

Planning Committee

Agenda 21 July 2023

10.00am

Yare House, 62-64 Thorpe Road, Norwich NR1 1RY

John Packman, Chief Executive – Friday 14 July 2023

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 23 June 2023** (Pages 3-17)
4. To note whether any items have been proposed as matters of urgent business
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 included in this agenda and/or vary the order of the agenda

Planning and enforcement

7. **To consider applications for planning permission including matters for consideration of enforcement of planning control:**
 - 7.1. BA/2023/0127/FUL - Ormesby - Broadland Nurseries - Change of use from nursery and garden centre to caravan and camping site (Pages 18-34)
8. **Enforcement update** (Pages 35-40)
Report by Head of Planning

Governance

9. **Scheme of powers delegated to Chief Executive and other authorised officers – amendment to section 37** (Pages 41-54)
Report by Senior Governance Officer

Policy

10. **Hemsby Neighbourhood Plan – adoption** (Pages 55-56)
Report by Planning Policy Officer
11. **Consultation responses** (Pages 57-59)
Report by Planning Policy Officer
12. **Local Plan for the Broads – Preferred Options - Bitesize pieces** (Pages 60-81)
Report by Planning Policy Officer
13. **Broads Local Plan – Local Green Space Topic Paper and proposed policy** (Pages 82-113)
Report by Planning Policy Officer

Matters for information

14. **Notes of the Heritage Asset Review Group meeting held on 16 June 2023** (Pages 114-118)
15. **Appeals to the Secretary of State update** (Pages 119-123)
Report by Senior Planning Officer
16. **Decisions made by Officers under delegated powers** (Pages 124-130)
Report by Senior Planning Officer
17. **To note the date of the next meeting – Friday 18 August 2023 at 10.00am at Yare House, 62-64 Thorpe Road, Norwich**

Planning Committee

Minutes of the meeting held on 23 June 2023

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Present

Harry Blathwayt – in the Chair, Stephen Bolt, Bill Dickson, Tony Grayling, Tim Jickells

In attendance

Natalie Beal – Planning Policy Officer, Jason Brewster – Governance Officer, Kate Knights– Historic Environment Manager, Harry Mach – Carbon Reduction Projects Manager, Cheryl Peel – Senior Planning Officer, Adrian Sewell – Rivers Engineer, Cally Smith – Head of Planning and Sara Utting – Senior Governance Officer

Members of the public in attendance who spoke

Brian Wilkins representing the applicant and Alan Irvine on behalf of Susan Cadamy (objector) both for item 7(1) – application BA/2022/0436/HOUSEH Hoveton - New mooring with boathouse, extend decking area and replace quayheading.

1. Apologies and welcome

The Chair welcomed everyone to the meeting.

Apologies were received from Melanie Vigo di Gallidoro and Fran Whymark.

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. He 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 26 May 2023 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

The Chair acknowledged that two members had not been re-appointed to the Authority since the local elections: Nigel Brennan and Andrée Gee. The Chair thanked them for their

contributions to the Planning Committee. The Chair confirmed that, as there were more than 4 members present, the meeting was quorate.

Public Speaking: The Chair stated that public speaking was in operation in accordance with the Authority's Code of Practice for members of the Planning Committee and officers. Those who wished to speak were invited to come to the Public Speaking desk when the application they wished to comment on was being presented.

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

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

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

(1) BA/2022/0436/HOUSEH Hoveton - New mooring with boathouse, extend decking area and replace quayheading

Proposal to construct new mooring with boathouse, extend existing decking area and replace quay heading

Applicant: Mr Paul Rayner

The Senior Planning Officer (SPO) provided a detailed presentation of the application that would involve the creation of a new mooring with a boathouse, the like for like replacement of the quay heading and walkway and an extension to an existing area of decking.

The SPO indicated that the application was before the committee at the request of two local councillors who had raised material planning considerations.

The presentation included a location map, the site marked within a map of Hoveton, a detailed map of Bure Court showing the site and adjacent land owned by the applicant, a site map showing the proposed boathouse and extended decking, an aerial photograph of Bure Court including the private dyke to the East and properties opposite (Birchwood, Sunway & Bide-a-Wee), photographs of Hickling House, various photographs of the site showing the tree and shed, existing quayheading, the existing decking and the quayheading along the river front plus a diagram showing front, rear and side elevations of the boathouse.

The design of the boathouse had been revised over the course of the application and it was proposed to use black timber weatherboarding, timber shingles for the roof, to increase the roof overhang and to recess the roller shutter door to achieve a more traditional design. The boathouse dimensions would be 8.9m in length, 4.4m wide and with a height to the roof ridge of 4m.

In assessing the application, the SPO addressed the key issues of the principle of development, the design of the proposed development and the impacts on neighbouring amenity as well as the impact on the natural environment.

The proposal for a boatshed at a domestic property, the replacement of the quayheading and the decking extension were deemed beneficial to and in keeping with the area and the principle of development was considered acceptable.

In terms of design, the comments of the Historic Environment Manager had been taken onboard and the boathouse plans and materials had been revised accordingly. The modest extension to the decking area, using matching materials, would create a more usable area and was considered acceptable in terms of policy DM43 (Design) of the Local Plan for the Broads.

A number of objections had been raised from the owner of the property on the opposite side of the private dyke. There was a concern that the boathouse would not fit and so officers had re-visited the site and measured the location and confirmed the boathouse would fit.

Concern had been expressed about the boathouse creating a terracing effect by filling the space between Hickling House and the neighbouring property, Bure Court House. The height of the boathouse was less than both these structures and the width and length of the boathouse had been reduced as part of the revisions and there would therefore still be some visual separation between Hickling House and Bure Court House.

The SPO noted that Hoveton was a built-up area with properties quite close together and there was already an impact on amenity due to overlooking although the boathouse would not increase this impact in any way. The proposal was deemed acceptable in terms of Policy DM21 (Amenity) of the Local Plan for the Broads.

Concerns had been raised regarding navigating a boat into the boathouse and the agent had indicated a maximum boat size in response. This and some other concerns regarding navigating the private dyke were not material planning considerations. There was no adverse impact to the main navigation on the River Bure and the application was acceptable in this regard.

Other considerations included a peat survey; peat mitigation methods will be employed if necessary although limited peat was found in the excavation site. There were no issues regarding biodiversity and a tree will be removed from the southern end of the site and a replacement tree planted at the northern end of the site.

The SPO concluded that the recommendation was for approval subject to conditions detailed in section 8 of the report.

A member asked for clarification on a number of points:

- That the dyke concerned was not part of the navigation. The SPO confirmed that this was a private dyke and was not part of the main navigable channel.

- That the boathouse did not encroach onto the dyke. The SPO showed the site plan that indicated the boathouse was setback from the dyke and showed a splay between the dyke and boathouse.
- That this application did not confer any new mooring rights to those already in existence at this location. The SPO confirmed that there would be no change to mooring rights.
- That the right to a view was not a planning consideration. The SPO confirmed that this was not a material planning consideration.
- Confirm the extent of the decking extension. The SPO referred to the site plan that demonstrated the extension would square off the decking area so that the frontage was in line with the existing decking line nearest the dyke.

A member asked for clarification on the scale of the boathouse in relation to the neighbouring property. The SPO showed a picture of the planned location of the boathouse including the neighbouring property's boathouse and indicated that the eaves of the neighbouring boathouse were 4m high.

The member also asked whether the line of the replacement quayheading would be in front of the existing quayheading. The SPO confirmed that the quayheading would be replaced on a like for like basis and this included maintaining the existing line of the quayheading.

Alan Irvine read a prepared statement on behalf of Susan Cadamy objecting to the application. Ms Cadamy had lived opposite the application site at Birchwood for 23 years and had been involved in the Broads holiday industry for 40 years. She managed holiday lets, day boats and broads cruisers and was one of 4 medium-large businesses that operated on the dyke. She believed 19 properties along the dyke were holiday lets and there was a total of 35 day boats that used the dyke especially during the summer. The dyke also housed a public slipway that was operated by Landamores boatbuilders. The dyke was a busy stretch of water and its narrowest point, of 6m/20 feet, was where the entrance to the proposed boathouse would be.

Ms Cadamy was pleased the applicant had revised the plans that reduced the size of the boathouse. However, it remained a substantial structure with a height of 4m above the quayheading which itself would be raised by about 50cm above its existing level when replaced. The boathouse would fill an important gap between the applicant's house and the property next door. Most of the properties in this location had gaps between the buildings which established the character of the local area. Ms Cadamy believed losing important gaps and consequently reducing light and causing shadowing would be detrimental to the character of the area and as such would be contrary to local planning policies.

Ms Cadamy was concerned about safe navigation on the dyke. She believed that the plans submitted indicating the ability to turn a 6.75m boat within the existing dyke were not accurate and misrepresented the location of the quayheadings on either side of the dyke. An image was shown indicating clearly marked lines, denoting a survey of the existing

quayheadings, overlaid onto the applicant's site plan. According to the surveyed dimensions of the existing dyke a boat of 6.75m would not be able to turn at the proposed location of the boathouse. An image was shown indicating day boats moored on the quayheading opposite the applicant's property and a day boat passing along the dyke. Ms Cadamy had the right to moor boats all along her quayheading in the manner shown and, in this situation, it was impossible for anything larger than a small row boat or dingy to manoeuvre in the remaining channel. With a larger boat with a beam of 2.3m plus fenders moored opposite the proposed boathouse there would be a maximum 3.8m of channel in which to manoeuvre a 6.75m boat. Ms Cadamy believed that siting the boat house at the narrowest point of the dyke would lead to hazardous manoeuvring of boats which would be contrary to policy DM31 (Access to the Water) of the Local Plan.

If members were minded to approve this application, Ms Cadamy asked for the imposition of two conditions:

1. That the replacement quayheading followed the line of the existing quayheading to ensure the current width of the dyke was not reduced.
2. That the noisy quayheading work be timed to fall between 1 November and 28 February to avoid the holiday season that ran from the beginning of March to the end of October.

The Chair thanked Mr Irvine for a clear presentation.

A member indicated that the manoeuvring of a boat in and out of the boathouse was a transitory event and was not the same as mooring a boat on the dyke itself, and asked if Mr Irvine agreed with this statement.

