July 2022
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"> Delegated Authority to Head of Planning to serve an Enforcement Notice, following liaison with the landowner at Blackgate Farm, to explain the situation and action. Correspondence with solicitor on behalf of landowner 20 Nov. 2019. Correspondence with planning agent 3 December 2019. Enforcement Notice served 16 December 2019, taking effect on 27 January 2020 and compliance dates from 27 July 2020. Appeal against Enforcement Notice submitted 26 January 2020 with a request for a Hearing. Awaiting start date for the appeal. 3 July 2020. Appeal start date 17 August 2020. Hearing scheduled 9 February 2021.

Committee date	Location	Infringement	Action taken and current situation
			<ul style="list-style-type: none"> Hearing cancelled. Rescheduled to 20 July 2021. Hearing completed 20 July and Inspector's decision awaited. Appeal dismissed with minor variations to Enforcement Notice. Deadline for cessation of caravan use of 12 February 2022 and 12 August 2022 for non-traveller and traveller units respectively, plus 12 October 2022 to clear site of units and hardstanding. 12 Aug 21 Retrospective application submitted on 6 December 2021. Application turned away. 16 December 2021 Site visited 7 March 2022. Of non-traveller caravans, 2 have been removed off site, and occupancy status unclear of 3 remaining so investigations underway. Further retrospective application submitted and turned away 17 March 2022 Further information on occupation requested. 11 April 2022 No further information received. 13 May 2022 Site to be checked. 6 June 2022 Site visited and 2 caravans occupied in breach of Enforcement Notice, with another 2 to be vacated by 12 August 2022. Useful discussions held with new solicitor for landowner. 12 July 2022.
4 December 2020	Land to east of North End, Thorpe next Haddiscoe	Unauthorised change of use to mixed use of a leisure plot and storage.	<ul style="list-style-type: none"> Authority given for the service of Enforcement Notices. Section 330 Notices served 8 December 2020. Enforcement Notice served 12 January 2021 with compliance date 12 February 2021. March 2021 - Some clearance commenced. 3-month compliance period.

Committee date	Location	Infringement	Action taken and current situation
			<ul style="list-style-type: none"> • Site to be checked for progress. April 2021 • Progress being monitored. May 2021 • Site not cleared by deadline. Operator given a further period. June 2021 • Negotiations underway. July 2021 • Further clearance, but incomplete. 25 August 2021 • Further clearance. Inspection needed. 22 September 2021 • Landowner given to end of year to complete clearance. 22 October 2021 • Further material removed, but some work required for compliance. Correspondence with landowner. 17 January 2022 • File review underway. 7 February 2022 • Verbal update and recommendation to be provided at meeting. • Direct action authorised. 1 April 2022. • Discussions with contractors underway. 11 April 2022 • Landowner given to 31 May to clear site. Site visit 12 May showed no further works undertaken. 13 May 2022 • Site to be checked for progress. 6 June 2022 • Site visited and sectional building found to have been moved to adjacent land; no other progress. 12 July 2022.
8 January 2021	Land east of Brograve Mill, Coast Road, Waxham	Unauthorised excavation of scrape	<ul style="list-style-type: none"> • Authority given for the service of Enforcement Notices. • Enforcement Notice served 29 January 2021. • Appeal against Enforcement Notice received 18 February 2021. • Documents submitted and Inspector's decision awaited. September 2021

Committee date	Location	Infringement	Action taken and current situation
13 May 2022	Land at the Beauchamp Arms Public House, Ferry Road, Carleton St Peter	Unauthorised operation development comprising erection of workshop, kerbing and lighting	<ul style="list-style-type: none"> • Authority given by Chair and Vice Chair for service of Temporary Stop Notice requiring cessation of construction 13 May 2022 • Temporary Stop Notice served 13 May 2022. • Enforcement Notice and Stop Notice regarding workshop served on 1 June 2022 • Enforcement Notice regarding kerbing and lighting served on 1 June 2022 • Appeals submitted against both Enforcement Notices. 12 July 2022

Author: Cally Smith

Date of report: 12 July 2022

Planning Committee

22 July 2022

Agenda item number 9

Lound and Fleggburgh Neighbourhood Plan-adoption

Report by Planning Policy Officer

Summary

The Lound with Ashby, Herringfleet and Somerleyton and Fleggburgh Neighbourhood Plans (two separate neighbourhood plans) have been examined. The Examiners have made some changes to the Plans. The Plans were each subject to referenda on 23 June 2022 and 16 June 2022 respectively. Both Neighbourhood Plans were supported at Referendum and are now ready to be made (adopted).

Recommendation

To endorse both Neighbourhood Plans and recommend to the Broads Authority that the Fleggburgh and Lound with Ashby, Herringfleet and Somerleyton Neighbourhood Plans be made (adopted).

1. Introduction

- 1.1. The Lound with Ashby, Herringfleet and Somerleyton and Fleggburgh Neighbourhood Plans have been subject to referenda.
- 1.2. The Regulation 16 consultation on the Fleggburgh Neighbourhood Plan ran for eight weeks from Friday 20 August to Friday 15 October 2021. The Regulation 16 consultation on the Lound with Ashby, Herringfleet and Somerleyton Neighbourhood Plan was held between 1st September 2021 and 13th October 2021. During this period, the Plans and their supporting documents were available to the public and consultation bodies online at [Current neighbourhood planning status - Great Yarmouth Borough Council \(great-yarmouth.gov.uk\)](https://great-yarmouth.gov.uk/current-neighbourhood-planning-status) and [Lound with Ashby, Herringfleet and Somerleyton neighbourhood area \(eastsoffolk.gov.uk\)](https://eastsoffolk.gov.uk/lound-with-ashby-herringfleet-and-somerleyton-neighbourhood-area).
- 1.3. During the publication period, representations were received from numerous different organisations/individuals. The representations may be viewed via the following links:
 - [Regulation 16 representations on the Fleggburgh Neighbourhood Plan \(PDF | great-yarmouth.gov.uk\)](https://great-yarmouth.gov.uk/regulation-16-representations-on-the-fleggburgh-neighbourhood-plan)

- [Regulation 16 responses on the Lound with Ashby, Herringfleet and Somerleyton Neighbourhood Plan \(PDF | eastsuffolk.gov.uk\)](#)
- 1.4. These representations were submitted, along with the relevant Neighbourhood Plans and supporting information, to the independent Examiners: Nick McGurk for Fleggburgh Neighbourhood Plan and Andrew Ashcroft for the Lound area Neighbourhood Plan. The examinations were conducted via written representations during the end of 2021 and the start of 2022. The Examiners decided that public hearings would not be required.
- 1.5. Legislation directs that an Examiner considers whether:
- a) the draft plan meets the [basic conditions of a Neighbourhood Development Plan \(www.gov.uk\)](#);
 - b) the draft plan complies with the definition of a Neighbourhood Development Plan and the provisions that can be made by such a plan;
 - c) the area for referendum should extend beyond the neighbourhood area; and
 - d) the draft plan is compatible with the Convention rights.

2. The Examiners Reports'

- 2.1. Both reports concluded that, subject to amendments (as set out in the report), the Plan under examination can proceed to referendum. The Examiners also concluded that the area of the referendum does not need to be extended beyond the two Neighbourhood Areas. The changes proposed by the Examiner seem reasonable and are useful. The two reports are here:
- [Fleggburgh Neighbourhood Plan examiner's report \(great-yarmouth.gov.uk\)](#)
 - [Lound with Ashby, Herringfleet and Somerleyton examiner's report \(eastsuffolk.gov.uk\)](#)

3. Referendum

- 3.1. The referendum for the Fleggburgh Neighbourhood Plan was held on 16 June 2022. Here are the results:
- Yes 198
 - No 28
 - Total valid votes 226
- 3.2. The referendum for the Lound with Ashby, Herringfleet and Somerleyton Neighbourhood Plan was held on 23 June 2022. Here are the results:
- Yes 193
 - No 17
 - Total valid votes 210

4. Next steps

- 4.1. If both the Broads Authority and Great Yarmouth Borough Council (for Fleggburgh) and East Suffolk Council (for Lound area) make (adopt) the two Neighbourhood Plans, they become part of the Development Plan for the area. The policies have the same weight as Local Plan policies when making decisions.

5. Recommendation

- 5.1 It is recommended that the Planning Committee endorse the Neighbourhood Plans and refer them to the Authority for adoption.

Author: Natalie Beal

Date of report: 29 June 2022

Planning Committee

22 July 2022

Agenda item number 10

Consultation responses July 2022

Report by Planning Policy Officer

Summary

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

Recommendation

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

1. Introduction

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

Author: Natalie Beal

Date of report: 07 July 2022

Appendix 1 – Planning Policy consultations received

Appendix 1 – Planning Policy consultations received

East Suffolk Council

Document: [Housing in Clusters and Small Scale Residential Development in the Countryside Draft SPD \(eastsuffolk.inconsult.uk\)](https://eastsuffolk.inconsult.uk)

Due date: 05 August 2022

Status: Draft SPD

Proposed level: Planning Committee Endorsed

Notes

East Suffolk Council has two adopted Local Plans – the Suffolk Coastal Local Plan (September 2020) and the Waveney Local Plan (March 2019). The Local Plans set out strategies and policies for growth, including housing. Planned housing growth is focused largely upon the urban areas and defined larger settlements and villages. However, as part of those strategies both Local Plans also provide opportunities for some limited housing to come forward in the countryside. This includes the opportunities provided by the policies that are the subject of this Supplementary Planning Document:

- Suffolk Coastal Local Plan – Policy SCLP5.4 Housing in Clusters in the Countryside
- Waveney Local Plan – Policy WLP8.7 Small Scale Residential Development in the Countryside

Proposed response

Section 5.8 needs to reference to the Broads here as well as there could be schemes that affect the Broads.

- Needs to refer to Broads Landscape Character Assessment
- Also needs to refer to impact on the Broads and setting of the Broads.
- Needs to refer to dark skies and lighting and impact on the dark skies of the Broads.

Section 6.18

- needs to mention the Broads and its setting.

Section 6.19

- Needs to refer to Broads Landscape Character Assessment

Planning Committee

22 July 2022

Agenda item number 11

Issues and Options consultation- Local Plan for the Broads

Report by Planning Policy Officer

Summary

This report presents the Issues and Options version of the Local Plan, which is the first stage of producing a new Local Plan for the Broads, and is ready for consultation.

This report also introduces the residential moorings study and section, the Sustainability Appraisal (SA) and Habitats Regulation Assessment (HRA). Moreover, the report details the consultation approach. A Call for Sites is included in the consultation.

Recommendations

1. To endorse the Residential Moorings Study.
 2. For comments on the Issues and Options (in particular the residential moorings section), the SA and the HRA.
 3. To endorse the Issues and Options, SA and HRA, and recommend that the Broads Authority endorse the Issues and Options documents for consultation.
 4. For comments on, and then to endorse, the proposed approach to the consultation.
-

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1. Introduction

- 1.1. The Issues and Options version of the Local Plan is the first stage of producing a new Local Plan for the Broads, and is ready for consultation. This version does not contain policies; it discusses some issues/topic areas and some options to address the issue as well as asks questions. There is also a Call for Sites as part of this consultation.

2. Residential Moorings study and section

- 2.1. RRR Consultancy have completed an assessment of the need for residential moorings, Broads-wide. They undertook the work to inform the current Local Plan, back in 2017. They have used the same methodology as back in 2017, which, in the absence of Government guidance, is the same methodology used to determine Gypsy and Traveller need.
- 2.2. The study is at Appendix 6. It identifies the need as follows:

Permanent residential moorings need	
2021-2026	45
2026-2031	1
2031-2036	1
2036-2041	1
Total	48

- 2.3. The related section of the Issues and Options includes this need as well as the background as to why we need to assess a need for residential moorings. It also highlights the call for sites for residential moorings.
- 2.4. **Members' comments on the Residential Moorings Study are welcomed.**
- 2.5. **Members are recommended to endorse the Residential Moorings Study.**
- 2.6. **Members comments on the Residential Moorings section of the Issues and Options are welcomed.**

3. Issues and Options Document

- 3.1. Planning Committee Members have seen the majority of the sections of this Issues and Options document over the last year or so. Comments have been taken on board.