Mr Irvine agreed and acknowledged that the boathouse would reduce the need for a boat to be moored on the dyke. He clarified that the objection was not with the boathouse per se but its location at the narrowest point of the dyke. Given that this was a busy dyke there was an increased risk of boats colliding. Mr Irvine appreciated that this wasn't a planning matter however the size of the boathouse limited the setback and thus the ability to manoeuvre at this point of the dyke. He believed that for this reason the boathouse was not fit for purpose and questioned whether members should knowingly approve it.

Brian Wilkins spoke on behalf of the applicant and summarised that there were three areas of concern: the intensity of development, the size of the boathouse and the navigation. Mr Wilkins believed that the intensity of development had been addressed by the SPO's presentation and related members' questions.

Mr Wilkins presented a series of photographs that showed the plan area of the boathouse roof marked out on the site along with the line of the walls of the structure. These demonstrated the clearance between the boathouse and the boundary with the neighbouring property, the clearance between the boathouse and the applicant's property and the setback of the boathouse from the quayheading. Mr Wilkins indicated that the entrance to the

boathouse would be turned in at 45° to the dyke itself providing additional space to manoeuvre and to aid boats accessing or leaving the structure.

In addressing the navigation issues, Mr Wilkins indicated that the site location was within a congested area where boats were accordingly operated with care, at low speed, as demonstrated by the 4mph speed limit imposed on the main river through Wroxham. The dyke accommodated approximately 30 properties, a mixture of residential & boat related businesses, which implicitly had the right to navigate the dyke. Neither the applicant nor the property opposite had the right to block navigation of the dyke at the narrowest point. Mr Wilkins had manoeuvred a 5.2m boat at the narrowest point with approximately a foot of clearance at each end (a photo was displayed showing a boat at approximately 90° to the quayheading with clearance between the stern and the quayheading). He was confident that the boathouse could be accessed at this point by a launch of approximately 6m in length.

In response to a member's question Mr Wilkins confirmed that there were no boats moored on the opposite quayheading when he manoeuvred the boat in the dyke.

A member asked whether the applicant had the right to moor at the quayheading where the boathouse was to be situated. Mr Irvine responded that the applicant did not have the right to moor at this point, as dictated by a covenant and that there was a provision for mooring further north along the applicant's quayheading. The Head of Planning explained that no covenant regarding the applicant's right to moor had been viewed as part of this application. The HoP indicated that as the dyke is a private dyke and thus private 'land', if there was a covenant this was a private matter between the landowner and other interested parties who may wish to challenge the landowner for blocking the dyke (and preventing them from exercising their right to navigate the dyke). As such, this was a civil matter and was not a planning consideration.

A member asked whether this application conveyed any change to the mooring rights relating to the quayheading. The HoP confirmed that this application would replace the quayheading but that this quayheading was not proposed to be used as a mooring and the new mooring was within the boathouse.

A member asked what increase in height would result from the replacement of the quayheading. Mr Wilkins responded that it was usual to raise a quayheading to reflect predicted changes in sea level. He believed the quayheading height would increase by 150mm or a height required to prevent over-topping at high tide. The SPO showed a photograph depicting the relative heights of the applicant's quayheading and that of the neighbouring property and explained that it was expected the quayheading would be raised to a similar height as that of Bure Court House.

A member asked whether it was possible to condition the time of construction for this application. The SPO explained that this type of condition was usual when large construction machinery was required on a large development. It would not be reasonable to restrict the timing for a general householder application where the associated work could be a self-build development or beholden to the availability of contractors. The HoP added that there was

nothing to prevent the applicant from agreeing a timed building schedule as a gesture of goodwill and officers would raise this with the applicant were members minded to approve the application. The HoP confirmed that the other condition requested by Ms Cadamy, that the existing quayheading line was to be maintained, was covered by condition ii of the report.

Members were supportive of the application noting the revised design and the like for like nature of the replacement quayheading. A member supported any encouragement offered to the applicant to time the work in a sympathetic fashion.

Members recognised the concerns associated with the application but agreed these were not planning considerations. A member believed the objections raised by local councillors had been acknowledged but believed they did not outweigh the planning officer's assessment and recommendation.

Tony Grayling proposed, seconded by Bill Dickson and

It was resolved unanimously to approve the application subject to the following conditions:

- i. Three-year timeframe for commencement**
- ii. In accordance with the approved plans and material details**
- iii. Material details of the boathouse to be agreed**
- iv. Ecology condition for the placement of a bird box**

(2) BA/2023/0099/FUL Horstead with Stanninghall - dredging lagoon

Temporary construction of lagoon structure to hold dredged river sediment for drying

Applicant: Mr Adrian Sewell - Broads Authority

The Senior Planning Officer (SPO) provided a detailed presentation of the application that involved the creation of a temporary holding lagoon on arable land for the drying of sediment dredged from the nearby River Bure.

The SPO indicated that the application was before the committee as the applicant was the Broads Authority.

The presentation included a location map, a site map, an aerial photograph of the site with the lagoon marked, a diagram showing an overhead view of the external and partition bunds of the lagoon, a cross section of the bund detailing the depth of removed topsoil, a map showing the access route from Burntwood Lane to the site, a map showing the disposal site and various photographs of the site.

The site was located to the west of Wroxham in an area known as Little Switzerland, part of the wider Trafford Estate. The site itself was part of a larger agricultural field that was not overlooked and was not accessible by the public. The eastern boundary was just 50m from the River Bure and was screened from the river by woodland. The subject field was only accessible via private farm track.

The lagoon would be semi-circular in shape with a length of 170m and a maximum width of 120m, with the curve following the eastern field boundary. The lagoon would be split into 4 compartments to ensure the structural integrity of the bunds and aid filling the lagoon in a uniform fashion. The lagoon capacity would be 20,000m³ of wet sediment, the result of dredging 9.5km of the River Bure between Coltishall and Wroxham. The machinery used to construct and eventually remove the bunds would remain on site for the duration of the works.

The dredged material would be transported by wherry to a point on the river close to the subject site and pumped to the lagoon through a 150mm diameter pipe laid on the surface of the riverbank and through the wet woodland between the river and the lagoon area.

Once the dredging work ceased the lagoon would be left for approximately a year and then the sediment would be spread on nearby farmland and the bunds spread back into the field. The recipient farmland was accessed from the same private farm track used to access the lagoon and there was no need to transport this material via public roads.

The works were proposed to take place over a two year period with construction and dredging scheduled for year 1 ending October 2024 and final spreading and restoration planned for April 2025.

The proposed development was considered acceptable for the following reasons:

- Dredging the upper Bure was a priority and would provide a navigation benefit by restoring the river depth to waterways specifications.
- The reuse of the dredged material on arable fields would improve soil structure and organic content.

Given the remoteness of the site, the absence of public access, the surrounding woodland, and considering the temporary nature of the works and the proposed restoration of the site to its existing condition, it was considered that there would be no unacceptable impacts on the wider landscape character and appearance.

This application replaced a previous application that was withdrawn; the previous site was very close to Wroxham which raised some amenity concerns with neighbours close by. This provoked a search for a different site away from residential properties and removing the amenity concerns. An odour management plan had been submitted although, given the lack of nearby residents, this mitigation was not expected to be required.

Subject to conditions to ensure adherence to mitigation and restoration of biodiversity the BA Ecologist had no objections. The proposal was considered acceptable with regards to Policy DM13 (Natural Environment) of the Local Plan for the Broads.

Norfolk County Council Highways had no objection to the use of the private farm track and, given that the construction machinery would remain on site for the duration of the works, it was not considered that this would impact the public highway.

The SPO indicated that condition iii as stated in section 8 of the report was incorrect and should read “Lagoon construction and commencement of filling with dredging material must be undertaken outside of breeding bird season” and concluded that the proposal was recommended for approval subject to conditions.

The Rivers Engineer confirmed that sediment monitoring was included in the works schedule.

Members spoke in support of the application recognising the benefits to the navigation and local farmland, the close proximity of the lagoon location and the recipient farmland and were pleased to note that this site location avoided impacting nearby residents.

Stephen Bolt proposed, seconded by Bill Dickson and

It was resolved unanimously to approve the application subject to the following conditions:

- i. Time limit**
- ii. In accordance with approved plans and supporting documents**
- iii. Lagoon construction and commencement of filling with dredging material must be undertaken outside of breeding bird season**
- iv. Works to be monitored by suitably qualified ecologist**
- v. Long grass/reed habitat to be kept short and visual checks for nesting birds**
- vi. No external lighting**

The Committee adjourned at 11:09 am and reconvened at 11:13 am.

8. Enforcement update

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

Land at the Berney Arms: Appeal submitted against Enforcement Notice, 25 May 2023.

9. Local Plan - Preferred Options (bitesize pieces)

The Planning Policy Officer (PPO) presented the report which detailed eight new or amended policy areas that were proposed to form part of the Preferred Options version of the Local Plan. The PPO proposed to discuss each section of the report in turn and welcomed members' feedback.

Vision, objectives and special qualities

This section was integral to the Local Plan and reflected the equivalent statement made within the Broads Plan. The PPO highlighted the inclusion of comments received on this section during the Issues and Options consultation. There had been some subtle changes to the objectives as marked in the document.

Open space section of the Local Plan

This section was based on evidence supplied by six District Councils and aimed to protect the areas identified. Great Yarmouth Borough Council had re-assessed their open spaces in the last couple of years and had identified new areas for inclusion. South Norfolk and Broadland District Councils had also supplied new open space sites. Updates to this section sought to clarify the content and highlight support for proposals that enhance the amenity and biodiversity of these areas.

The recent biodiversity workshop that members attended had highlighted how pressurised water resources were within this region. The PPO asked whether this policy should be updated to encourage the sustainable use of water in the maintenance of play pitches, for example by using stored rainwater, or avoiding the use of water completely by the use of artificial pitches. Members were supportive of the proposed update and the PPO confirmed that any further changes would be reviewed by members.

A member questioned how the requirement to enhance biodiversity (stated in 2d) could be supported by the provision of a football pitch for example. The PPO confirmed that the enhancements would be sought from the wider area surrounding the pitch. The PPO highlighted that 2d was not prescriptive by indicating the provision of biodiversity enhancements “in an appropriate way”.

Heritage DM policies

The PPO confirmed that the Historic Environment Team had been consulted on the changes to this section. The Historic Environment Manager (HEM) indicated that the policy regarding demolition had been updated to better reflect equivalent policies from other Local Planning Authorities. The intention was to ensure that a legal agreement was secured, before a heritage asset within a Conservation Area was demolished, to ensure the replacement of the building and avoid a vacant plot.

A member asked whether the increasing threat of flooding and the potential impact on heritage assets had been considered. The HEM responded that this area would be included in a later iteration of the policy and would be guided by the output from the Broadland Futures Initiative. Historic England did provide guidance relating to one-off flood events. The Head of Planning added that this was a shared problem across the region and a policy response would also be informed the local Conservation Officers Group. The PPO asked members to keep officers informed of any changes to related policy that they may be party to.

The policy regarding the re-use of historic buildings had been tidied up to encourage the re-use of these assets where appropriate.

DM17 Land Raising and DM18 Excavated Material

This policy had been updated to stress possible impact on the archaeology of a site and possible need for a topographical survey to demonstrate the different heights between adjacent areas.

The Head of Planning provided members with a brief summary of land raising and when it might be appropriate, the possible implications on flood risk and alternatives that avoided or reduced the resulting flood risk.

DM49 Advertisements and signs

This policy had been updated to stress the use of colours and materials for signs/advertisements compatible with the building and area, for illuminated signs/advertisements to comply with the relevant light pollution and dark skies policy and to include the cumulative effect of signs/advertisements within an area.

Thorpe St Andrew

The policy relating to Cary's Meadow had been updated to encourage the provision of cycle parking. The policies relating to Thorpe island, Griffin Lane and Bungalow Low Lane had been updated to ensure consideration for light pollution and to include references to the Design Guide.

Drainage Mills

The Historic Environment Manager explained that apart from clarifications to the wordings the main change to this policy was intended to enable, where appropriate, the re-use of mills and their ancillary buildings. The policy detailed the criteria for assessing whether alternative use of these structures was acceptable. In all cases the policy sought to preserve the heritage value of these structures for the future.

A member noted that criteria 5g made reference to ensuring there was "no disturbance to breeding or wintering birds" however omitted to include bats. The PPO agreed to correct this omission.

Electric Vehicle Charging Points

The PPO reminded members that when this topic was discussed at the Issues and Options stage it was agreed to not prescribe a standard for Electric Vehicle (EV) charging points and to defer to Building Regulations on this matter. The feedback from the public consultation had been broadly in agreement with this stance.

Since then, the Carbon Reduction Projects Manager (CRPM) had highlighted the problem of extinguishing a fire within a lithium-ion battery. The CRPM explained that he had attended a presentation by a leading battery safety expert organised by the Norfolk EV Group about the risk of fire from lithium-ion batteries. This presentation had highlighted that once a lithium-ion battery had ignited there was little chance of extinguishing the fire. The most likely times for when a battery fire could occur was in the event of a crash or while the battery was charging, and this policy had been drafted to address the latter scenario.

Given the uncontrollable nature of a lithium-ion battery fire, careful consideration was needed when determining the location of a charging point. Areas for consideration included the impact of fire at the location of the charging point, the surrounding area/properties and any means of escape. Similar consideration would be required for the charging of electric bikes and scooters. The intention was not to deter the use of these electric devices and the

CRPM highlighted that the overwhelming majority of these devices would not have this issue but there was still a potential for a catastrophic failure and to plan accordingly.

There was a discussion about the need to promote sustainable travel to/from and within the Broads and the charging infrastructure required to support this. The CRPM highlighted the work the County Councils (as Highways Authorities) were undertaking to provide on street charging point infrastructure. These would not be rapid charging units and the CRPM explained that these 7 kW units were more appropriate in tourist spots and reflected the most likely use cases, for example people parking at a boat yard to hire a day boat. The CRPM expected some existing filling stations to be retrofitted with rapid charging points. The PPO added that local tourism providers would also react to increasing demand for EV charge points at holiday properties as people switched to EVs ahead of regulatory change preventing the sale of new petrol and diesel cars by 2030. The CRPM indicated that the Authority had already started to engage with local tourism providers in this regard.

The PPO thanked members for their feedback and reminded them that if they had any further comments then they could email them to her. The Chair thanked the PPO, HEM & CRPM for their contributions.

Members' comments were noted.

10. Consultation responses

The Planning Policy Officer (PPO) introduced the report, which documented the responses to two consultations:

Developing Local Partnerships for Onshore Wind in England from the Department for Energy Security & Net Zero

This consultation sought feedback on the development of onshore wind generation and in particular the topics of community engagement in and community benefits from these developments.

The PPO indicated that the key response regarding community engagement related to the guidance on this matter and ensuring that it would clarify what was expected from the planning policy and planning application stages.

A member was keen to ensure that wind power had a role to play in powering pumping stations within the Broads Internal Drainage Board's (IDB's) network. The PPO would liaise with the IDB to better understand what role the Local Plan could play in their sustainability aspirations.

Carlton Colville Town Council – Neighbourhood Plan

The PPO explained that as this Neighbourhood Plan (NP) was at the regulation 16 stage any stipulated amendments would have to be indicated as objections. As well as seeking some clarifications the response contained two objections:

- i. The NP indicated that Design policy should be applied to new developments and excluded property extensions; the PPO believed that design of an extension was very

important and to not promote the importance of design for all types of development was contrary to Local Plan policies and the National Planning Policy Framework.

- ii. The NP had weakened the policy stance regarding biodiversity by stating that all developments should aim to protect habitats and species. The response had asked for the stance on biodiversity to be strengthened to be consistent with Local Plan for the Broads policies SP6 (Biodiversity) and DM13 (Natural Environment).

Members were supportive of these objections.

Tim Jickells proposed, seconded by Stephen Bolt and

It was resolved unanimously to endorse the nature of the proposed responses.

11. Appeals to the Secretary of State

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

12. Decisions made by officers under delegated powers

The Committee received a schedule of decisions made by officers under delegated powers from 15 May 2023 to 9 June 2023 and any Tree Preservation Orders confirmed within this period.

13. Date of next meeting

The next meeting of the Planning Committee would be on Friday 21 July 2023 10.00am at Yare House, 62-64 Thorpe Road, Norwich.

The meeting ended at 12:02pm

Signed by

Chair

Appendix 1 – Declaration of interests Planning Committee, 23 June 2023

Member	Agenda/minute	Nature of interest
Harry Blathwayt on behalf of all members	7.2	Broads Authority was the applicant.

DRAFT

Planning Committee

21 July 2023

Agenda item number 7.1

BA/2023/0127/FUL- Ormesby- Broadland Nurseries- Change of use from nursery and garden centre to caravan and camping site

Report by Senior Planning Officer

Proposal

Change of use from nursery and garden centre to caravan and camping site

Applicant

Mr B and Ms G Miller

Recommendation

Refusal

Reason for referral to committee

The application is a major application based on the area of the site.

Application target date

17 July 2023

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1. Description of site and proposals

- 1.1. The site is situated on the western side of the village of Ormesby St Michael which is located approximately 3 miles from the east coast of Norfolk, to the north of Great Yarmouth.
- 1.2. The existing plant nursery and garden centre site is located on the southern side of the main A149 road which runs east to west. To the west of the site is Rollesby Broad and to the north, south and east are residential areas of the village.
- 1.3. Broadland Nurseries has been operating from the site since the 1940s where it began as a market garden and the site consists of a variety of plant growing and propagation areas including greenhouses and polytunnels. At the northern part of the site lies the applicant's bungalow, a single storey brick building previously run as a café and a large agricultural type building which houses agricultural machinery. Over time, less of the greenhouse areas have been used for the business and many (approximately 50%) are now unused.
- 1.4. The application seeks planning permission for the change of use of part of the site to a campsite. An indicative plan has been included in the application which shows a proposed layout of 8 tent pitches, 19 touring caravan pitches and 4 lodges. Access from the A149 would remain the same. The former café building could potentially be used as a reception area and a new WC/Shower block is shown in the centre.

2. Site history

- 2.1. BA/2006/0914/HISTAP Standing of a caravan. Approved.

- 2.2. BA/2006/0942/HISTAP Standing of a caravan. Refused.
- 2.3. BA/2000/0605/HISTAP Change of use of museum of agricultural collection to extension of general sales area of garden centre. Approved.
- 2.4. BA/1991/0063/HISTAP Propagation, poly tunnels, agricultural store and workshop, extension to car park and associated site works. Approved.
- 2.5. BA/1990/3066/HISTAP Bungalow. Approved.
- 2.6. BA/1989/3152/HISTAP Bungalow. Approved.
- 2.7. BA/1989/3116/HISTAP Clearing site, raising part ground level and preparing same for extension to garden centre. Approved.

3. Consultations received

Parish Council

- 3.1. Ormesby St Michael Parish Council holds concerns regarding the additional pressures placed upon the village sewerage capacity by this development and requests that this application is put before Development Control as it constitutes a significant development.

Environment Agency

- 3.2. We have reviewed the documents as submitted and we have no objection to this planning application, providing that you have taken into account the flood risk considerations which are your responsibility.
- 3.3. Our maps show the site lies within tidal Flood Zone 3a defined by the 'Planning Practice Guidance: Flood Risk and Coastal Change' as having a high probability of flooding. The proposal is for a change of use from a nursery and garden centre to a holiday let site with four lodges, caravans and camping site with a storage barn, W/C and shower block, which is classified as a 'more vulnerable' development, as defined in Annex 3: Flood Vulnerability classification of the Planning Practice Guidance. Therefore, to comply with national policy the application is required to pass the Sequential Test and be supported by a site-specific Flood Risk Assessment (FRA).
- 3.4. An emergency flood plan has been provided by the applicant. You should ensure you are satisfied with this very low residual flood risk to the proposed development and with the ability of evacuation to ensure that the inhabitants of the development are not exposed to flood hazards.

Norfolk County Council (NCC) Highways

- 3.5. Raise a holding objection, pending receipt of further information.

I am clearly minded of the present permitted use(s) of the site, and notwithstanding that the present horticultural use may have declined in recent years, that use remains and as such could be re-established. It is noted that the application seeks to diversify the use of the site whilst retaining a small element of horticultural use.