- 3.2. Appendix 1 is the compiled, final version of the Issues and Options. Members are asked for their comments and to endorse the Local Plan for consultation. The Issue and Option consultation would then be taken to the July Broads Authority meeting.
- 3.3. There have been some changes to the text since Members saw some bite size pieces. The significant changes are as follows:

Section	Change	Explanation
21.0 Water efficiency	Text relating to potential benefits relating to nutrient release by using less water.	By using less water, there could be less water treated at the Water Recycling Centre.
7.0 About the Broads	Reference to reed and sedge cutters in the economy section.	Requested by Navigation Committee.
8.3 Duty to Cooperate	Reference to the Levelling Up and Regeneration Bill	To ensure this section is up to date as the LURB Bill proposed the removal of the Duty to Cooperate.
9.0 SWOT analysis	Reference to thatchers	Requested by Historic Environment Manager
10.2 Vision	Inclusion of the draft vision from the Broads Plan that is being consulted on.	To ensure the visions for the two documents continue to be aligned.
Government standard for energy efficiency of new buildings	Removal of this section.	Government introduced new energy efficiency standards of new buildings as part of Building Regulations in June 2022.
Government standard for electric vehicle charging points	Removal of this section.	Government introduced new EV charging requirements as part of Building Regulations in June 2022.
27.2 Government standard for biodiversity net gain	Amended to reflect November 2023 being the date the requirement will be in place as well as to ask about potential for greater than 10% BNG.	Some other LPAs are looking into around 20% BNG. The Government's 25 year plan refers to Environmental Net Gain.

Section	Change	Explanation
	Also refers to Environmental Net Gain	
Section 30. Housing permissions and completions.	Updated figures	To reflect the Annual Monitoring Report (being drafted).
Call for Sites	Some questions expanded to make clearer and the ability to add a polygon to indicate where the site is.	Following feedback by BA staff who trialled the survey.

3.4. **Members' comments on the Issues and Options document are welcomed.**

3.5. **Members are recommended to endorse the Issues and Options document and recommend Broads Authority endorse it for consultation.**

4. Sustainability Appraisal (SA)

4.1. The Planning and Compulsory Purchase Act 2004 requires a Sustainability Appraisal (SA) be undertaken for plans such as Local Plans. The term "sustainability appraisal" is used to describe a form of assessment that considers the social, environmental and economic effects of implementing a particular plan or planning policy document. It is intended that the SA process helps plans meet the objective of contributing to the achievement of sustainable development. The results of the sustainability appraisal inform the Authority's decisions on the Local Plan, and the planning inspector's judgement on the Local Plan's legal compliance and soundness.

4.2. The Issues and Options version of the Local Plan does not include policies. The SA for the Issues and Options assesses the options using a RAG rating. The SA is at Appendix 2 and is included in the Issues and Options consultation.

4.3. The SA updates the literature review and baseline data from the SA Scoping Report. It includes the comments made at the SA Scoping Report stage. In terms of assessing policies, as there are no policies in this version of the Local Plan, the options are assessed using a simple RAG rating with some explanation.

4.4. **Members' comments on the SA are welcomed.**

4.5. **Members are recommended to endorse the SA document and recommend that the Broads Authority endorse it for consultation.**

5. Habitats Regulation Assessment (HRA)

5.1. Habitats Regulations Assessment (HRA) is required in accordance with the Conservation of Habitats and Species Regulations 2010, as amended, in order to ensure that plans

and projects do not adversely affect any European wildlife sites. A plan being produced by a public body is the subject of Habitats Regulations Assessment, and it is the responsibility of the public body to produce the assessment in accordance with the legislation, to inform any necessary changes to the plan, prior to its adoption.

- 5.2. This report provides the Habitats Regulations Assessment of the Local Plan for the Broads, being undertaken by Lepus Consulting on behalf of the Broads Authority.
- 5.3. The Broads has a wealth of internationally important biodiversity, primarily focused on the wetlands and their associated habitats. This report assesses the implications of the Local Plan for European sites, which are those designated through European Directives, and also includes those listed as Ramsar sites as a matter of Government policy.
- 5.4. The Issues and Options version of the Local Plan does not include policies. The HRA for the Issues and Options provides scoping for later stages as well as gives a high-level assessment of the issues and options discussed. The HRA is at Appendix 5 and is also out for consultation.
- 5.5. **Members comments on the HRA are welcomed.**
- 5.6. **Members are recommended to endorse the HRA and recommend that the Broads Authority endorse it for consultation.**

6. Consultation

- 6.1. The consultation on the Issues and Options version of the Local Plan will run for 10 weeks. The likely dates are from 8th August to 16 October 2022. The consultation will also cover the Design Guide which was presented at the June Planning Committee.
- 6.2. The consultation will be advertised by emailing those on our consultation database as well as advertising on social media. Documents will be placed on our website. Parish Councils will be asked to advertise the consultation as well. Drop in events will be advertised.
- 6.3. Three drop-in events have been organised, Officers will be in attendance to speak to anyone who wishes to drop by.

Date	7 Sept	12 Sept	17 Sept
Venue	Oulton Community Centre - small hall	Brundall Memorial Hall - lounge	Potter Heigham Village Hall
Open to public	4-8pm	4-8pm	10am-1pm

- 6.4. Hard copies of the document will be placed in libraries around the Broads, Council offices as well as in the reception of Yare House. Hard copies are also available on request, but there will be a charge for printing, postage and packaging to cover costs.
- 6.5. Versions will be available in other languages and large print if requested.

- 6.6. People will be able to call in with any queries as well as have the option for video calls.
- 6.7. In terms of engaging hard to reach groups, we have identified some groups which the Authority's Education Officer works with. Indeed, some groups will be undertaking activities in the Broads at the time of the consultation and we will endeavour to use those opportunities to engage with them on the Local Plan.
- 6.8. **Members comments on the approach to consultation are welcomed.**

7. A new NPPF

- 7.1. It had been understood that the Government proposed to issue a new National Planning Policy Framework (NPPF) for consultation in July, before the Parliamentary summer recess. Given recent events it is not clear whether this will still happen, however it is proposed that we continue with the Local Plan programme as there is a requirement to have an up-to-date development plan.
- 7.2. The consultation on the Design Guide and Local Plan is proposed to start around the second week of August. There are three scenarios for the way forward as regards the consultation on the Local Plan, depending on when the NPPF is released for consultation. **Members are recommended to endorse these three scenarios and associated actions:**
 - 7.2.1. If the NPPF comes out after the July Planning Committee, but before the consultation starts and, if we find on reading it, that any aspect of the Issues and Options cannot go forward, then we would delay the consultation and amend relevant sections and come back to a future Planning Committee and Broads Authority meetings. We would have to postpone the consultation venues accordingly.
 - 7.2.2. If the NPPF comes out after the July Planning Committee, but before the consultation starts and, if we find on reading it, that it does not affect the Issues and Options, the consultation would go ahead as planned following the Broads Authority meeting.
 - 7.2.3. If the NPPF comes out during or after the consultation, then we would carry on with the consultation as planned. We would then consider the responses to the consultation, as well as the NPPF, in preparation for when the Levelling-Up and Regeneration Bill becomes an Act.

8. Next steps

- 8.1. All responses to the consultation will be logged, read and responded to. We will report the responses at future Planning Committees.
- 8.2. The next version of the Local Plan will be called the 'Preferred Options' and this will include draft policies. Again, bite size pieces will be brought before Planning Committee as this version of the Local Plan is produced.

9. Financial implications

- 9.1. There will be a cost associated with the consultation. The cost will arise from the press advert (usually around £400), hiring of venues for the drop-in sessions (around £200) as well as for printing the hard copies that are left at some venues (no cost known at this stage).

Author: Natalie Beal

Date of report: 11 July 2022

Appendices 1-5 are available to view on the [Planning Committee - 22 July 2022 \(broadband-authority.gov.uk\)](https://planning.broadband-authority.gov.uk)

Appendix 1 – Issues and Options Local Plan

Appendix 2 – Sustainability Appraisal

Appendix 3 – Sustainability Appraisal Literature Review

Appendix 4 - State of the Environment Baseline

Appendix 5 – Habitats Regulation Assessment

Appendix 6 – Residential Moorings Needs Assessment (July 2022)

Broads Authority Boat Dwellers Accommodation Assessment

Final Report
July 2022

RRR Consultancy Ltd



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Executive Summary

Introduction

- S1. The Broads Authority commissioned *RRR Consultancy Ltd* to undertake a Boat Dwellers Accommodation Assessment (BDAA). The results will inform policy development in housing and planning and to inform the allocation of resources within the planning authority area.
- S2. The need for local authorities to consider the accommodation needs of households residing in houseboats is determined by the Housing and Planning Act (2016). Department for Communities and Local Government (DCLG) (as it was then called) draft guidance on periodically reviewing the housing needs for caravans and houseboats was published March 2016. It provides advice on how to consider the needs of people residing in caravans or houseboats where they differ from those of the settled community.
- S3. The purpose of this assessment is to quantify the accommodation and housing related support needs of boat dwellers in the Broads Authority planning authority area. This in terms of both permanent residential and temporary moorings for boat dwellers. The results will be used to inform the allocation of resources and as an evidence base for policy development in housing and planning.

Definitions

- S4. The term 'houseboat' is not defined by DCLG guidance. According to the HM Revenues and Customs:

“A houseboat is defined for the purposes of VAT as being a floating decked structure which:

- is designed or adapted for use solely as a place of permanent habitation
- does not have the means of, and which is not capable of being readily adapted for, self-propulsion” (HMRC VAT Notice 701/20, December 2013).

- S5. This assessment also adopts the Broads Authority definition of “residential moorings” where those living on boats moor, as:

“one where someone lives aboard a vessel (which is capable of navigation), that the vessel is used as the main residence and where that vessel is moored in one location for more than 28 days in a year. The vessel may occasionally/periodically go cruising and return to base”.

- S6. This BDAA also incorporates the National Bargee Travellers Association's (NBTA) definition who define a boat dweller as:

“Someone who lives aboard a vessel (which may or may not be capable of navigation), that the vessel is used as the main or only residence and where that vessel is either (i) moored in one location for more than 28 days in a year (but may occasionally or periodically leave its mooring); or (ii) has no permanent mooring and navigates in accordance with the statutes appropriate to the navigation such as inter alia s.17(3)(c)(ii) of the British Waterways Act 1995 or s.79 of the Thames Conservancy Act 1932”.

Accommodation need

- S7. Accommodation need for the study area was assessed using analysis of primary and secondary data. The accommodation needs calculation steps are based on a model in accordance with both previous and current Practice Guidance issued by the Department of Communities and Local Government (DCLG)¹. It contains seven basic components, five assessing need and two assessing supply, which are applied to each sub-group, based on secondary data.
- S8. Table S.1 summarises number of permanent residential moorings required over the period 2021-41. It shows that a further 48 permanent residential moorings are needed over the period throughout the authority.

Table S.1 Permanent residential moorings need	
	No.
2021-2026	45
2026-2031	1
2031-2036	1
2036-2041	1
Total	48

Broads Authority BDAA 2022

- S9. In relation to transit provision, there is a need to consider more flexibility in relation to temporary moorings, particularly during winter months, and to consider increasing the number of temporary moorings.