- 3.6. No traffic data or Transport Statement has been submitted so it is not possible to directly assess the effect of the proposed development against current permitted use. However, I am minded that the proposed use, along with the retained extant use(s), is likely to give rise to an increase in traffic movements albeit the nature of the traffic would potentially change in part.
- 3.7. I am minded that vehicles turning right into the development will include a high proportion of towed caravans/trailers, which whilst accepting they will primarily be retained on site during the course of their pitch, nevertheless there is no dedicated right turn provision on the A1064 Main Road, which is subject to local speed limit of 40mph and is classified as a Main Distributor Route within the County Council's Route Hierarchy. Whilst it would appear that forward visibility to the access accords with current standards (although not demonstrated) clearly any disruption or stacking can impact of free-flow conditions and/or contribute to detrimental highway conditions. No access changes are proposed to mitigate for this, nor justification why not.
- 3.8. Likewise, it appears that limited service provision would be included but neither any provision to link to local tourist attractions in the area using more sustainable modes of transport as opposed to the private motor vehicle. As such the proposals would more than likely be used as a base with vehicle trips being generated for clientele travelling for the basics of daily living (including food deliveries) and further afield to wider tourist attractions, etc. It is accepted that this is part of tourism and that some of these trips would be linked trips, but nevertheless are as a result of the proposed development and appropriate mitigation should be duly considered.
- 3.9. The present storage unit building (presumably associated with the horticultural use) is also shown for retention and whilst noting it is presently accessible directly from the A143, it is currently possible to access it from the main site without the need to use the A149. Clearly the proposed layout would remove any direct internal access increasing direct access and turning movements onto the A149 via closely associated points of access. It is not stated why the storage unit is not being relocated so that direct internal access can be achieved which would then enable two points of access to be closed off with a single point of access serving the development as whole and may provide better utilisation of the site and access requirements.
- 3.10. It is stated that the present café would be retained at a reduced in scale but will be subject to a further application. It is not state whether or not that use would be available for the general public, but it is presumed it would as I suspect it would be difficult to restrict that use. It is considered that in terms of access and car parking provision, this is a consideration to the present application proposals and should be duly considered as such to ensure appropriate is provision, especially for parking is provided at this time.
- 3.11. The submitted plans show reference to a "residential" use on the land, which is referenced for the retained horticultural use, yet the application make no reference in

this respect. Clearly if the intention is to consider longer term residential use this could affect the access requirements and, even if not part of this application, it is considered that it would be appropriate to consider the overall access strategy at this time.

3.12. Accordingly, I would request additional information and clarification of some aspects (raised above), as follows:

- A Transport Statement detailing existing and proposed traffic movements, public transport accessibility, etc.
- Mitigation for the effects of the development including (but not limited to), access improvements to cater for stacking/right turning vehicles, footway links and crossing facilities to existing provision; provision for promoting and encouraging sustainable local journeys without the reliance on the private motor vehicles.
- Relocation and closure of accesses to storage unit if associated with horticultural use to permit direct access, or information detailing its retention in the present location along with possible internal access options.
- Parking provision for café use in accordance with current guidance and for clientele booking in/out in so as to not block access and egress that could result with queuing/stacking on the public highway.
- Clarification on the “residential” reference on the retained horticultural part of the site.
- Clarification of whether the retained horticultural use would have any public access/sales and if it does demonstrate adequate parking provision for the intended use in accordance with current guidance.

Upon receipt of the above information/clarifications, I will be able to give further consideration to this application and to respond accordingly.

Broads Internal Drainage Board

3.13. The site is within the Internal Drainage District (IDD) of the Broads (2006) 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 and the Board’s Byelaws) is separate from planning, the ability to implement a planning permission may be dependent on the granting of any required Land Drainage Consents.

3.14. The Board’s Officers have reviewed the documents submitted in support of the above planning application. Officers have noted works which require Land Drainage Consent from the Board as outlined in the table below and detailed overleaf. Please be aware of the potential for conflict between the planning process and the Board's regulatory regime.

3.15. As Land Drainage Consent is required, the Board strongly recommends that this is sought from the Board prior to determination of this planning application.

Essex and Suffolk Water

- 3.16. We object to the application as submitted because of the increased risk to water quality in our broads which are a public water supply and the risk of damage to the neighbouring European protected site which we own.
- 3.17. The application identifies that the land falls westwards from the site and towards a dyke that drains to Rollesby Broad. It also identifies that the groundwater level is generally aligned to that of the broad and is therefore presumably in continuity with it. From a catchment perspective the concerns relate to both the surface and foul sewage from the proposed development.
- 3.18. The conclusion states that the proposed change will reduce the amount of surface run-off and give rise to a resultant increase in water quality. The current run-off is from uncontaminated roofs and buildings and the while the volume may be reduced from the development the quality of it may not. The conversion of a large area to a camping site with hard stranding and the attendant driveways and other infrastructure capable of accommodating at least 31 vehicles does not necessarily give rise to an increase in water quality. All vehicles can (and sometimes do) drip oils and other fluids, which can either enter surface drains at times of rainfall or groundwater if allowed to percolate into the unpaved areas. Also, the effluents from the use of barbeques and associated washing of cutlery and plates etc may easily find its way to either drainage pathway. Adjacent to the east of the site is an area of land that used to be a petrol station. It ceased that use in the 1950's and was demolished in 1980's. If there were work pits, oil sumps, petrol storage areas under ground then the site may be contaminated, and this could have migrated with the fall of the land to the current Broadland Nurseries site. The construction of the proposed development will involve considerable digging to instal electric hook-ups etc and could both disturb contaminated land and create a pathway to the broad. It may not be an issue, but it needs to be considered. There is no mention of interceptors being installed to capture any contaminants from surface run-off and it assumes that all will either soak away or run through French drains to the broad free from any possible contaminants from vehicles or people. This needs to be addressed.
- 3.19. Regarding foul drainage the conclusion refers to a 'small increase over and above that from the existing café and will make no measurable difference to the flow in the public foul sewer. The amount of sewage from a café at a garden centre that is frequented by the public during working hours is likely to be massively less than that which will arise from the proposed development. 31 pitches can easily accommodate at least 62 people who will be using the toilet block as their sole and primary facility for all bodily functions. Moreover, they may also wish to empty any on-board chemical toilets that they have in their RVs and caravans. It is possible that they could use 100lt/day per person which could be 6 M³ per day. I would like confirmation from the sewerage undertaker (Anglian Water) that they are happy to add this volume to the current main

and that they have the pumping capacity to move it to the WWTW at Caister. Without this assurance there is a risk of pollution to our water.

- 3.20. We note Natural England's response to this application and agree with their comments regarding the need for appropriate assessment. As owners of the protected site, we have a legal duty to protect it and would request to be consulted as part of any appropriate assessment.
- 3.21. Natural England also gave advice regarding protected species. We have concerns that this proposed development could negatively affect protected species on our land and water. For example, light and noise pollution if not properly considered and mitigated for. The Site of Special Scientific Interest (SSSI) features could similarly be negatively affected by light and noise.
- 3.22. There is no access right to the water from the land in this proposed development. Given the type of development, we have concerns over the likely increase in trespass onto our water / land if this is approved. Such trespass, for example onto the water in inflatables or canoes, would disturb breeding birds, protected species and waterfowl that currently use the tranquil protected site. Trespass also increases the risk of spreading invasive non-native species (INNS). The Trinity Broads has recently suffered from the introduction of killer shrimp and so any uncontrolled access to the water would spread this damaging animal further and risk new INNS being introduced to the protected site.
- 3.23. We would request that suitable mitigation is agreed to address our concerns above, that an appropriate assessment is completed, and that agreed mitigation forms conditions in any granted planning permission.

Natural England

3.24. **Habitats Regulations Assessment - Recreational Impacts on European Sites**

It has been identified that this development falls within the 'Zone of Influence' (ZoI) for one or more of the European designated sites scoped into the Norfolk Green Infrastructure and Recreational disturbance Avoidance and Mitigation Strategy ('GIRAMS'). It is anticipated that certain types of new development (including new tourist accommodation) in this area is 'likely to have a significant effect' on the sensitive interest features of these European designated sites, through increased recreational pressure when considered either alone or 'in combination' with other plans and projects.

- 3.25. The GIRAMS has been put in place to ensure that this additional recreational pressure does not lead to an adverse effect on European designated sites in Norfolk. The strategy allows effective mitigation to be implemented at a strategic level, so that the relevant councils, Natural England and other stakeholders are able to work together to provide the best outcomes for the designated sites. It also has the benefit of streamlining the process, so reducing the amount of time taken to process individual planning applications for the councils and Natural England.

- 3.26. Natural England worked collaboratively with all the relevant councils to set up the strategy. We fully support the aims of the strategy; in our view it is the best way to provide appropriate avoidance and mitigation measures for the European sites in question. As such, we advise that a suitable contribution to the Norfolk GIRAMS should be sought from this development to ensure that the delivery of the GIRAMS remains viable. If this does not occur then the tariff in the adopted GIRAMS will need to be increased to ensure the GIRAMS is adequately funded.
- 3.27. Natural England's advice is that this proposed development, and the application of these measures to avoid or reduce the likely harmful effects from it, will need to be formally checked and confirmed by your Authority, as the competent authority, via an appropriate assessment in view of the European Site's conservation objectives and in accordance with the Conservation of Habitats & Species Regulations 2017 (as amended).
- 3.28. This is because Natural England notes that the 2018 *People Over Wind* Ruling by the Court of Justice of the European Union concluded that, when interpreting article 6(3) of the Habitats Directive, it is not appropriate when determining whether or not a plan or project is likely to have a significant effect on a site and requires an appropriate assessment, to take account of measures intended to avoid or reduce the harmful effects of the plan or project on that site. The ruling also concluded that such measures can, however, be considered during an appropriate assessment to determine whether a plan or project will have an adverse effect on the integrity of the European site. Your Authority should have regard to this and may wish to seek its own legal advice to fully understand the implications of this ruling in this context.
- 3.29. Natural England advises that it is a matter for your Authority to decide whether an appropriate assessment of this proposal is necessary in light of this ruling. In accordance with the Conservation of Habitats & Species Regulations 2017 (as amended), Natural England must be consulted on any appropriate assessment your Authority may decide to make or the decision recorded as per an agreed approach.

3.30. **Water quality/nutrient neutrality advice**

This proposal potentially affects European Sites vulnerable to nutrient impacts. Please refer to Natural England's overarching advice dated 16th March 2022 and sent to all relevant Local Planning Authorities.

- 3.31. When consulting Natural England on proposals with the potential to affect water quality resulting in nutrient impacts on European Sites please ensure that a Habitats Regulations Assessment is included which has been informed by the Nutrient Neutrality Methodology (provided within our overarching advice letter). Without this information Natural England will not be in a position to comment on the significance of the impacts. For large scale developments, Natural England may provide advice on a cost recovery basis through our Discretionary advice service.

3.32. All queries in relation to the application of this methodology to specific applications or development of strategic solutions will be treated as pre-application advice and therefore subject to chargeable services.

3.33. **Site of Special Scientific Interest (SSSI)**

Providing appropriate mitigation is secured to avoid impacts upon the European site(s) occurring there should be no additional impacts upon the SSSI interest features. Please note that if your authority is minded to grant planning permission contrary to the advice in this letter, you are required under Section 28I (6) of the Wildlife and Countryside Act 1981 (as amended) to notify Natural England of the permission, the terms on which it is proposed to grant it and how, if at all, your authority has taken account of Natural England's advice. You must also allow a further period of 21 days before the operation can commence.

3.34. **Sites of Special Scientific Interest Impact Risk Zones**

The Town and Country Planning (Development Management Procedure) (England) Order 2015 requires local planning authorities to consult Natural England on "Development in or likely to affect a Site of Special Scientific Interest" (Schedule 4, w). Our SSSI Impact Risk Zones are a GIS dataset designed to be used during the planning application validation process to help local planning authorities decide when to consult Natural England on developments likely to affect a SSSI. The dataset and user guidance can be accessed from the data.gov.uk website.

BA Ecology

3.35. Before comments can be made the following information is needed for this application:

- **An ecological survey of the site** – Survey should include bat, bird and reptile surveys.
- **A lighting plan** – To address lighting pollution and to include proposed lighting fixtures, timers, bulbs being used.
- **A water strategy** - recommend this strategy include a plan demonstrating how the surface water flows will be managed on the site.
- **Pollution prevention plan** - there is potential risk of pollution through accidental spillage events. Therefore, a plan detailing the control and prevention of potential pollution risks is required.
- **Construction Environment Management Plan (CEMP)** - to address noise and vibration disturbance.

4. Representations

4.1. Representations have been received from 12 households in the locality. Summary of comments:

- The village has no facilities

- Increase of cars in the area
- Road safety concerns
- Nutrient neutrality issues
- Flood risk
- Biodiversity concerns
- Noise and light pollution
- No need for another campsite in the locality
- Adverse impact on the character of the village
- Impact on the amenity of residential properties
- Surface water disposal concerns
- Drainage concerns
- With better investment the garden centre could thrive

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:

- DM2 Water Quality & Foul Drainage
- DM6 Surface Water Runoff
- DM13 Natural Environment
- DM16 Development & Landscape
- DM21 Amenity
- DM22 Light Pollution and Dark Skies
- DM23 Transport, Highways & Access
- DM26 Protecting General Employment
- DM29 sustainable Tourism and Recreation Development
- DM30 Holiday Accommodation- new provision and retention

6. Assessment

6.1. The proposal seeks planning permission for a change of use of part of the nursery site to a campsite. The main considerations in the determination of the application are the principle of the development, impact on the character and appearance of the area, amenity, biodiversity, highway impacts and drainage.

Principle of development

- 6.2. The current site includes former horticultural nursery buildings with an element of storage, a garden centre, café building and parking areas. It is classed as an employment site. Employment sites are somewhat limited within the Broads Executive Area, and the policy approach is to ensure that new and existing businesses are not constrained by a lack of suitable sites. Policy DM26 of the Local Plan for the Broads seeks to protect existing employment sites by using a sequential approach whereby there is a hierarchy of preferred alternative uses. This requires an applicant to consider reuse in another employment use first, and only where that is proven to be unviable, can community and recreation uses be considered.
- 6.3. To implement this approach, Policy DM26 requires that applications for change of use of employment sites be accompanied by a statement, completed by an independent chartered surveyor, which demonstrates that employment uses are not viable. The statement should provide an assessment of the current and likely future market demand for the site or property, and details of the attempts to market it at a reasonable price or rental rate for a sustained period of 12 months, and its value. It should demonstrate that all available opportunities of grant funding and financial support to help retain the employment use have been fully explored and that none are viable, and that interventions to improve the attractiveness of the site for employment uses are not feasible. It should also justify the need for the alternative proposed use in this area and show how the proposed redevelopment would not compromise the primary employment function of the site or area or the operations of neighbouring users.
- 6.4. It is noted that individual buildings on this site have apparently been marketed (although there is no evidence of this in the submission), however the site as a whole has not been marketed recently to see if there is the possibility of another business using the site for an employment use. In fact, the Design & Access Statement advises that the applicant does not wish to sell the site. Until there is evidence to prove that the site has been marketed at a reasonable price for a sustained period of 12 months and that all other employment uses are unviable, the proposal for a change of use is contrary to Policy DM26 of the Local Plan for the Broads and the proposal cannot be supported.
- 6.5. Whilst the Broads Authority supports the development of opportunities to improve the visitor economy, the objective of Policy DM29 of the Local Plan for the Broads is to direct tourism and recreational development to appropriate and sustainable locations with the necessary infrastructure and facilities. Criterion (a)(i) seeks to direct such development to sites within development boundaries or locations associated with existing visitor or tourism activities. Despite what is stated in the Design & Access statement (page 3), the application site is not within a defined development boundary, nor is it associated with an existing visitor or tourism facility. The proposal does not comply with this element of the policy.

- 6.6. Criterion (a)(ii) requires that the development must be satisfactorily accessed by sustainable means, which could include public transport, walking, cycling, horse riding or by water. The site's nearest train stations are in Great Yarmouth which is 7 miles away or in Acle approximately 8 miles away, and although the nearest bus stop is outside of the site, the bus only operates on weekdays, where there are 5 buses per day, and this cannot be considered to represent a service which offers a realistic alternative to the private car. Given the limited level of facilities offered at the site, and the need to bring in provisions due to the location, it is considered more likely therefore that visitors to the site will in most cases arrive by car and use their cars daily to access nearby visitor facilities such as attractions, restaurants etc. It is not considered that the proposal therefore meets this part of criterion (a).
- 6.7. The additional parts of criterion (a) require that (iii) the proposal is in accordance with other policies in the plan and (iv) that they do not involve a significant amount of new build development, with any new build development being of a scale that is compatible with the location and setting. This application proposes use of the site as a campsite for tents, tourers but also with new build lodges and a new facilities block. No evidence that conversion of existing buildings has been considered has been submitted with the application and that would always be preferable within the Broads Executive Area.
- 6.8. Finally, criterion (a)(v) requires that the development should not adversely affect a range of environmental factors, including water quality, landscape character, historic environment, protected species or habitats and should where possible make a positive contribution to these factors. The impact on these elements is discussed in detail in the specific sections below but in summary it is concluded that the requirement is not wholly met.
- 6.9. In the second part of DM29, criterion (b) sets out the principles of sustainable tourism and recreation. A number of these requirements are satisfactorily met, and these are on-site parking (vii), high quality design suitable for the setting (ix), no adverse impact on navigation (x) and for the scale of the proposals to be compatible with the location (xi).
- 6.10. There are concerns, however, when considering the proposal against the remaining parts of the policy covering sufficient capacity of the highway network (vi) and dealing with landscape character and protected species (viii). These issues are discussed in detail in the specific sections below but overall, it is considered that these parts of Policy DM29 are not wholly met.
- 6.11. Overall, therefore, the proposal is contrary to Policies DM26 and DM29 of the Local Plan for the Broads and the principle of the development is not acceptable.

Ecology and Protected Species

- 6.12. Protecting and enhancing the natural environment is a statutory purpose of the Broads Authority and Policy DM13 of the Local Plan for the Broads seeks to protect and enhance biodiversity. The BA Ecologist has requested that an ecological survey of the

site, a lighting plan, a water strategy, a pollution prevention plan, and a Construction Environment Management Plan (CEMP) be provided in order that they can fully assess the proposal and its impacts on the natural environment. These have not been provided and the agent has confirmed that he does not intend to supply these. It cannot therefore be concluded that the proposed development would not have an adverse impact on the natural environment and the proposal is therefore contrary to Policy DM13 of the Local Plan for the Broads.

Nutrient Neutrality and Environmental Issues

- 6.13. Nutrient neutrality requires that competent authorities under The Conservation of Species and Habitats Regulations 2017 (the Habitats Regulations) carefully consider the nutrient impacts of projects on sites designated as of European importance, and, if there are likely to be impacts, whether those impacts may have an adverse effect on the integrity of the European site which requires mitigation. In this case, the Trinity Broads (Rollesby, Filby and Ormesby), which lie within 100 metres of the site, are identified as a European site.
- 6.14. The proposal for new overnight holiday accommodation, both in the form of the campsite and the proposed lodges, has the potential to increase the level of nutrients reaching the European site as a consequence of both the foul and surface water drainage systems. Consequently, the proposal would likely have a significant adverse effect on the integrity of the European site.
- 6.15. The Regulations place a duty on the competent authority to undertake an Appropriate Assessment of the implications of a scheme in view of the designated site's conservation objectives. Insufficient information has been provided to enable an Appropriate Assessment to be completed. Furthermore, there is no mitigation strategy submitted with the application to indicate how any impact would be mitigated, so, in the absence of this and a lack of certainty on the time it may take to have a strategy in place, the LPA cannot be satisfied that the proposal would not result in significant adverse effect to the integrity of the European site. In addition, the LPA is not satisfied that it would be reasonable to impose a Grampian condition to address this matter.
- 6.16. Essex and Suffolk Water have advised that they object to the proposal as it could give rise to surface water run-off and a risk to water quality in the Broad. No additional information has been submitted to address these concerns and so as it stands the proposal is considered to be contrary to Policy DM2 of the Local Plan for the Broads.