Conclusions

- S10. Finally, this report primarily recommends that the commissioning council works jointly with other relevant service providers where appropriate to address boat dwellers' accommodation needs. The other recommendations are as follows:

¹ DCLG Gypsy and Traveller Accommodation Needs Assessments, October 2007 located at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/7838/accommneedsassessments.pdf

New mooring places and sites

- Contact the marina owners and managers in the Broads Authority area to discuss the possibility of some leisure berths being granted planning permission for permanent residential moorings.
- Develop criteria and processes for determining the suitability of boat dwellers' residential moorings for including in emerging/future Local Plans.
- Agencies could consider helping to meet the needs of households unable to afford to own a mooring or the rental costs of existing moorings by renting or leasing small parcels of local authority owned land to them and assisting with planning applications and mooring development.
- To consider alternative funding mechanisms such as: acquisition funds; loans for private mooring provision through Community Development Financial Institutions; and joint ventures with members of the boating community.
- To determine whether some of the accommodation needs of boat dwellers can be met by affordable or supported housing.

Mooring services and facilities

- Ensure all mooring areas have access to facilities such as toilet and household waste disposal provisions. If possible, all authorised moorings (residential and visitors' moorings) should have access to electric and water hook-up points, and for residential moorings to have individual access and a secure post-box.
- To work with other agencies, in order to review the enforcement processes that are in operation.

Communication and cooperation

- Formalise communication processes between relevant housing, planning and enforcement officers etc. in both the study area and neighbouring local authorities.
- For agencies to develop a holistic vision for their work on boat dwelling services and facilities, and to embed it in Community and Homelessness Strategies, Local Plans and planning and reporting obligations under the Equality Act 2010.
- Provide training and workshop sessions with service provider employees (and elected members) to help them to further understand the key issues facing the boat dwellers.
- The population size and demographics of the boating community groups can change rapidly. As such, their accommodation needs should be reviewed every 5 to 7 years.

1. Introduction

Study context

- 1.1 The Broads Authority commissioned *RRR Consultancy Ltd* to undertake a Boat Dwellers Accommodation Assessment (BDAA) for the planning authority's Local Plan period of 2021 to 2041.
- 1.2 The requirement to assess the accommodation needs of boat dwellers follows the introduction, in the Housing and Planning Act 2016, of a requirement to consider the needs of people residing on places on inland waterways where houseboats can be moored². Also, in March 2016 DCLG published its draft guidance to local housing authorities on the periodical review of housing needs for caravans and houseboats.
- 1.3 *RRR* consultancy calculated the residential mooring need for the Broads Authority to support the currently adopted Local Plan 2019. That study was completed in 2017³. This work provides an updated need figure to support the review of the Local Plan for the Broads.

Methodological context

- 1.4 To achieve the study aims, the research drew on a number of data sources including:
 - Review of secondary information: a review of national and local planning policies and analysis of secondary data.
 - Consultation with stakeholders including housing and planning officers, boat yard owners and managers, and the National Bargee Travellers Association.
 - Consultation with boat dwellers.

Geographical context

- 1.5 Figure 1.1 shows the extent of waterways within the Broads Authority administrative boundary:

² s124 Housing and Planning Act 2016 (c. 22) p.58

³ See: https://www.broads-authority.gov.uk/__data/assets/pdf_file/0027/243954/Norfolk-Final-ANA-October-9th-2017.pdf

Figure 1.2 Broads Authority Executive Area Map



Source: Broads Authority 2019

Broads Authority profile

- 1.6 The Broads is an internationally important wetland and designated protected landscape of the highest order with a status equivalent to that of a National Park. The designated Broads Authority Executive Area covers parts of Norfolk and North Suffolk. The Executive Area includes parts of Broadland District, South Norfolk District, North Norfolk District, Great Yarmouth Borough, Norwich City, and East Suffolk Council area. The councils for those areas do not have planning powers in the Broads area, but retain all other local authority powers and responsibilities. Norfolk County Council and Suffolk County Council are the county planning authority for their respective part of the Broads, with responsibilities that include minerals and waste planning and are also the Lead Local Flood Authority.
- 1.7 The Broads Authority is a Special Statutory Authority, established under the Norfolk and Suffolk Broads Act 1988. It has a statutory duty to manage the Broads for three purposes, none of which takes precedence:
- Conserving and enhancing the natural beauty, wildlife and cultural heritage of the Broads;
 - Promoting opportunities for the understanding and enjoyment of the special qualities of the Broads by the public; and
 - Protecting the interests of navigation.
- 1.8 A primary aspect of the Broads is that it is a nationally designated area, protected and enhanced for the benefit of the nation as well as for the local population and businesses. This is the justification for control of local planning within the designated area to be entrusted to a special purpose body that includes representation of the national interest as well as of local councils and navigators.
- 1.9 Tourism is the mainstay of the Broads' economy. In 2015, the Broads and surrounding area (including the area of influence) received around 7.4 million visitors, bringing an estimated £431 million and directly supporting more than 7,200 FTE jobs. Land and water-based tourism is important in the area with around 12,173 boats on the Broads in 2015 (10,691 private craft and 1,482 hire craft). Many people also enjoy bird watching, walking, cycling, angling, visiting heritage sites and just being near the water.
- 1.10 The local economy is not entirely tourism related. Agriculture is the predominant business use in terms of land area, if not in numbers employed or monetary value, and has a vital role in maintaining the landscape and its aesthetic and environmental value. Boat building is also a locally important traditional industry⁴.

⁴ Local Plan for the Broads Plan period 2015 – 2036, Adopted May 2019, pp.7-9.

Definition Context

- 1.11 The Housing and Planning Act 2016 requires Local Housing Authorities (LHAs) to consider the needs of people residing on places on inland waterways where houseboats can be moored. The term 'houseboat' is not defined by DCLG guidance. According to the HM Revenues and Customs:

“A houseboat is defined for the purposes of VAT as being a floating decked structure which:

- is designed or adapted for use solely as a place of permanent habitation
- does not have the means of, and which is not capable of being readily adapted for, self-propulsion” (HMRC VAT Notice 701/20, December 2013).

- 1.12 This assessment also adopts the Broads Authority definition of “residential moorings” where those living on boats moor, as:

“one where someone lives aboard a vessel (which is capable of navigation), that the vessel is used as the main residence and where that vessel is moored in one location for more than 28 days in a year. The vessel may occasionally/periodically go cruising and return to base”.

- 1.13 This BDAA also incorporates the National Bargee Travellers Association’s (NBTA) definition who define a boat dweller as:

“Someone who lives aboard a vessel (which may or may not be capable of navigation), that the vessel is used as the main or only residence and where that vessel is either (i) moored in one location for more than 28 days in a year (but may occasionally or periodically leave its mooring); or (ii) has no permanent mooring and navigates in accordance with the statutes appropriate to the navigation such as inter alia s.17(3)(c)(ii) of the British Waterways Act 1995 or s.79 of the Thames Conservancy Act 1932”.

- 1.14 The NBTA also determine that people who use boats for recreation and whose main home is bricks and mortar, or who owns or rent bricks and mortar homes, should not be classed as a boat dweller, regardless of the amount of time each year that they spend on boats. That person should be classed as a 'leisure boater', because they are not in need of a place to moor their home either temporarily or permanently. However, leisure boaters may need to access services and facilities along rivers and canals whilst residing on boats. As such, whilst the legislation requires the need for houseboats to be assessed, in real terms, for the Local Plan for the Broads, this need is expressed as number of residential moorings.

Policy Context

- 1.15 To assess the current position, existing documents have been examined to determine what reference is made to boat dwellers' issues. The intention is to highlight areas of effective practice in the study area, and examine the extent to which local authorities are currently addressing the issue. Furthermore, understanding the current position will be important in the development of future strategies intended to meet accommodation need and housing related support need among boat dwellers.

National legislation and guidance

Housing and Planning Act 2016

- 1.16 The Housing and Planning Act gained Royal Assent on 12 May 2016. Section 124 of the Act states that:

“In the case of a local housing authority in England, the duty under subsection (1) includes a duty to consider the needs of people residing in or resorting to their district with respect to the provision of –

- (a) sites on which caravans can be stationed, or
- (b) places on inland waterways where houseboats can be moored”.

- 1.17 Importantly, according to correspondence between *RRR Consultancy Ltd* and DCLG when undertaking the previous assessment (ANA 2017), DCLG stated that it is for local housing authorities to determine how to assess and understand the accommodation needs of people who reside in or resort to the area with respect to the provision of caravan sites or houseboats. This means that there is no “standard” methodology that can be followed i.e. it is for each authority to prepare (and justify) an appropriate methodology.

*DCLG Review of housing needs for caravans and houseboats: draft guidance (March 2016)*⁵

- 1.18 In March 2016 DCLG published its draft guidance to local housing authorities on the periodical review of housing needs for caravans and houseboats. It states that when considering the need for caravans and houseboats local authorities will need to include the needs of a variety of residents in differing circumstances, for example:

- Caravan and houseboat dwelling households:
 - who have no authorised site anywhere on which to reside

⁵ See <https://www.gov.uk/government/publications/review-of-housing-needs-for-caravans-and-houseboats-draft-guidance>. Although it remains in draft form, correspondence to *RRR Consultancy* from the MHCLG dated 17 May 2021 confirms that the government remains committed to finalising the guidance.

- whose existing site accommodation is overcrowded or unsuitable, but who are unable to obtain larger or more suitable accommodation
 - who contain suppressed households who are unable to set up separate family units and
 - who are unable to access a place on an authorised site, or obtain or afford land to develop on.
- Bricks and mortar dwelling households:
- Whose existing accommodation is overcrowded or unsuitable ('unsuitable' in this context can include unsuitability by virtue of a person's cultural preference not to live in bricks-and-mortar accommodation).

1.19 The DCLG draft guidance recognises that the needs of those residing in caravans and houseboats may differ from the rest of the population because of:

- their nomadic or semi-nomadic pattern of life
- their preference for caravan and houseboat-dwelling
- movement between bricks-and-mortar housing and caravans or houseboats
- their presence on unauthorised encampments or developments.

1.20 Furthermore, it suggests that as mobility between areas may have implications for carrying out an assessment, local authorities will need to consider:

- co-operating across boundaries both in carrying out assessments and delivering solutions
- the timing of the accommodation needs assessment
- different data sources

1.21 The Guidance remains in draft form at the time of this BDAA, and so does not carry the same status as other guidance and legislation. It is unclear when – if at all – this guidance will lose its “draft” status. Nonetheless, it is of some value for those preparing accommodation needs assessments.

Summary

1.22 The need for Local Housing Authorities (LHAs) to consider the needs of people residing in houseboats is determined by the Housing and Planning Act (2016). In March 2016 the Government published draft guidance on periodically reviewing the housing needs for caravans and houseboats. It provides advice on how to consider the needs of people residing in caravans or houseboats where they differ from those of the settled community.

1.23 The purpose of this assessment is to quantify the accommodation and housing related support needs of boat dwellers in the Broads Authority administrative area between 2021 to 2041. This is in terms of both permanent residential and temporary moorings for boat

dwellers. The results will be used to inform the allocation of resources and as an evidence base for policy development in housing and planning.

2. Consultation

Introduction

- 2.1 Consultations with a range of stakeholders were conducted over the period of the assessment and with boat dwellers. Themes raised through the consultations included: the main issues facing boat dwellers; the main barriers to delivering new mooring places; suitable places for new moorings; preferred type of mooring management; traveling patterns and transit mooring needs; the relationship between local boat dwellers and the settled community; and access to health, education and other services. This chapter presents brief summaries of the consultation and highlights the main points that were raised.

Boat Dwellers' Accommodation Needs

- 2.2 The main reasons why people choose to reside on boats were lifestyle choice, a lack of affordable or alternative housing, local connections, to be outdoors, to be mobile, for cultural reasons, and to escape mainstream society. Both boat dwellers and stakeholders commented on the main issues facing boat dwellers. Boat dwellers appreciate the sense of community fostered by the community and stated that this way of life may suit people who may not want to reside in one place or require a semi-permanent residence.
- 2.3 According to both boat dwellers and stakeholders, there are different categories of boat dwellers, including:
- long-term boat dwellers who have resided on the waterways for years, even second generation
 - people who turn to it as an alternative form of housing accommodation
 - people who turn to it following retirement
 - people who try it for a year or two but then return to living in a house
- 2.4 Boat dwellers and stakeholders commented on how the household size across the study area varied between 1 person and 5 persons with most occupied by 1 or 2 people. They commented on how very few boats within the study area are permanently occupied by families with children. The age of boat dwellers residing on residential moorings ranged from early twenties to retirement age. They also commented on how boat dwellers derive from a broad range of social backgrounds with a similarly wide range of professions, skills and interests.
- 2.5 As well as those living on boats for 12 months of the year, it was highlighted that there is a growing demand for semi-permanent use. For example, there is a growth in the use of boats by students who live on boats whilst they study at the local university or college, and people who work in the area during the week but have an alternative address for the rest of the time.
- 2.6 It was acknowledged that there are very few permanent moorings in the Broads Authority area, compared to there being about 200 boat dwellers living on boats all year in the area.

This is a combination of households who choose to be constant cruisers i.e. do not require a residential mooring, and households in need of a residential mooring.

- 2.7 There are also boat dweller households who moor at marinas and boat yards and sleep on their boats at the moorings on an ad hoc basis. There is also an unknown number of boat dwellers residing on boats at the end of gardens and fields (including land the occupier owns) with the consent of the landowners but not necessarily with planning permission to live on board. Whilst planning permission is not required to moor boats at the end of properties, it is required for boats used for residency rather than leisure use.
- 2.8 Some commented on how not all people want permanent moorings, but more flexibility. The cost and requirements placed on providers of permanent moorings often put potential providers off from having such provision. They prefer to have non-permanent provision, allowing people to stay at the mooring for 10 out of 12 months. It was suggested that if the process and requirements to provide permanent moorings were more flexible, marinas and boat yards would be more inclined to provide them.
- 2.9 It was suggested that the lack of permanent moorings means that boat dwellers frequently overstay on 24-hour moorings. It was generally agreed that there is a lack of suitable facilities along local and neighbouring waterways. Some facilities are only available for a fee. There is a lack of access to toilet pumps and waste disposal facilities which are essential to ensure that the waterways are kept clean.

Barriers to new moorings

- 2.10 Barriers in relation to delivering new moorings were cited. Most land adjacent to waterways are not owned by the local authorities, so it may be difficult to gain planning permission for new moorings due to the land not being available.
- 2.11 Some commented on how potential providers (such as existing boat yards and marina owners) might be hesitant about providing permanent moorings. It was noted that some design requirements for permanent moorings could discourage potential providers. It was also suggested that some might be concerned about the impact and implication of having permanent moorings alongside their leisure moorings on one another and for the marina.
- 2.12 Marinas and yards are primarily privately owned. There are a number of private boat yards and marinas which have provision for residential boat dwellers and leisure cruisers as well as space for the storage and maintenance of boats. In relation to whether any new moorings should be owned and managed by the local authority, privately, or a combination of both, stakeholders agreed that a combination of both may be necessary. It was acknowledged that charging for good mooring facilities and services may prove to be difficult for boat dwellers on low incomes. As such, there may be a need for affordable moorings which could be managed by a housing association. It was suggested that the return on capital investment and revenue costs prevent investment in new moorings at present.

Health and education

- 2.13 There were few comments in relation to whether local boat dwellers experience specific health or education issues. Some stakeholders commented on how some boat dwellers have mental health and substance misuse issues. They commented on how some boat dwellers have 'fallen through the net' and live on boats because they cannot cope living in a house. Some commented on how many boat dwellers have minimal access to facilities and healthcare. This is because they tend to move around with no fixed address and there is no support infrastructure.
- 2.14 The NBTA stated that they issue guidance on accessing health and registering with a GP; accessing mainstream education; accessing social services support; and accessing welfare benefits. They cited an example of Bath and North-East Somerset Council which works closely with the charity 'Julian House'. The charity signposts boat dwellers to support organisations and agencies and could be used as a model for local authorities and third sector agencies.
- 2.15 Absence of secure and permanent moorings were regarded by both stakeholders and boat dwellers as limiting boat dwellers' access to services. Not having a postal address adversely impacts on access to employment, registering with GP, education and training, and access to benefits. Some boat dwellers are able to resolve the issue by having post sent to family or friends, or local pubs, whilst other boat dwellers may be registered as living in a house elsewhere (often in a different authority area).

Summary

- 2.16 Consultations with stakeholders and boat dwellers offered important insights into the main issues regarding boat dwellers residing on the waterways. There was general agreement that there is a need for more permanent moorings but also a need for more flexibility on existing provision, in relation to short term use and potential use of non-permanent moorings all year round.

3. Boat dwellers

Introduction

- 3.1 As described in Chapter 1, this assessment considers the accommodation needs of boat dwellers. Unlike Gypsies and Travellers, boat dwellers are not considered to be an ethnic minority and, as such, are not protected by the Equality Act 2010. Nonetheless, government guidance (DCLG 2016) indicates that local authorities should consider the accommodation needs of boat dweller families. Given the presence of boat dwellers in the study area they have been included in this report.

Methodology

- 3.2 Given that the requirement to determine the accommodation needs of boat dwellers was only recently introduced by the DCLG Draft Guidance on Housing Needs (Caravans and Houseboats) (March 2016), there is no established method to determine need. As such, the need for residential moorings in the study area is assessed according to DCLG (2007) guidance and supplemented by data provided by the local authorities and consultation with stakeholders (in particular the boat dwellers). It is also in accordance with NBTA guidance. This methodology has previously been used by *RRR Consultancy* to undertake Boat Dweller Accommodation Assessments (BDAAs) on behalf of Oxford City Council (2018) and Wokingham Borough Council (2019), and for other authorities as part of their GTAAAs including Broads Authority (as part of the Norfolk 2017 ANA).
- 3.3 Whilst there has been consultation with households living on boats in the area, it has not been possible to consult with enough to base the assessment on the consultation alone. This assessment is based on consultation with boat dwellers, boat yard and marina owners and managers, National Bargee Travellers Association (NBTA), Residential Boat Owners Association (RBOA), local authority data, assessment of secondary data, online data concerning marinas, yards and the waterways in the area.
- 3.4 The consultation has led to the following: estimated number of authorised and unauthorised, residential and transit moorings; the number of occupied and vacant moorings; the characteristics of the boat dwellers; and the need for residential and transit moorings.

Existing Supply

- 3.5 Table 3.1 below lists the number of authorised moorings, and unauthorised developments (UD) (moorings), and those with temporary planning permission per local authority within the study area. There is planning permission for 23 permanent moorings.

Table 3.1 Current supply	
Location	Moorings
Boat Yard 1	10
Boat Yard 2	12
Boat Yard 3	1
Total	23

Source: BDAA 2022

- 3.6 However, 8 of the 10 moorings at Boat Yard 1 are currently unoccupied but will potentially be made available in due course. Also, the 12 moorings at Boat Yard 2 are yet to be developed, so are considered 'potential' moorings. This results in 3 occupied authorised moorings, and 20 potential moorings.

Calculation of Accommodation Need

- 3.7 The need for residential moorings in the study area is based on the model suggested in DCLG (2007)⁶ guidance and supplemented by data provided by the local authorities. Whilst this guidance relates specifically to assessing needs for Gypsy and Traveller accommodation, it is considered appropriate for assessing needs for residential moorings and has been found sound in our similar assessments (including Broads Authority 2017, Oxford City Council 2018, and Islington 2019).

Requirement for residential moorings 2021-2026

- 3.8 It is estimated that there are about 140 boat dwellers who reside on boats all year around. Key locations for boat dwellers include Thorpe Island area and Beccles. There are also those who are categorised as constant cruisers and some who have moored in discreet locations across the study area. Some boat dwellers reside at marinas on an ad hoc basis. Due to mooring licences, they might stay at the mooring for the agreed limited period of time, but then travel the waterways or moor elsewhere for the remainder of the year. It is estimated that less than half of such boat dweller households have need of a residential mooring. Due to choice or financial restraints the remaining boat dwellers prefer to be constant cruisers. They require more flexible transit provision.
- 3.9 As Table 3.2 illustrates, the above results in an estimated requirement for a further 48 residential moorings in the study area for the period 2021 to 2026.

⁶ Although the guidance was withdrawn in December 2016 it remains useful as a model for determining accommodation need.

Table 3.2 Estimate of the need for residential moorings 2021-2026	
1) Current occupied residential	3
<i>Current residential supply</i>	
2) Vacant but available for use	0
3) Expected to become vacant	0
4) Planned to be built or brought back into use	20
Total Additional Supply	20
<i>Current residential need</i>	
5) Seeking residential permission from temporary permission	0
6) Households requiring residential moorings	65
7) Family growth	0
Total Additional Need	65
<i>Balance of Need and Supply</i>	
Total Additional Requirement	45

Source: BDAA 2022

Requirement for permanent moorings 2021-2026: steps of the calculation

3.10 Information from local authorities and consultation with stakeholders and boat dwellers was used to inform the calculations. The remainder of this chapter describes both the process and results of the boat dwellers needs calculations.

Supply of moorings 2021-2026

Step 1: Current occupied permanent moorings

3.11 Based on information provided by the Broads Authority and corroborated by information from the consultation. There are currently 3 occupied authorised mooring.

Step 2: Number of unused permanent moorings available

3.12 As the mooring is occupied there are 0 unused moorings.

Step 3: Number of existing moorings expected to become vacant between 2021-2026

3.13 This is calculated using mortality rates as applied in conventional Housing Needs Assessments. It then calculates the number of moorings that would become vacant as a result of the mortality. This results in 0 additional supply.

Step 4: Permanent moorings planned to be built or brought back into use, 2021-2026

3.14 This can include moorings which have been partly developed, never developed or which were previously occupied but are now vacant and in need of redevelopment. This results in 20 additional supply.

Need for Moorings 2021-2026

Step 5: Seeking permanent permission from temporary moorings in the study area 2021-2026

3.15 This is determined by local authority data. It is assumed families residing on moorings whose planning permission expires within the period 2021-2026 will still require accommodation within the study area. There are currently 0 moorings with temporary planning permission located in the area.

Step 6: Households seeking permanent mooring in the study area 2021-2026

This is determined by the data gleaned from the consultation and secondary data. It is estimated that there are 65 households seeking permanent provision across the study area.

Step 7: Family growth in the study area 2021-2026

3.16 This is based on household growth. A growth rate of 0.6% per annum (equating to 3% over a 5-year period) is applied. This results on 0 additional need in the first five years.

Balance of Need and Supply

3.17 From the above the net additional plot requirement is calculated by deducting the supply from the need.

Requirements for residential moorings 2026-2041

3.18 It is assumed that by 2026 vacant residential moorings will be occupied, potential moorings will have been developed and occupied, and any additional need will have been met by new supply. The base figures regarding the number of residential moorings at the end of the first 5-year period would be 68 (3 existing occupied mooring + 20 potential + additional need of 45).

3.19 If any of the 20 potential moorings are not available to be occupied by 2026, then the accommodation needs will increase by a subsequent number e.g., if 8 of the 20 potential moorings not available, then the additional need will increase by 8 resulting in an additional accommodation need of 53 permanent moorings.

3.20 Based on consultation with boat dwellers and stakeholders, whilst there is limited evidence of the level of intergenerational need, there is evidence of ongoing demand by new generations of the settled community in need for residential moorings across the study area. Therefore, this assessment has incorporated assessment of the needs for 2026 – 2041. This is based on the method adopted for the other communities (household growth minus mortality).

3.21 The boat dweller accommodation needs for the period 2026-2041 are determined by applying a mortality rate of 0.4% per annum (equating to 2% over a 5-year period), and a population growth rate of 0.6% per annum (equating to 3% over a 5-year period). This equates to a net population growth of 1% during each 5-year period.