Highways

- 6.17. Norfolk County Council Highways requested additional information in their response including:
 - A Transport Statement detailing existing and proposed traffic movements, public transport accessibility, etc.
 - Mitigation for the effects of the development including (but not limited to), access improvements to cater for stacking/right turning vehicles, footway links and

crossing facilities to existing provision; provision for promoting and encouraging sustainable local journeys without the reliance on the private motor vehicles.

- Relocation and closure of accesses to storage unit if associated with horticultural use to permit direct access, or information detailing its retention in the present location along with possible internal access options.
- Parking provision for café use in accordance with current guidance and for clientele booking in/out in so as to not block access and egress that could result with queuing/stacking on the public highway.
- Clarification on the “residential” reference on the retained horticultural part of the site.
- Clarification of whether the retained horticultural use would have any public access/sales and if it does demonstrate adequate parking provision for the intended use in accordance with current guidance.

These have been requested, but not been provided so it cannot be concluded that the proposed development would not have an adverse impact on the highway network and the proposal is therefore not considered to comply with Policy DM23 of the Local Plan for the Broads.

Flood risk

- 6.18. The site lies within tidal Flood Zone 3a defined by the ‘Planning Practice Guidance: Flood Risk and Coastal Change’ as having a high probability of flooding. The proposal is for a change of use from a horticultural nursery and garden centre to a holiday let site with four lodges, caravans and camping site with a storage barn, W/C and shower block, which is classified as a ‘more vulnerable’ development. Therefore, to comply with national policy the application is required to pass the Sequential Test and be supported by a site-specific Flood Risk Assessment (FRA) which has been submitted.
- 6.19. The Sequential Test requires that a sequential approach is followed to steer new development to areas with the lowest probability of flooding (Flood Zone 1). No Sequential Test has been carried out as part of the FRA and as the parameters of the site are set by the ownership of the applicant, it is not considered that the sequential test has been met. The proposal is therefore contrary to Policy DM5 of the Local Plan for the Broads.

Other Issues

- 6.20. It is noted that objections have been received from local properties, raising a number of issues including those set out above.
- 6.21. In addition, neighbours have raised some concerns relating to noise disturbance from the proposed campsite use. The use will result in an intensification of the use of the site and there will be additional traffic movements into the site as well as from occupants at the site. Campsites by their very nature promote outside activities which could give rise

to an adverse impact on the amenity of neighbouring properties, contrary to Policy DM21 of the Local Plan for the Broads.

- 6.22. Issues have also been raised that the proposal will adversely impact the character and appearance of the area. However, the site would be screened from the main road by the café and storage building which are to remain as well as the vegetation to the west and residential properties to the east. It is therefore not considered that the campsite use would have an adverse impact on the landscape character of the area and be contrary to Policy DM16.

7. Conclusion

- 7.1. The application seeks permission for the change of use from a garden nursery to a campsite, contrary to both national and local planning policies. Furthermore, the application fails to include sufficient information to be able to fully assess the impact on the biodiversity, water quality and highway safety.

8. Recommendation

- 8.1. Refuse for the following reasons:

- There is insufficient evidence submitted to prove that the site has been marketed at a reasonable price for a sustained period of 12 months and that all other employment uses are unviable. The proposal for a change of use is contrary to Policy DM26 of the Local Plan for the Broads and cannot be supported.
- There is insufficient information submitted to allow the impact on protected species and protected sites to be fully considered. It cannot therefore be demonstrated that the proposed development would not have an adverse impact on protected species and protected sites and the proposal is therefore contrary to Policy DM13 of the Local Plan for the Broads.
- The proposal development would result in new units of overnight holiday accommodation within the identified catchment area of the Broads Special Area of Conservation (SAC). This has the potential to lead to significant environmental effects with regards to nutrient pollution. The proposal fails to comply with the requirements of The Conservation of Species and Habitats Regulations 2017 (the Habitats Regulations) as well as Paragraph 180(a) of the National Planning Policy Framework which states that where significant harm to biodiversity resulting from a development cannot be adequately mitigated, then planning permission should be refused. The proposal is therefore unacceptable and contrary to The Conservation of Species and Habitats Regulations 2017, Paragraph 180(a) of the National Planning Policy Framework, and Policy DM13 of the Local Plan for the Broads.
- There is insufficient information submitted to allow the impact on highway safety to be fully considered. It cannot therefore be demonstrated that the proposed

development would not have an adverse impact on the local highway network and the proposal is therefore contrary to Policy DM23 of the Local Plan for the Broads.

- There is insufficient information submitted to assess the impact of the proposed development on the hydrology of the surrounding Trinity broads. It cannot therefore be demonstrated that the proposed development would not have an adverse impact on water quality and protected sites and the proposal is therefore contrary to Policy DM2 of the Local Plan for the Broads.

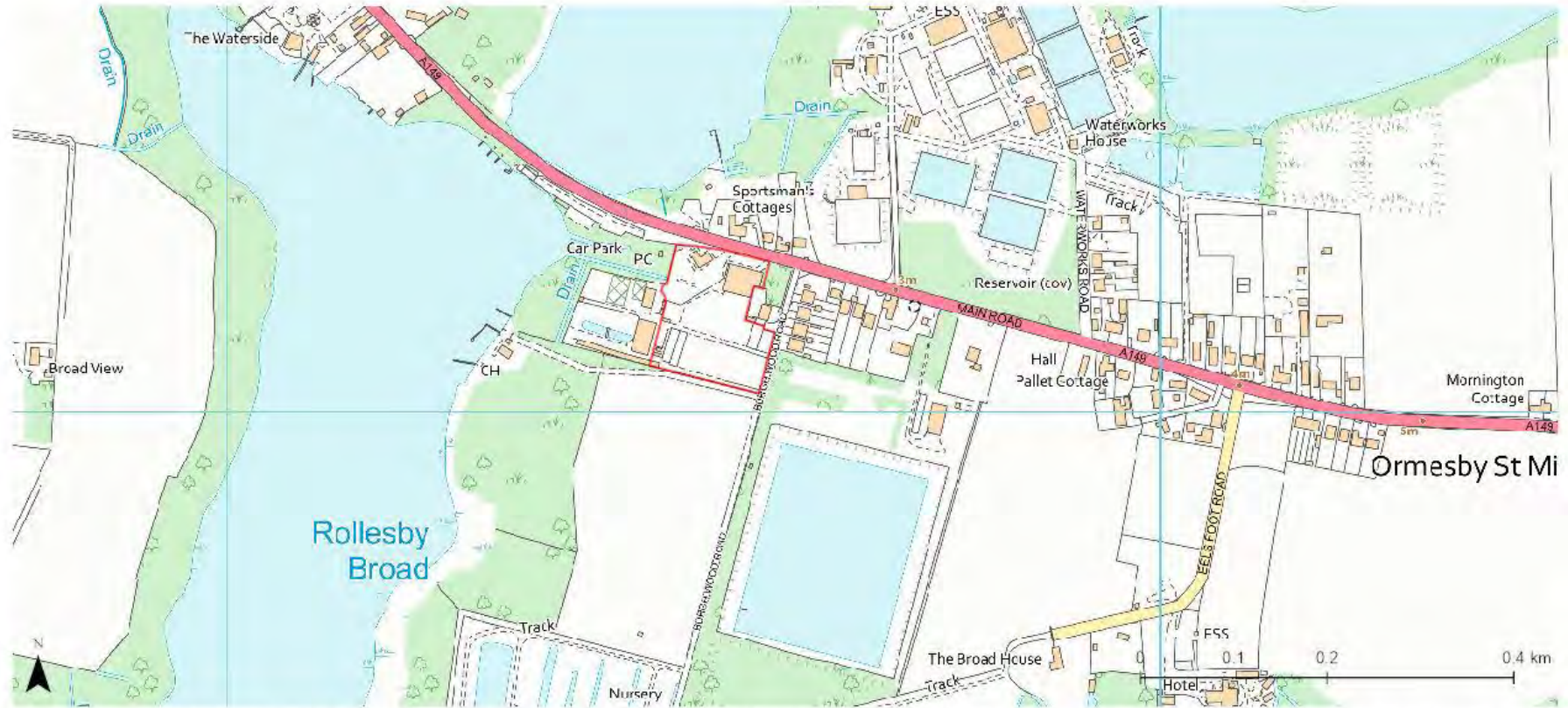
Author: Cheryl Peel

Date of report: 29 June 2023

Appendix 1 – Location map

Appendix 1 – Location map

BA/2023/0127/FUL - Broadland Nurseries, Main Road, Ormesby St Michael



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Planning Committee

21 July 2023

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 (Units X and Y)	<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 • Further caravan, previously empty, now occupied. See separate report on agenda. 24 November 2022 • Planning Contravention Notice to clarify occupation served 25 November 2022. 20 January 2023. • Interviews under caution conducted 21 December 2022. 20 January 2023 • Summons submitted to Court. 4 April 2023 • Listed for hearing on 9 August 2023 at 12pm at Norwich Magistrates' Court. 17 May 2023
8 November 2019	Blackgate Farm, High Mill Road, Cobholm	Unauthorised operational development – surfacing of 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.