3.22 The residential moorings accommodation needs for the period 2021-2041 are shown in Table 3.3 below:

Table 3.3: Summary of boat dweller accommodation needs 2021-41 (moorings)					
	2021-26	2026-31	2031-36	2036-41	2021-41
Broads Authority	45	1	1	1	48

Source: BDAA 2022

Requirements for transit moorings: 2021-2041

3.23 The Broads Authority manages a number of transit temporary stopping places across the study area for boaters. There are 974 24-hour moorings at 57 locations across the Broads Authority area. Most are free for boat owners to use. There are many more boat moorings available moorings at places, although some charge a fee.

3.24 It is recommended that the current temporary moorings are made available for longer periods out of season. It is also recommended that these provisions are upgraded. This includes ensuring easy access to the bank and clear and secure facilities to secure the boats, electric and water hook-ups, toilet and household waste facilities, access to parking within walking distance, and ensuring that the emergency services can access moorings.

Summary

3.25 Table 3.4 summarises the number of permanent residential moorings, required over the period 2021-41. It shows that a further 48 permanent residential moorings are needed between 2021 and 2041 in the Broads Authority planning area.

Table 3.4 Permanent residential moorings need 2021-2041	
	No.
2021-2026	45
2026-2031	1
2031-2036	1
2036-2041	1
Total	48

Source: BDAA 2022

4. Conclusions on the evidence

Introduction

- 4.1 This final chapter draws conclusions from the evidence. It then makes a series of recommendations relating to meeting the identified need for moorings, site management and facilities, and recording and monitoring processes. The recommendations throughout this chapter are put forward by *RRR Consultancy* for the authority to consider in accordance with respective policies and constraints.
- 4.2 The chapter begins by presenting an overview of the policy changes, followed by a review of the accommodation needs and facilitating these needs for boat dwellers. It then concludes with key recommendations.

Policy Changes

- 4.3 In March 2016 the Department of Communities and Local Government (DCLG) published its draft guidance to local housing authorities on the periodical review of housing needs for caravans and houseboats. It states that when considering the need for caravans and houseboats local authorities will need to include the needs of a variety of residents in differing circumstances including, for example caravan and houseboat dwelling households and households residing in bricks and mortar dwelling households.
- 4.4 The Housing and Planning Act 2016 requires Local Housing Authorities (LHAs) to consider the needs of people residing on places on inland waterways where houseboats can be moored. However, the term 'houseboat' is not defined by DCLG guidance. As such, the accommodation needs determined by this assessment uses a broader definition first used by the Broads Authority⁷ who define boat dwelling as vessels capable of navigation and is used as the main residence but may occasionally go cruising and return to base.
- 4.5 Importantly, according to correspondence between *RRR Consultancy Ltd* and DCLG (27 October 2016), the DCLG stated that it is for local housing authorities to assess and understand the accommodation needs of people who reside in or resort to the area with respect to the provision of caravan sites or houseboats. This means that there is no "standard" methodology that can be followed i.e. it is for each authority to prepare (and justify) an appropriate methodology.

⁷ The definition was developed as part of *the Norfolk Caravans and Houseboats Accommodation Needs Assessment* (ANA) undertaken by *RRR Consultancy Ltd* in 2017.

New accommodation provision

- 4.6 Due to the transient characteristic of boat dwellers it is not possible to identify with certainty all existing households residing on boats in the study area. However, the assessment has provided an estimation of need and identified the general circumstances of boat dwellers requiring permanent residential moorings. The accommodation need in the Broads Authority planning area derives mainly from boat dwellers residing on unauthorised ('unregulated') moorings, tolerated unauthorised moorings, and constant cruisers who require accommodation in the local area.
- 4.7 Table 4.1 summarises the number of permanent residential moorings, required over the period 2021-41. It shows that a further 48 permanent residential moorings are needed over the local plan period.

Table 4.1 Permanent residential moorings need	
	No.
2021-2026	45
2026-2031	1
2031-2036	1
2036-2041	1
Total	48

Broads Authority BDAA 2022

Temporary stopping provision

- 4.8 It is recommended that the current temporary moorings are made available for longer periods out of season. It is also recommended that these provisions are upgraded. This includes ensuring easy access to the bank and clear and secure facilities to secure the boats, electric and water hook-ups, toilet and household waste facilities, access to parking within walking distance, and ensuring that the emergency services can access moorings.

Summary

- 4.9 As well as incorporating the identified need into its local plan, it is recommended that the authority incorporate consideration of any planning applications that might materialise over the plan period from households whose existence was not known at the time of the assessment. This could include households residing on unauthorised moorings, due to in-migration, and those residing in bricks and mortar accommodation. This accommodation need should be considered separate to the need identified above and could be met through windfall applications.
- 4.10 Finally, this report primarily recommends that the Broads Authority works jointly with other relevant service providers where appropriate to address boat dwellers' accommodation needs. The other recommendations are as follows:

New mooring places and sites

- Contact the marina owners and managers in the Broads Authority area to discuss the possibility of some leisure berths being granted planning permission for permanent residential moorings.
- Develop criteria and processes for determining the suitability of boat dwellers' residential moorings for including in emerging/future Local Plans.
- Agencies could consider helping to meet the needs of households unable to afford to own a mooring or the rental costs of existing moorings by renting or leasing small parcels of local authority owned land to them and assisting with planning applications and mooring development.
- To consider alternative funding mechanisms such as: acquisition funds; loans for private mooring provision through Community Development Financial Institutions; and joint ventures with members of the boating community.
- To determine whether some of the accommodation needs of boat dwellers can be met by affordable or supported housing.

Mooring services and facilities

- Ensure all mooring areas have access to facilities such as toilet and household waste disposal provisions. If possible, all authorised moorings (residential and visitors' moorings) should have access to electric and water hook-up points, and for residential moorings to have individual access and a secure post-box.
- To work with other agencies, in order to review the enforcement processes that are in operation.

Communication and cooperation

- Formalise communication processes between relevant housing, planning and enforcement officers etc. in both the study area and neighbouring local authorities.
- For agencies to develop a holistic vision for their work on boat dwelling services and facilities, and to embed it in Community and Homelessness Strategies, Local Plans and planning and reporting obligations under the Equality Act 2010.
- Provide training and workshop sessions with service provider employees (and elected members) to help them to further understand the key issues facing the boat dwellers.
- The population size and demographics of the boating community groups can change rapidly. As such, their accommodation needs should be reviewed every 5 to 7 years.

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Glossary

Bargee traveller: people whose main or only home is a boat without year-round access to a permanent mooring.

Boat Dweller Accommodation Assessment (BDAA): a document which assesses the accommodation needs of boat dwellers.

Canal & River Trust (CRT): replaced British Waterways in July 2012. It is a registered charity whose main aim is to protect over 2,000 miles of waterways in England and Wales.

Constant cruiser: a boat dweller whose permanent residence is a boat but has no permanent mooring i.e. they constantly cruise. They may temporarily use transit moorings but such stays are usually limited to between 24 hours and 14 days.

DCLG Draft Guidance on Housing Needs (Caravans and Houseboats) (March 2016): provides advice on how to consider the needs of people residing in caravans or houseboats where they differ from those of the settled community.

Environment Agency: an executive non-departmental public body, sponsored by the Department for Environment, Food & Rural Affairs. It is responsible for the management of the River Thames and other river channels that join their main courses.

Houseboat: commonly defined by the HMRC VAT Notice 701/20, December 2013 as being a floating decked structure which:

- is designed or adapted for use solely as a place of permanent habitation
- does not have the means of, and which is not capable of being readily adapted for, self-propulsion" (HMRC VAT Notice 701/20, December 2013).

Housing and Planning Act 2016: requires Local Housing Authorities (LHAs) to consider the needs of people residing on places on inland waterways where houseboats can be moored.

Leisure cruiser: someone who cruises the waterways for recreational purposes and does not permanently reside on a boat.

Mooring: a place beside a canal or river used to moor boats. Some moorings have facilities such as electricity hook up points or space for storage. They can be used for temporary (transit) mooring or permanent mooring. 'Authorised' moorings have planning permission whereas 'unauthorised' do not.

Transit mooring: a mooring used for a short period of time – usually between 24 hours and 14 days. Transit moorings are managed by a range of private and public organisations including the Environment Agency (EA) and Canal and River Trust (CRT).

Planning Committee

22 July 2022

Agenda item number 12

The Levelling Up and Regeneration Bill- briefing

Report by Planning Policy Officer

Summary

The Levelling Up Bill makes provision for the setting of levelling-up missions and reporting on progress in delivering them; about local democracy; about town and country planning; about Community Infrastructure Levy; about the imposition of Infrastructure Levy; about environmental outcome reports for certain consents and plans; about regeneration; about the compulsory purchase of land; about information and records relating to land, the environment or heritage; for the provision for pavement licences to be permanent; about governance of the Royal Institution of Chartered Surveyors; about vagrancy and begging; and for connected purposes. This is a summary of aspects relevant to the Broads Authority.

Recommendation

The report is noted.

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1. Introduction

- 1.1. 'Levelling Up' has been a central plank in the Government's agenda and through which it seeks to reduce geographical, economic, social and health inequalities. The Government published its [Levelling-up and Regeneration Bill](#) on 11 May 2022. The Bill follows on from the '[Levelling Up in the United Kingdom White Paper](#)' published in February 2022 and covers a raft of potential changes to law. These include the setting of statutory 'levelling up missions' for Government to achieve, the establishment of 'Combined County Authorities' (CCAs) to allow devolution of powers in two tier areas,

changes to compulsory purchase arrangements and development corporations, and the arrangements for letting out of high street premises.

- 1.2. It remains to be seen whether or not there will be changes to the 'levelling up' agenda - either in terms of objectives or the way in which it is to be delivered - following recent changes within Government. Members will be updated as and when we know more. It is interesting to note that many of the provisions set out in the August 2020 Planning White Paper were not taken forward in this latest Bill and there has also been significant change to many of the elements that have been taken forward. It is clear that Government wishes to make changes to the planning system, but there is continuing uncertainty as to what these changes will be.
- 1.3. The following report sets out the provision in the May 2022 Levelling Up and Regeneration Bill.

2. The Proposals

- 2.1. Much of the Levelling-up Bill is 'enabling' legislation, authorising Government to prepare secondary legislation (in the form of regulations) that will set out the detail of how the general aims of the Bill will be delivered. Elements of the Bill will also evolve as it moves through the parliamentary process. For these reasons, we cannot know the precise details of how any new planning system will operate at this early stage, however the Bill indicates the Government's overall intentions at this stage.
- 2.2. A full summary of the Bill is available at Appendix 1. The Bill proposes:
 - a) A single **Local Plan** for each local authority, to be prepared within a specified period (likely to be 30 months).
 - b) A new set of **National Development Management Policies**, which must be considered in decision-making, and which will carry equal weight to local plan policy, except where there is conflict, where they take precedence. These may be included in the new NPPF, previously scheduled for publication in July 2022.
 - c) A new system of statutory **Supplementary Plans**, replacing Supplementary Planning Documents which would be subject to independent public examination, and which could set out policy for individual sites, infrastructure requirements or specific design policies.
 - d) The option to prepare a **Joint Local Plan** or wider strategic **Spatial Development Strategy** between two or more local planning authorities.
 - e) A requirement for local planning authorities to produce a **Design Code** for their whole area.
 - f) A new '**requirement to assist**' with plan-making which would apply to other public bodies.

- g) The **'duty to cooperate'** contained in existing legislation will be repealed and according to accompanying notes replaced with a more "flexible alignment test set out in national policy."
- h) Changes to one of the tests which **Neighbourhood Plans** must meet to proceed to referendum, removing the need for general conformity with the Local Plan. This is to be replaced with a requirement that plans must not prevent housing supply identified in a development plan from going ahead. The Bill also proposes the creation of **'neighbourhood priorities statements,'** which must be considered when producing local plans. They would summarise what the qualifying body considers to be the principal needs and prevailing views, of the community in the neighbourhood area in relation to which the body is authorised, in respect of local matters.
- i) Allowing charging authorities to charge double the rate of **council tax on second homes** and empty properties,
- j) A new statutory **'Infrastructure Levy'** (IL), to replace Community Infrastructure Level and Section 106 agreements. This would include a 'right to acquire' affordable housing by local planning authorities, rather than the current system of negotiating levels of affordable housing. Authorities will also be required to produce an **Infrastructure Delivery Strategy**. Detail on the relationship between current Section 106 contributions and the new IL is left to future regulations, with explanatory notes (page 225) explaining that these regulations will control the use of Section 70 of the Town and Country Planning Act relating to the use of planning conditions and agreements. Further information published states that there will be a "retained role for Section 106 agreements to support delivery of the largest sites. In these instances, infrastructure will be able to be provided in-kind and negotiated, but with the guarantee that the value of what is agreed will be no less than will be paid through the Levy."
- k) The Bill proposes replacing Environmental Impact and Strategic Environmental Assessments (Sustainability Appraisals) with simpler **'Environmental Outcome Reports'** reflecting national priorities and targets for the environment.
- l) A new statutory duty on Local Planning Authorities to produce and maintain a **historic environment record**.
- m) Various changes to the **enforcement process**, including introducing **temporary stop notices** for work on listed buildings, an extension of the four-year enforcement period beyond which action cannot be taken to 10 years, increasing the time of temporary stop notices from 28 days to 56 and the introduction **enforcement warning notices** requiring the submission of a planning application within a certain period.
- n) Outside of the Bill, the Government has also announced an intention to increase planning fees by 25% for minor applications and 35% for major applications.

2.3. More details on the contents of the Bill are set out at **Appendix 1**.

3. Commentary

- 3.1. National DM policies: It will be interesting to see what these policies cover and what they say. It is not likely that they would cover topics particularly relevant to the Broads such as the policies relating to navigation for example.
- 3.2. Supplementary plans and not SPDs: We currently have one adopted SPD on flood risk and another being produced relating to coastal adaptation. We may want to incorporate more from the flood risk SPD in the Local Plan.
- 3.3. Design Code: The draft design code for the Broads will be consulted on from end of July.
- 3.4. Duty to cooperate (DTC) – removal: We have relied on the DTC in the past to help us meet our housing figures – Great Yarmouth Borough Council took on some of our need. We will have to understand the details of any new test as we produce the local plan and seek to meet our need. In terms of working together with other LPAs in Norfolk or Suffolk, just because the DTC is going to be removed, it does not necessarily follow that the close working will end. Using GIRAMS and Nutrient Neutrality as an example, addressing certain topics on a wider area basis is logical.
- 3.5. Neighbourhood Plan Basic Conditions change: The removal of the need for Neighbourhood Plans to be ‘in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area)’ is intriguing. It is not clear why this is being introduced. Locally, we are not aware of any issues with that basic condition. Whilst the replacement Basic Condition ensures that housing delivery set out in the Local Plan is ensured, housing is but one element of a Local and Neighbourhood Plan.
- 3.6. Infrastructure Levy: The introduction of the mandatory Infrastructure Levy (IL). There are few details at present of how this will be set, however if introduced this is likely to be a new area of work should the Authority be required to introduce one. The Bill also includes a clause (Schedule 11 Part 10A, Section 204B, subsection 4) which would allow regulations to specify that a county, district or borough authority could be the charging body instead of the local planning authority, with explanatory guidance (page 203) giving the example of a National Park Authority where only a small part of their area falls within a certain district, and where it may be more appropriate for that district to charge for that area.

Author: Natalie Beal

Date of report: 11 July 2022

Appendix 1 – Summary of the Levelling-up Bill

Appendix 1 – Summary of the Levelling-up Bill

The Levelling-up ‘missions’ (Clauses 1 – 5)

1. The Bill provides a legal basis for setting and reporting on the **12 ‘missions’** announced in the Levelling-up White Paper. These covered four areas: boosting productivity and living standards by growing the private sector, spreading opportunities and improving public services, restoring a sense of community, local pride and belonging, and empowering local leaders and communities. A levelling-up mission statement will be laid before Parliament, accompanied by the methodology and metrics the Government intends to use to evaluate its progress towards delivery. The Bill also creates a statutory obligation for the Government to report annually on progress towards the delivery of each mission.

Further devolution (Clauses 7-54)

2. The Levelling-up White Paper committed Government to offer a devolution deal to all areas by 2030, each with a directly elected mayor. The Bill includes measures to create new **‘combined county authorities,’** (CCAs) more suited to non-urban areas where there is a two tier (county and district/borough) structure. The difference between these and existing combined authorities such as Tees Valley is in membership – county combined authorities must only include two or more ‘upper tier’ members – for example one county representative and at least one other county or unitary representative, unlike current combined authorities where district or borough councils must be represented. ‘Lower tier’ councils cannot be members of a CCA.

Council tax on second homes and unoccupied dwellings – Clauses 72 and 73

3. Clauses 72 and 73 of the Bill proposes changes to the Local Government Finance Act 1992 to allow local authorities (including from next year the new North Yorkshire Council) to charge **double the rate of council tax** on properties classed as a “long-term empty dwelling” or “dwelling occupied periodically” i.e., a second home.

Planning data – Clauses 75 – 78

4. Clauses 75 to 77 of the Bill enable the Secretary of State to introduce regulations requiring local planning authorities to produce **planning data to a standardised format** and for them to acquire standardised data from others, and to require publication of that data. Clause 78 would require the use of standardised software approved by the Secretary of State.

Development Plans – Clauses 82 - 91

5. A new set of **national development management policies** will be, once consulted upon will be signed off by the Secretary of State and will have statutory weight in decision making. There is no detail at present on the scope and range of topics these will cover.

6. Clause 83 then proposes that **decisions must be made in accordance** with the development plan and National Development Management Policies unless material considerations “**strongly** indicate otherwise”. Where there is a conflict between development plan and national development management policies decisions “must be resolved in favour of national development plan policy” (Clause 83(5C). This effectively means national policy and local plans will carry equal weight in decision making; unless there is a conflict in which case national policies should be followed. In ‘Further Information the Government also states that “increased weight given to plans and national policy by the Bill will give more assurance that areas of environmental importance – such as National Parks, Areas of Outstanding Natural Beauty and areas at high risk of flooding – will be respected in decisions on planning applications and appeals.”
7. Clause 87 would insert Schedule 7 of the Bill into legislation, which covers plan-making. Schedule 7:
 - Allows for two or more local planning authorities to prepare a ‘**spatial development strategy**’ which would include policies of ‘strategic importance,’ and which could specify infrastructure and affordable housing requirements for that area (Schedule 7 15A). This in effect gives a vehicle for statutory strategic plans – and subject to consultation and independent examination - albeit one that is optional, unlike the system of Regional Spatial Strategies that operated until 2012.
 - Requires local planning authorities to prepare a **single local plan**, with only one local plan allowed to operate in a local planning authority area (Schedule 7 15C2).
 - Local plans must set out local policies, infrastructure requirements and requirements ‘**in respect of design**’ (Schedule 7 15C4).
 - Requires that local plans be in **general conformity with any spatial development strategy and national development management policies** (Schedule 7 15CA2 and Schedule 7 15CA5c).
 - Allows two or more local planning authorities to produce a **joint local plan** (Schedule 7 15I).
 - Requires local planning authorities to produce a ‘**local plan timetable**’ (to replace current ‘Local Development Schemes’) (Schedule 7 (15B)) and to conform to that timetable (Schedule 7 15CA1). Government has stated that forthcoming regulations will require plans to be produced within a 30-month timeframe and be reviewed every five years.
 - Allows local planning authorities to prepare ‘**supplementary plans**’ (Schedule 7 15CC). The Bill anticipate that these would be used in three circumstances – to provide site specific policy, to set out infrastructure requirements and to set out design policies. These would replace Supplementary Planning Documents (SPDs), which cannot include separate policy, only explain how policy in a development plan

will be implemented, and supplementary plans would be subject to independent examination (unlike SPDs)

- Requires local planning authorities to produce a **design code** for their whole area (Schedule 7 15F).
 - Provides the **Secretary of State with powers** to prepare or revise a local plan or give directions to the local planning authority to do so (Schedule 7 15HA). Supporting information states that “new Local Plan Commissioners may be deployed to support or ultimately take over plan-making if local planning authorities fail to meet their statutory duties.”
8. Clause 90 includes ‘**a requirement to assist**’ with plan-making, replacing the current ‘Duty to Co-operate.’ This means that ‘the prescribed public bodies’ who influence the delivery and planning of infrastructure are required to be involved in the plan-making process and, according to the guidance note must do everything asked by the plan making authorities, within reason.

Neighbourhood | Plans – Clause 89 and Schedule 7 15K

9. Clause 89 replaces one of the five ‘basic conditions’ a neighbourhood plan must comply with to proceed to referendum. As present, the neighbourhood plan is required to be in ‘general conformity’¹ with the local authority development plan. It is to be replaced by a condition that **must not prevent housing development** proposed in the development plan for the local area from coming forward.
10. Schedule 7 15K Empowers a ‘qualifying body’ (usually a Parish Council) to prepare a ‘**neighbourhood priorities statement**’, “which summarises what the body considers to be the principal needs and prevailing views, of the community in the neighbourhood area in relation to which the body is authorised, in respect of local matters” - for example housing, natural environment, economy, infrastructure and open spaces. This would be subject to local consultation but would not be independently tested or subject to referendum. It would be published by the local planning authority who must take it into account in their own plan-making.

Heritage – Clauses 92 – 95, Clause 185

11. The Bill will place a statutory duty on Local Planning Authorities to produce and maintain a **historic environment record** (Clause 185) and includes provisions (Clause 92) so that registered parks and gardens, World Heritage Sites, protected wreck sites, and registered battlefields have the same statutory protection within the planning system as listed buildings and conservation areas. The Authority already has a historic environment record.

¹ Government does not further define this term in policy but in effect means that a neighbourhood plan cannot include anything that may undermine delivery of local plan strategy.

12. New enforcement powers will be available to protect listed buildings by introducing **temporary stop notices** (Clause 93); strengthening the power to issue urgent works and recovering costs by local planning authorities (Clause 94); and removing the compensation liability in relation to Building Preservation Notices (Clause 95).

Planning permissions – Clauses 96 – 100 and 108 to 112

13. Clause 96 is a ‘placeholder’ clause that would allow the Secretary of State to introduce regulation over the use of **‘Street Votes,’** to allow residents to have a direct say on new development in their area. There is little detail on this, however explanatory notes and in the Government’s own publicity states this would allow “residents on a street to bring forward proposals to extend or redevelop their properties in line with their design preferences. Where prescribed development rules and other statutory requirements are met, the proposals would then be put to a referendum of residents on the street, to determine if they should be given planning permission.” This could imply some form of localised ‘local development order’ where rules on development are proposed and voted upon, which would then allow for development within those rules.
14. Clause 98 intends to allow for greater flexibility in the ability to **vary planning conditions.**
15. Clause 99 would require developers to provide a local planning authority with a **commencement notice** specifying when that development is expected to start.
16. Clause 100 removes the need for a local planning authority to secure the consent of the Secretary of State when serving a **completion notice** requiring that development be completed.

Enforcement – Clauses 101 - 107

17. The Bill proposes extension of the 4-year **enforcement period** beyond which action cannot be taken to 10 years (Clause 101).
18. The period of **temporary stop notices** will increase from 28 days to 56. It will be a legal offence to ignore such a notice (Clause 102).
19. Clause 103 introduces **enforcement warning notices.** These would be used where a local planning authority becomes aware of an unauthorised development that has a reasonable prospect of being acceptable in planning terms. They would then serve an enforcement warning notice asking the person concerned to submit a retrospective planning application within a specified period.
20. Clause 104 would prevent an **enforcement appeal** being lodged where retrospective planning permission has been applied for before the expiry of the deadline for determining that application.
21. Clause 105 would allow the Secretary of State to dismiss an **enforcement appeal** if the applicant is causing undue delay.