Committee date	Location	Infringement	Action taken and current situation
		<p>installation of services and standing and use of 5 static caravan units for residential use for purposes of a private travellers' site.</p>	<ul style="list-style-type: none"> • 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. • 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

Committee date	Location	Infringement	Action taken and current situation
			<ul style="list-style-type: none"> • 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. • Further site visited required to confirm situation. 7 September 2022 • Site visit 20 September confirmed 5 caravans still present. Landowner subsequently offered to remove 3 by end October and remaining 2 by end April 2023. 3 October 2023. • Offer provisionally accepted on 17 October. Site to be checked after 1 November 2022. • Compliance with terms of offer as four caravans removed (site visits 10 and 23 November). Site to be checked after 31 March 2023. 24 November 2022 • One caravan remaining. Written to landowner's agent. 17 April 2023
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 • PINS contacted; advised no Inspector allocated yet. 20 October 2022. • Appeal dismissed 9 January 2023 and Enforcement Notice varied. Compliance required by 9 October 2023. 20 January 2023.
13 May 2022	Land at the Beauchamp Arms Public House, Ferry Road, Carleton St Peter	Unauthorised operation development comprising erection of	<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 1 June 2022

Committee date	Location	Infringement	Action taken and current situation
		workshop, kerbing and lighting	<ul style="list-style-type: none"> • Enforcement Notice regarding kerbing and lighting served 1 June 2022 • Appeals submitted against both Enforcement Notices. 12 July 2022
21 September 2022	Land at Loddon Marina, Bridge Street, Loddon	Unauthorised static caravans	<ul style="list-style-type: none"> • Authority given to serve an Enforcement Notice requiring the cessation of the use and the removal of unauthorised static caravans. • Enforcement Notice served. 4 October 2022. • Enforcement Notice withdrawn on 19 October due to minor error; corrected Enforcement Notice re-served 20 October 2022. • Appeals submitted against Enforcement Notice. 24 November 2022
9 December 2022	Land at the Beauchamp Arms Public House, Ferry Road, Carleton St Peter	Unauthorised static caravan (Unit Z)	<ul style="list-style-type: none"> • Planning Contravention Notice to clarify occupation served 25 Nov 2022. • Authority given to serve an Enforcement Notice requiring the cessation of the use and the removal of unauthorised static caravan • Enforcement Notice served 11 January 2023. 20 January 2023. • Appeal submitted against Enforcement Notice. 16 February 2023.
31 March 2023	Land at the Berney Arms, Reedham	Unauthorised residential use of caravans and outbuilding	<ul style="list-style-type: none"> • Authority given to serve an Enforcement Notice requiring the cessation of the use and the removal of the caravans • Enforcement Notice served 12 April 2023 • Enforcement Notice withdrawn on 26 April 2023 due to error in service. Enforcement Notice re-served 26 April 2023. 12 May 2023 • Appeal submitted against Enforcement Notice. 25 May 2023

Author: Cally Smith

Date of report: 29 June 2023

Background papers: Enforcement files

Planning Committee

21 July 2023

Agenda item number 9

Scheme of powers delegated to Chief Executive and other authorised officers- amendment to section 37

Report by Senior Governance Officer

Summary

As part of the ongoing implementation of the recommendations from the external review into the formal complaint, there is a need to amend the wording for section 2(e) para. 37 of the Scheme of powers delegated to the Chief Executive and other authorised officers, which relates to the delegation of planning applications. There is also a related change to the wording of the Code of Practice for members of the Planning Committee and officers.

Recommendation

- i. To recommend to the Broads Authority the adoption of the proposed changes to section 37 of the Scheme of powers delegated to the Chief Executive and other authorised officers, and
- ii. To delegate authority to the Director of Strategic Services to make the necessary changes to the Code of Practice for members of the Planning Committee and officers.

1. Introduction

- 1.1. At its meeting on 14 March 2023, the Audit & Risk Committee considered a [report](#) on the recommendations from the external review into the formal complaint and agreed a set of actions to implement the recommendations, together with a relevant timetable.
- 1.2. These recommendations included some improvements to the Authority's governance and processes, one of which was to review the existing "call-in" arrangements for planning applications so that when the interpretation of delegated powers is challenged, it should be a matter that the CEO and Chair jointly take a role on, and if they cannot resolve the issue (or feel that it should be placed before members of the Authority), the matter is placed before members.

2. Proposed changes

- 2.1. Section 2(e) of [4. Powers delegated to the Chief Executive and other authorised officers](#) (Scheme of Delegation) covers planning and heritage, and paragraph 37 specifically relates to the delegation of planning applications. “All planning applications are considered to fall within the delegation scheme and will be determined by officers unless...”. It then refers to a number of caveats, which include the ability of any member of the Authority or Ward Councillor of the relevant District Council to request that the application is placed before the Planning Committee and provides “appropriate planning reasons”.
- 2.2. The recommendation is to cover those instances where there is potential for challenge on the interpretation of the delegated power.
- 2.3. The Senior Governance Officer and Deputy Monitoring Officer have worked together to produce some suggested wording, and this can be found in appendix 1 (with tracked changes). A “clean” version can be found in appendix 2.
- 2.4. The proposed changes have been shared with the Senior Planning Officer, Head of Planning, Director of Strategic Services and Chair of this Committee who all support the proposed changes to the wording.
- 2.5. To reflect the proposed changes in the Scheme of Delegation, it is proposed to amend the Code of Practice for members of the Planning Committee and officers.
- 2.6. The opportunity has also been taken to review the term “appropriate planning reasons” and provide examples of what would constitute either a material or non-material (i.e. those which cannot be taken into account) planning reason to assist members. These will be included in both the Scheme of Delegation and the Code of Practice for members of the Planning Committee and officers.

3. Risk implications

- 3.1. The proposals are in response to the recommendation from the external review into the formal complaint. There is a risk of potential conflict between officers and members if there is a difference of opinion on whether the requirements for “call-in” have been satisfied, and the inclusion of this additional provision will help mitigate any risks.
- 3.2. The Authority’s Monitoring Officer has been consulted and has confirmed their agreement with the proposed changes.

Author: Sara Utting

Date of report: 27 June 2023

Appendix 1 – Amendments to Scheme of Delegation and Code of Practice for members of the Planning Committee and officers (with tracked changes)

Appendix 2 - Amendments to Scheme of Delegation and Code of Practice for members of the Planning Committee and officers (no tracked changes)

Scheme of powers delegated to Chief Executive and other authorised officers

July ~~2022~~2023

2 General powers of all officers

2.1 The exercise of the delegated powers set out in the Scheme are subject to the following conditions.

- (g) The decision of the Chief Executive, in consultation with the Monitoring Officer, as to the scope and interpretation of these delegated powers shall be final, subject to the provisions in section 4, paragraph 2(e)(37).

4 Powers delegated to Chief Executive and other authorised officers

Table 2

Powers delegated to Chief Executive and other authorised officers

2(e) Planning and heritage

Note: Where reference is made to ‘Planning Team’, it includes the following roles: Planning Policy Officer, Senior Planning Officer, Planning Officer, Planning Assistant, Historic Environment Manager, Planning Officer (Heritage), Planning Officer (Compliance and Implementation), and Planning administration team.

Powers delegated to Chief Executive	Other authorised officers
<p>(37) All planning applications¹ are considered to fall within the delegation scheme and will be determined by officers, unless:</p> <ul style="list-style-type: none"> (i) it is for a major development as defined in the Town and Country Planning (Development Management Procedure) (England) Order 2015; (ii) the application represents a departure from the development plan policies, including the Broads Local Plan and any relevant policy adopted by the Authority, and it is proposed to grant planning permission; (iii) objections are received from any statutory consultee (excluding parish councils) in respect of any proposed development within the 21-day period for consultation, and it is proposed to grant planning permission; (iv) representations are received in writing from parish councils in respect of any proposed development within the 21-day period for consultation where these raise material planning considerations of significant weight; 	<p>Director of Strategic Services or Head of Planning or Senior Planning Officer</p>

¹ The applications and notification shall include planning permission, approval of reserved matters, advertisement consent, listed building consent, conservation area consent submitted under the Town and Country Planning (General Permitted Development) Order 1995 and consent under the Hazardous Substances regulations. ©

Powers delegated to Chief Executive	Other authorised officers
<p>(v) representations are received in writing from other persons in respect of any proposed development within the 21-day period for consultation where these raise material planning considerations of significant weight;</p> <p>(vi) any member of the Authority requests, within 21 days of receipt of the schedule of planning applications, that the application is placed before the Planning Committee for a decision, and provides appropriate-material <u>planning reasons considerations</u> in writing;</p> <p>(vii) the Ward member of the relevant District Council requests, within 21 days of receipt of the schedule of planning applications, that the application is placed before the Planning Committee for a decision, and provides appropriate-material <u>planning reasons-considerations</u> in writing;</p> <p>(viii) the Director of Strategic Services considers the matter ought more appropriately to be referred to the Planning Committee for a decision;</p> <p><u>(ix)</u> any Authority member (including co-opted members of the Navigation Committee) or Authority officer is involved² in the application.</p> <p><u>Where there is a question raised about the interpretation of the delegated authority in paragraphs (vi) to (vii) and therefore whether the requirements for “call-in” have been satisfied, it will be a matter for the Chief Executive jointly with the Chair of the Planning Committee to review. If they cannot resolve the issue or feel that the application should be determined by members, then the application will be referred to the Planning Committee for determination.</u></p>	

² Involved in this context means somebody with either:
 Disclosable Pecuniary Interests, which include business, trade, profession, contract and wider financial interests such as land, payments, securities, shares etc;
 If a spouse or civil partner has interests which would be considered Disclosable Pecuniary Interests;
 A personal interest which is likely to be seen as prejudicing their impartiality or ability to meet the principles of public life.

Powers delegated to Chief Executive	Other authorised officers
<p><u>A non-exhaustive list of material planning considerations (ie those which can be taken into account) together with a non-exhaustive list of non-material planning considerations (ie those which cannot be taken into account) can be found in Appendix 1.</u></p>	

Appendix 1

Material planning considerations (not an exhaustive list) which can be taken into account

- residential amenity, overlooking or loss of privacy
- highway safety and traffic generation
- noise and disturbance resulting from use
- contamination
- impact on trees
- effect on listed building, conservation area or archaeological interest
- layout and density of building
- design, appearance and materials
- landscaping
- local, strategic, regional and national planning policies, including emerging policies (incl. NPF, Written Ministerial Statements etc).
- Governance circulars, orders and statutory instruments
- previous planning decisions (incl. appeal decisions)
- nature conservation and biodiversity issues
- flooding
- drainage

Non-material planning considerations (not an exhaustive list) which cannot be taken into account

- the perceived loss of property value
- private disputes between neighbours
- the loss of a view
- the impact of construction work or competition between firms
- restrictive covenants
- ownership disputes
- personal morals or views about the applicant
- boundary disputes

Scheme of powers delegated to Chief Executive and other authorised officers

July 2023

2 General powers of all officers

2.1 The exercise of the delegated powers set out in the Scheme are subject to the following conditions.

- (g) The decision of the Chief Executive, in consultation with the Monitoring Officer, as to the scope and interpretation of these delegated powers shall be final, subject to the provisions in section 4, paragraph 2(e)(37).