22. Clause 106 **increases fines** associated with certain planning breaches (over Section 215 notices to tidy up land failing to comply with breach of condition notices) and doubling fees for retrospective applications.
23. Clause 107 would allow the Secretary of State to restrict local authorities from taking **enforcement action** in certain circumstances. A possible example given in explanatory notes is where there is a breach in conditions relating to deliveries to shops in certain hours, should there be a shortage of HGV drivers.

The Infrastructure Levy – Clauses 113 - 115

24. The Bill proposes replacement of Section 106 agreements and the Community Infrastructure Levy (CIL) with a mandatory **‘Infrastructure Levy’** (IL). This would usually² be produced and enforced by local planning authorities and once prepared would be non-negotiable. The levy would be set as a percentage of gross development value and expressed in pounds per square meter. There will be a retained role for Section 106 agreements to support delivery of the largest sites.
25. The Bill introduces a new **‘right to require’** to remove the role of negotiation in determining levels of onsite affordable housing. This is intended to rebalance the inequality between developers and local authorities by allowing local authorities to determine the portion of the levy they receive in-kind as onsite affordable homes.

Environmental Outcome Reports – Clauses 116 – 130

26. The Bill proposes replacing Environmental Impact and Strategic Environmental Assessments (Sustainability Appraisals) with a new set of **Environmental Outcome Reports, with Government** promising “a clearer and simpler process where relevant plans and projects are assessed against tangible environmental outcomes set by government.” Few details are currently provided, however explanatory notes that such reports must have regard to the Governments Environmental Improvement Plan (currently the 25 Year Environment Plan), that it is likely that consent cannot be legally granted in the absence of such a report, that reports should consider realistic alternatives. Subsection 1 of Clause 120 requires that the Secretary of State to ensure that any new regulations requiring Environmental Outcome Reports must not lead to a lower level of protection than previous arrangements.

Compulsory Purchase Orders, Development Corporations and vacant high street premises (Clauses 131 – 183)

27. Although not of direct relevance to the Broads Authority, for completeness the remainder of the Bill mostly covers simplification of **Compulsory Purchase Orders**, specifically for regeneration projects, and proposals for new ‘locally led’ development corporations, accountable to local authorities rather than the Secretary of State, The

² The Bill also proposes that the Homes and Communities Agency could introduce an Infrastructure Levy

Bill, if enacted would also allow all current and future development corporations to act as local planning authorities for their areas, in line with current Mayoral Development Corporations. The Bill (at clause 181) also intends for the Government to have the power to publish land transactions data and contractual arrangements used by developers, to make more transparent where 'land banking' may be occurring. Finally, the Bill would grant powers for local authorities to instigate auctions to sell empty high street properties where they have been vacant for over a year.

28. Although not in the Bill, alongside its publication the Government also announced:

- An intention for a national **increase in planning fees** increasing them by 25% for minor applications and 35% for major applications.
- That there will be a new method of **assessing local housing needs**, with the Times reporting that plans will no longer be expected to reach "unrealistic" new housing targets providing their local plan is "well evidenced and drawn up in good faith." There are no further details or announcements at this stage however the previously intention to set and enforce national housing targets appears not to be going ahead.
- The removal of the requirement for authorities to maintain a rolling **five-year supply of deliverable land for housing**, where their plan is up to date, i.e., adopted within the past five years, Government states that this is to "curb perceived 'speculative development' and 'planning by appeal,' so long as plans are kept up to date".
- Ministers confirmed they would bring forward legislation to enable the piloting of **community land auctions**. In pilot areas, landowners would be able to submit their land to local authorities in the process of developing their local plans, offering the council an option on the land at a price set by the landowner. The planning authority would allocate the land within its local plan and then auction the development rights to a successful bidder. The difference between the option price offered by landowners and the price offered to develop allocated land will be retained by local authorities for the benefit of local communities. Note – although the Broads Authority is the local planning authority it is not the housing authority and not subject to local government finance regulations – hence it is unlikely this scheme would operate in the Broads.
- It will legislate to define what counts as a 'suitable permission' when assessing local planning authorities to provide suitable plots for those wishing to build **custom and self-build housing**.

Heritage Asset Review Group

Notes of the meeting held on 17 June 2022

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Present

Chair – Harry Blathwayt, Stephen Bolt, Bill Dickson, Andrée Gee and Tim Jickells.

In attendance

Jason Brewster – Governance Officer, Kayleigh Judson – Heritage Planning Officer, Kate Knights – Historic Environment Manager and Marie-Pierre Tighe – Director of Strategic Services.

1. Notes of HARG meeting held on 25 March 2022

The notes of the meeting held on 25 March 2022 were received. These had been submitted to the Planning Committee on 29 April 2022.

2. Historic Environment Team progress report

The Historic Environment Management and the Heritage Planning Officer presented the report providing an update on progress with key items of work by the Historic Environment Team between the end of 26 March and 17 June 2022.

Conservation Area review

The Historic Environment Management (HEM) reported that work had continued on the Halvergate and Tunstall Conservation Area re-appraisal. This update to the Conservation Area would aim to accurately reflect the physical alterations that have occurred since 2007, would take into account the setting of this Conservation Area within the wider landscape and would incorporate the latest Historic England guidance.

Members asked for clarification regarding planning permission in context of solar panels being installed on a property. The HEM confirmed that solar panels are incorporated within the permitted development rights as defined by the Government. This enabled households to add solar panels to a property within guidelines without the need to seek prior planning permission. The HEM added that a listed building would need to apply for a Listed Building Consent in this context and in this scenario alternative solutions would be sought such as ground mounting of the solar panels. The HEM reminded Members of the Article 4 Direction that was served within the Belaugh Conservation Area which included further regulation relating to solar panels.

Listed buildings

The HEM explained that the Quinquennial Survey resulted in approximately 60 listed buildings being surveyed with the help of volunteer Simon Woodward. Database records were being updated to reflect this new information and owners contacted informing of them any issues and prompting them to resolve them. The Buildings at Risk Register would also be amended to reflect this updated information. A couple of more serious cases will require the HET to liaise with the owners to get them repaired.

Three buildings have been removed from the Buildings at Risk Register in the last year; High's Mill, Six Mile House Mill and the Stracey Arms Mill. All three benefitted from National Lottery Heritage Fund funding and highlighted the importance of these big grants in securing the future of these buildings, funding that would have been difficult to achieve independently.

The majority of buildings at risk were drainage mills and photos of Brograve Mill and Stones Mill were shown which highlighted their neglected state. The HEM also referred to Six Mile House (also known as Burnt House) Mill at Chedgrave. Their remote locations and difficulty accessing these sites were key factors in their current state of disrepair. In fact the work at Stones Mill had to be scaled back due to the inability to access the site caused by flooding and the fact that the structural state of the building is beyond a light touch repair. Focus here will now be on improving the biodiversity in and around the site.

A Member remarked on the romantic charm of Brograve Mill in its current state indicating that it would be a pity to lose that through restoration. The HEM confirmed that given its reduced state and the subsidence that it was experiencing the most practical outcome would be to slow its decline rather than restore it.

Another Member was puzzled by this response, questioning whether this contradicted the purpose of registering the building. The HEM agreed that ordinarily the addition of a building to the register would be a prompt to take action. The HEM explained that proposing remedial

work for a building at risk was not uncommon and was usually the only pragmatic option available. The HEM added that inclusion of a building on the Statutory List would serve to protect the building in the context of planning applications in and around the site.

An addition to the Buildings at Risk Register was a WW1 Pillbox at St Olaves which also included the mid-20th century timber framed office mounted on its roof. The ornamental hoods over the door and windows of the pillbox are a unique feature. The timber structure, windows, cladding and stairs were all in need of repair. A member, prompted by a photo of the pillbox, asked whether the pillbox was sinking into the beach or whether the shingle was swamping it. The HEM confirmed that further investigation was required to confirm the ground conditions.

Following on from an earlier point, a Member asked what was to stop the owner of the pillbox challenging the need to restore this structure rather than maintain its current state. The HEM agreed that receipt of the initial notification that a building they owned had been added to the Building at Risk Register could be daunting for the owner. At this stage the HEM would ordinarily only have a postal address from the Land Registry so could not adopt a more personal form of introduction. Once the owner had responded the HEM would seek to meet with them to discuss the matter in person. In the case of the pillbox the HEM believed the repairs to be easier and more realistic especially in the context of the mills previously discussed.

Water Mills and Marshes - update

Staff absences had resulted in the postponement of work at Mutton's Mill and the planned end date had moved from end of September until spring when ground conditions would once again be suitable for a crane to operate.

This delay has had a knock-on effect to planned work at Herringfleet Mill, Somerleyton and the scope of work has had to be reduced. Focus would be on repairing sails that had been removed and repairing the engine shed in preparation for the interpretation installation. The Local Planning Authority for the Broads would submit planning permission and listed building consent applications for the planned works with the expectation that the Herringfleet Trust would take responsibility for the outstanding work.

Staff absences had also reduced involvement with students. A couple of students had shown a keen interest in the Water Mills and Marshes restoration work and were developing their heritage skills accordingly. If they continued with their training these skills would be of great benefit within the area and another positive outcome for the project.

The trainee joiner was still recovering from injury but had recently returned to work and had been completing snagging work at North Mill, Stone's Mill and High's Mill.

Members congratulated the Water Mills and Marshes team on their hard work.

In response to a Member question the HEM confirmed that trail walks associated with various Mills had been detailed and could be found at [Trails Archive - Water Mills and Marshes](#) and [Halvergate Mills Trail - Water Mills and Marshes](#).

Enforcement - update

The Heritage Planning Officer (HPO) provided an update on Oby Manor Farm that had a Listed Building Consent (LBC) to replace UPVC windows and doors with timber equivalents. This property had recently been sold and the new owners had agreed to complete the remaining work associated with the LBC to the existing 2024 deadline. The HPO would report on progress at future meetings.

Design Guide

The Historic Environment Manager (HEM) provided an introduction to the Broads Authority's Design Guide. The National Planning Policy Framework (NPPF) was updated last year and a new requirement was for Local Planning Authorities (LPAs) to prepare design guides consistent with the principles set out in the National Design Guide and National Model Design Code (both of which were also published in 2021).

The Government advises the development of design guides and codes via some form of public consultation, and the LPA for the Broads surveyed residents, visitors and users of the Broads and received approximately 150 replies. A key message from these responses was that people valued the traditional buildings and their setting within the Broads landscape. The LPA for the Broads along with consultants used the survey results to create an initial draft of the Design Guide.

Part 1 of the Guide covered 6 main Building Types representing those buildings most commonly presented in development management terms within the Broads. These main building types may be subdivided and the HEM used the example of chalets and in particular two of a possible four subdivisions, cottage and shed categories, to illustrate what is covered by this part of the guide. The first part of the guide details the characteristics of each building type and in the context of chalets these characteristics included Roof, Form & Heights, Elevations & Detailing and Access & Water.

Part 2 of the Guide is the design code which sets out requirements or guidelines that should be adhered to. This included elements of architectural detailing such as types of windows and roof materials as well as urban design guidelines such as heights & storeys, roof form, width & base and location with respect to road and river. Each section contained general guidance and, where necessary, specific guidance per building type. The HEM used the first page of the Built Form, Scale & Massing section of the design code to illustrate this content.

The draft Design Guide was available online and would be presented at the next Planning Committee on 24 June 2022.

The second stage of consultation would be run concurrently with the Local Plan consultation scheduled for the end of July and early August 2022. The guide would then be reworked and might go through a further round of consultation before it was ready for adoption early 2023.

A Member asked how the Design Guide balanced the need for sustainability with maintaining heritage buildings. The HEM explained that the Design Guide did cover sustainability by, for example, encouraging upgrades to existing buildings rather than replacing them. As

heritage/listed buildings are covered by separate legislation they are not explicitly referenced within the Design Guide.

Members welcomed the guidance provided with respect to chalets which were an important part of the Broads landscape. The HEM believed the Design Guide was an improvement on previous guidance in this regard and would strengthen the need for planning consideration on developments relating to this type of building.

Collaboration

The Historic Environment Manager (HEM) had attended meetings with the Suffolk Conservation Officers, Norfolk Conservation Officers and National Parks Historic Environment Officers. At the Suffolk Conservation Officers meeting they presented a study on historic farmsteads performed by Suffolk County Council. This pilot project for Historic England had compared farmsteads marked on first edition Ordnance Survey maps (c.1886) with contemporary aerial photographs and categorised them. The HEM showed the results of this analysis for Yew Tree Farm, Low Farm and Bullocks Ley. This information would be added to Suffolk County Council's Historic Environment Record and would be a valuable reference for planning officers.

3. Any other business

None.

4. Date of next meeting

The next HARG meeting would be held on **Friday 9 September 2022**. It is planned to hold this meeting at the Museum of the Broads, Stalham on the assumption that enough Members would attend. The Chair urged Members in attendance to promote the next meeting to their colleagues.

The meeting ended at 10.56am

Signed by

Chair

Planning Committee

22 July 2022

Agenda item number 14

Appeals to the Secretary of State update

Report by Senior Planning Officer

Summary

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

Recommendation

To note the report.

Application reference number	Applicant	Start date of appeal	Location	Nature of appeal/ description of development	Decision and dates
APP/E9505/C/21/3269284 BA/2017/0035/UNAUP3	Mr Henry Harvey	Appeal received by BA on 18 February 2021 Start date 26 April 2021	Land East Of Brograve Mill Coast Road Waxham	Appeal against Enforcement Notice	Committee Decision 8 January 2021 LPA Statement submitted 7 June 2021

Application reference number	Applicant	Start date of appeal	Location	Nature of appeal/ description of development	Decision and dates
APP/E9505/W/22/3291736 BA/2021/0244/FUL	Messrs T.A. Graham	Appeal received by BA on 31 January 2022 Appeal start date 22 June 2022	The Shrublands, Grays Road, Burgh St Peter	Appeal against refusal of planning permission: Proposed retention of timber tepee structure and use as glamping accommodation as farm diversification scheme.	Delegated Decision 31 August 2021 LPA statement due by 27 July 2022
APP/E9505/W/22/3291822 BA/2021/0253/COND	Mr P Young	Appeal received by BA on 1 February 2022 Appeal start date 1 July 2022	Marshmans Cottage Main Road A1064 Billockby Fleggburgh	Appeal against refusal of planning permission: Revised width of building and change use of loft space, variation of conditions 2 and 7 of permission BA/2020/0083/HOUSEH	Delegated Decision 7 December 2021 LPA statement due by 5 August 2022
APP/E9505/W/22/3292073 BA/2021/0263/OUT	Mr M Gladwell & Mr R Remblance	Appeal received by the BA on 3 February 2022 Appeal start date 17 May 2022	Land adjacent to and to the north west of The Cottage Low Road, Shipmeadow, Suffolk	Appeal against refusal of planning permission: Outline Planning Application for 1no. dwelling including means of access.	Delegated Decision 12 January 2022 LPA statement submitted 21 June 2022

Application reference number	Applicant	Start date of appeal	Location	Nature of appeal/ description of development	Decision and dates
APP/E9505/W/22/3292450 BA/2021/0239/FUL	Mr Gavin Church	Appeal received by the BA on 9 February 2022 Appeal start date 30 June 2022	Priory Cottage St. Marys Road, Aldeby	Appeal against the refusal of planning permission: Use of land for siting 4 No. Bell Tents and 4 No. wash sheds with compostable toilets (retrospective)	Delegated Decision 24 August 2021 LPA statement due by 4 August 2022
APP/E9505/W/22/3294205 BA/2021/0211/FUL	Mr Alan Gepp	Appeal received by the BA on 8 March 2022 Appeal start date 1 July 2022	Broadgate, Horsefen Road, Ludham	Appeal against the refusal of planning permission: Change of use to dwelling and retail bakery (sui generis mixed use) including the erection of a single storey extension.	Committee Decision 8 February 2022 LPA statement due by 5 August 2022
APP/E9505/W/22/3295628 BA/2022/0022/FUL	Mr Matthew Hales	Appeal received by the BA 28 March 2022	Clean & Coat Ltd, 54B Yarmouth Road Thorpe St Andrew	Appeal against Condition 4, imposed on planning permission BA/2022/0022/FUL	Delegated decision 25 March 2022 Awaiting start date

Application reference number	Applicant	Start date of appeal	Location	Nature of appeal/ description of development	Decision and dates
APP/E9505/W/22/3300601 BA/2021/0451/COND	Mr A Cook	Appeal received by the BA on 8 June 2022	Wayford Park River Holidays, Wayford Bridge	Appeal against refusal of planning permission: Incorporate shipping container into building, variation of condition 2 of permission BA/2017/0376/FUL (retrospective.)	Delegated Decision 31 January 2022 Awaiting start date.
APP/E9505/C/22/3301919 BA/2022/0023/UNAUP2	Mr R Hollocks	Appeal received by the BA on 27 June 2022	Beauchamp Arms, Ferry Road Carleton St Peter	Appeal against Enforcement Notice - lighting and kerbing	Committee Decision 27 May 2022 Awaiting start date.
BA/2022/0021/UNAUP2 APP/E9505/C/22/3301976	Mr R Hollocks	Appeal received by the BA on 27 June 2022	Beauchamp Arms, Ferry Road Carleton St Peter	Appeal against Enforcement Notice - workshop	Committee Decision 27 May 2022 Awaiting start date.

Author: Cheryl Peel

Date of report: 11 July 2022

Background papers: BA appeal and application files

Planning Committee

22 July 2022

Agenda item number 15

Decisions made by officers under delegated powers

Report by Senior Planning Officer

Summary

This report sets out the delegated decisions made by officers on planning applications from 13 June 2022 to 12 July 2022 and Tree Preservation Orders confirmed within this period.

Recommendation

To note the report.

Parish	Application	Site	Applicant	Proposal	Decision
Aldeby Parish Council	BA/2022/0144/FUL	East End Barn, Annexe East End Lane Aldeby Norfolk NR34 0BF	Mr B Wright	Change of Use from Residential Annexe to Holiday Accommodation Let Unit	Refuse
Barsham And Shipmeadow Parish Council	BA/2022/0181/HOUSEH	The Bungalow Low Road Shipmeadow Suffolk NR34 8HP	Mr Martin Dawson	Remove existing extensions and garage and add new extension to rear and part side	Approve Subject to Conditions

Parish	Application	Site	Applicant	Proposal	Decision
Barton Turf And Irstead Parish Council	BA/2022/0118/COND	Cox Boatyard Staithe Road Barton Turf Norfolk NR12 8AZ	Cox's Boatyard Ltd	Amended plans altering the design of the new boat shed and office and excluding holiday apartments, variation of condition 2 of permission BA/2010/0420/FUL	Approve Subject to Conditions
Beccles Town Council	BA/2022/0186/HOUSEH	Flint House Puddingmoor Beccles Suffolk NR34 9PL	Mr & Mrs J & S Archibald	Proposed replacement timber frame windows with double glazed sealed units.	Approve Subject to Conditions
Burgh Castle Parish Council	BA/2022/0159/HOUSEH	Willow Barn Back Lane Burgh Castle Norfolk NR31 9QJ	Mr & Mrs Childs	Proposed single storey extension	Approve Subject to Conditions
Ditchingham Parish Council	BA/2022/0102/HOUSEH	Ditchingham Lodge Norwich Road Ditchingham Norfolk NR35 2JN	Mr Richard Stearn	Refurbishment and extension of Ditchingham Lodge, including the construction of a new plant room, swimming pool, the demolition of existing out buildings and the conversion of a log store into an office	Approve Subject to Conditions

Parish	Application	Site	Applicant	Proposal	Decision
Ditchingham Parish Council	BA/2022/0117/LBC	Ditchingham Lodge Norwich Road Ditchingham Norfolk NR35 2JN	Mr Richard Stearn	Refurbishment and extension of Ditchingham Lodge, including the construction of a new plant room, swimming pool, the demolition of existing out buildings and the conversion of a log store into an office	Approve Subject to Conditions
Fleggburgh Parish Council	BA/2022/0183/HOUSEH	Broadlands Main Road A1064 Acle Bridge Acle Norfolk NR13 3AT	Mr & Mrs G & H Staples	Single storey rear extension with first floor balcony, detached double garage with storage floor over and retention of oil tank.	Approve Subject to Conditions
Haddiscoe PC	BA/2022/0163/FUL	Albatross Quay Reeds Lane St Olaves Norfolk NR31 9HG	Broadland Pension Fund Trust	Erection of a boat workshop	Approve Subject to Conditions
Hoveton Parish Council	BA/2022/0197/FUL	Bewilderwood Horning Road Hoveton Norfolk NR12 8JW	Mr Tom Blofeld	New workshop building - Retrospective	Approve Subject to Conditions

Parish	Application	Site	Applicant	Proposal	Decision
Hoveton Parish Council	BA/2022/0182/HOUSEH	3 Station Cottages Station Road Hoveton Norfolk NR12 8UR	Mr & Mrs White	Proposed single storey rear extension to house	Approve Subject to Conditions
Hoveton Parish Council	BA/2022/0169/ADV	Kings Head Hotel Station Road Hoveton Norfolk NR12 8UR	Mr Mark Wilkinson	3 x Banner style PVC fascia signs.	Approve Subject to Conditions
Ludham Parish Council	BA/2022/0172/HOUSEH	Holm-mere Staithe Road Ludham Norfolk NR29 5NP	Mr Derek Grainger	Creation of an additional mooring	Approve Subject to Conditions
Ludham Parish Council	BA/2022/0135/LBC	Crown Cottage 2 Yarmouth Road Ludham Norfolk NR29 5QF	Mr Watts	Replace front windows & door	Approve Subject to Conditions
Mettingham Parish Council	BA/2022/0161/HOUSEH	Williamstown Low Road Mettingham Suffolk NR35 1TT	Mr and Mrs Sophie and Mike Suffolk	Erection of single storey rear extension	Approve Subject to Conditions
Oulton Broad Parish Council	BA/2022/0094/FUL	Land Adjacent 14 Swonnells Walk Maltsters Way Lowestoft Suffolk NR32 3PY	Ms Jamie Tubby	Replace wooden fence with black metal fencing	Approve Subject to Conditions

Parish	Application	Site	Applicant	Proposal	Decision
Oulton Broad Parish Council	BA/2022/0190/APPCON	Broadlands Marina Marsh Road Lowestoft Suffolk NR33 9JY	Tingdene Marinas Ltd Steve Arber	Details of: Conditions 3: Flood Resilient Construction and 4: Flood Evacuation Plan of permission BA/2021/0347/FUL	Approve
Reedham Parish Council	BA/2022/0155/HOUSEH	Wherrymans Mill Ferry Road Reedham Norwich Norfolk NR13 3HA	Mr John Reeves	Removal of existing shed and greenhouse and erection of workshop and garage.	Approve Subject to Conditions
Repps With Bastwick Parish Council	BA/2022/0152/CLEUD	Marsh View Staithe Road Repps With Bastwick Norfolk NR29 5JU	Mrs Debra Nicholson	Lawful Development Certificate for 10 years use of a building as a dwellinghouse within Class C3	CLUED Issued
Repps With Bastwick Parish Council	BA/2022/0151/HOUSEH	The Homestead High Road Bastwick Repps With Bastwick Norfolk NR29 5JH	Mrs Paula Jones	Erect single storey pitched roof shed in garden	Approve Subject to Conditions
Somerton Parish Council	BA/2022/0079/HOUSEH	Staithe Cottage The Staithe West Somerton Somerton Norfolk NR29 4EB	Mr Ian Hedges	Restore cottage. Rear extension. Replace garage & construct garden room.	Approve Subject to Conditions

Tree Preservation Orders confirmed by officers under delegated powers

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

Author: Cheryl Peel

Date of report: 13 July 2022