4 Powers delegated to Chief Executive and other authorised officers

Table 2

Powers delegated to Chief Executive and other authorised officers

2(e) Planning and heritage

Note: Where reference is made to ‘Planning Team’, it includes the following roles: Planning Policy Officer, Senior Planning Officer, Planning Officer, Planning Assistant, Historic Environment Manager, Planning Officer (Heritage), Planning Officer (Compliance and Implementation), and Planning administration team.

Powers delegated to Chief Executive	Other authorised officers
<p>(37) All planning applications¹ are considered to fall within the delegation scheme and will be determined by officers, unless:</p> <ul style="list-style-type: none"> (i) it is for a major development as defined in the Town and Country Planning (Development Management Procedure) (England) Order 2015; (ii) the application represents a departure from the development plan policies, including the Broads Local Plan and any relevant policy adopted by the Authority, and it is proposed to grant planning permission; 	<p>Director of Strategic Services or Head of Planning or Senior Planning Officer</p>

¹ The applications and notification shall include planning permission, approval of reserved matters, advertisement consent, listed building consent, conservation area consent submitted under the Town and Country Planning (General Permitted Development) Order 1995 and consent under the Hazardous Substances regulations. ©

Powers delegated to Chief Executive	Other authorised officers
<p>(iii) objections are received from any statutory consultee (excluding parish councils) in respect of any proposed development within the 21-day period for consultation, and it is proposed to grant planning permission;</p> <p>(iv) representations are received in writing from parish councils in respect of any proposed development within the 21-day period for consultation where these raise material planning considerations of significant weight;</p> <p>(v) representations are received in writing from other persons in respect of any proposed development within the 21-day period for consultation where these raise material planning considerations of significant weight;</p> <p>(vi) any member of the Authority requests, within 21 days of receipt of the schedule of planning applications, that the application is placed before the Planning Committee for a decision, and provides material planning considerations in writing;</p> <p>(vii) the Ward member of the relevant District Council requests, within 21 days of receipt of the schedule of planning applications, that the application is placed before the Planning Committee for a decision, and provides material planning considerations in writing;</p> <p>(viii) the Director of Strategic Services considers the matter ought more appropriately to be referred to the Planning Committee for a decision;</p> <p>(ix) any Authority member (including co-opted members of the Navigation Committee) or Authority officer is involved² in the application.</p>	

² Involved in this context means somebody with either:
Disclosable Pecuniary Interests, which include business, trade, profession, contract and wider financial interests such as land, payments, securities, shares etc;
If a spouse or civil partner has interests which would be considered Disclosable Pecuniary Interests;

Powers delegated to Chief Executive	Other authorised officers
<p>Where there is a question raised about the interpretation of the delegated authority in paragraphs (vi) to (vii) and therefore whether the requirements for “call-in” have been satisfied, it will be a matter for the Chief Executive jointly with the Chair of the Planning Committee to review. If they cannot resolve the issue or feel that the application should be determined by members, then the application will be referred to the Planning Committee for determination.</p> <p>A non-exhaustive list of material planning considerations (ie those which can be taken into account) together with a non-exhaustive list of non-material planning considerations (ie those which cannot be taken into account) can be found in Appendix 1.</p>	

A personal interest which is likely to be seen as prejudicing their impartiality or ability to meet the principles of public life.

4

Appendix 1

Material planning considerations (not an exhaustive list) which can be taken into account

- residential amenity, overlooking or loss of privacy
- highway safety and traffic generation
- noise and disturbance resulting from use
- contamination
- impact on trees
- effect on listed building, conservation area or archaeological interest
- layout and density of building
- design, appearance and materials
- landscaping
- local, strategic, regional and national planning policies, including emerging policies (incl. NPF, Written Ministerial Statements etc).
- Governance circulars, orders and statutory instruments
- previous planning decisions (incl. appeal decisions)
- nature conservation and biodiversity issues
- flooding
- drainage

Non-material planning considerations (not an exhaustive list) which cannot be taken into account

- the perceived loss of property value
- private disputes between neighbours
- the loss of a view
- the impact of construction work or competition between firms
- restrictive covenants
- ownership disputes
- personal morals or views about the applicant
- boundary disputes

Planning Committee

21 July 2023

Agenda item number 10

Hemsby Neighbourhood Plan – adoption

Report by Planning Policy Officer

Purpose

The Hemsby Neighbourhood Plan has been examined. The Examiner made some changes to the Plan. The Plan was subject to a referendum on 22 June 2023 and over 50% of those who voted supported the Neighbourhood Plan.

Recommended decision

To endorse the result of the referendum and recommend to Broads Authority that the Hemsby Neighbourhood Plan is made/adopted.

1. Introduction

- 1.1. The submitted Hemsby Neighbourhood Plan was approved by the Broads Authority's [Planning Committee in September 2022](#). This was followed by a statutory publication period between 27 September 2022 and 08 November 2022, in which the Plan and its supporting documents were available to the public and consultation bodies [online](#).
- 1.2. During the publication period, [representations \(ODT | great-yarmouth.gov.uk\)](#) were received from different organisations/individuals.
- 1.3. These representations were submitted, along with the Neighbourhood Plan and supporting information, to the independent Examiner Tony Burton CBE BA MPhil (Town Planning) FRIBA FRSA. The examination was conducted via written representations during early 2023, the Examiner deciding that a public hearing would not be required.
- 1.4. Legislation directs that an Examiner considers whether:
 - a) the draft plan meets the [basic conditions of a Neighbourhood Development Plan](#);
 - 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 Examiner’s Report

- 2.1. The [Examiner’s Report on the Hemsby Neighbourhood Plan](#) concluded that, subject to amendments (as set out in the report), the Plan can proceed to referendum. The Examiner also concluded that the area of the referendum does not need to be extended beyond Hemsby.

3. Referendum

- 3.1. The [referendum for the Hemsby Neighbourhood Plan](#) was held on 22 June 2023. The results are as follows:

HEMSBY NEIGHBOURHOOD PLANNING REFERENDUM

THURSDAY 22 JUNE 2023

DECLARATION OF RESULT

1. Total number of ballot papers	347
---	------------

Answer	No of votes
YES	279
NO	68
2.Total valid votes	347

4. Next steps

If both the Broads Authority and Great Yarmouth Borough Council make/adopt the Neighbourhood Plan, it becomes part of the Development Plan for the area. The policies have the same weight as Local Plan policies when making decisions.

5. Recommendation

It is recommended that Planning Committee endorse the result of the referendum and recommend to Broads Authority that the Hemsby Neighbourhood Plan is made/adopted.

Author: Natalie Beal

Date of report: 29 June 2023

Planning Committee

21 July 2023

Agenda item number 11

Consultation responses

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: 29 June 2023

Appendix 1 – Planning Policy consultations received

Appendix 1 – Planning Policy consultations received

Loddon and Chedgrave Councils

Document: [Chet Neighbourhood Plan \(chetnp.info\)](http://chetnp.info)

Due date: 30 July 2023

Status: Regulation 14 draft plan

Proposed level: Planning Committee endorsed

Notes

The Chet Neighbourhood Plan is a joint Plan being prepared by Loddon Parish Council and Chedgrave Parish Council. The parishes are now consulting on their Pre-Submission Draft of the Neighbourhood Plan for Loddon and Chedgrave. This consultation is in line with Regulation 14 of the Neighbourhood Planning Regulations (2012) and will run for a period of 8 weeks from 5 June 2023 to 30 July 2023.

The Chet Neighbourhood Plan addresses what Loddon and Chedgrave’s combined community values in its environment and why. It recognises the need for development and says what will suit the villages in the next twenty years and what will not. It sets out a vision for future development within the context of their landscape and townscape which will “grows seamlessly from what we have inherited.”

Proposed response

Summary of response

There is an objection to Policy 1 that seeks to permit self-build dwellings adjacent to the development boundary.

Detailed comments

Throughout – please ensure all images have alt text.

Front Cover – do you think under the date you might want to say something like ‘A Neighbourhood Plan for Loddon and Chedgrave’, just so it is clear from the start? Like a tag line almost.

Para 3, 77 – does the Census 2021 data provide more up to date and accurate population figures?

Para 17 – extra word – ‘Of the 3,679 new homes, Loddon/Chedgrave **is** will deliver at least 240 across two sites.’

Para 24 – lists one issue and concern and housing is missing a g. Should there be more issues and concerns?

Para 30 – local plans – plural

Para 31 – says ‘Working towards a net zero emissions’ – remove the ‘a’?

Objection. Policy 1 - is contrary to our policy SP15 as Policy 1 proposes dwellings outside of the development boundary. Also, DM42 of the Local Plan for the Broads says that 'custom/self-build dwelling proposals will be considered in accordance with other policies in the Local Plan on the location of new dwellings'. This part of Policy 1 could also be contrary to NPPF para 80. We feel this needs to be removed as there does not seem to be justification for a policy stance contrary to local and national policy.

Para 89 – you might want to refer to our planning guides as well: [Broads planning guides \(broads-authority.gov.uk\)](https://broads-authority.gov.uk)

Para 100 – you could refer to our biodiversity enhancements guide (linked above)

Para 102 says 'growth wilder' – think this should say 'grow wilder'

Para 104- some cross throughs shown – formatting issue

Policy 11 - says 'All applications should be accompanied by a statement that clearly provides evidence that alternative uses have been explored **due to employment uses are not viable**' – the yellow bit does not seem to make sense. Maybe it should say 'not being viable'?

Para 154 – refers to policy 13, but think that should say policy 14?

Policy 17, a – think you mean 'like **for** like'.

Policy 17, d – 'such **as** UPVC'?

Planning Committee

21 July 2023

Agenda item number 12

Local Plan for the Broads- Preferred Options- Bitesize pieces

Report by Planning Policy Officer

Summary

This report introduces some new or amended policies that are proposed to form part of the Preferred Options version of the Local Plan. The policies are relating to Horning and a new policy in Trees, hedges, scrub and shrubs.

Recommendation

Members' comments on the policies are requested.

1. Introduction

- 1.1. The first stage of the production of the Local Plan is the preparation of the Issues and Options. These were presented to Members in 'bite size pieces' over a number of months, rather than as a complete document of Issues and Options. The production stages of the Issues and Options are now complete, and work has begun on the Preferred Options version, which will contain proposed policies. This will also be presented in "bitesize pieces".
- 1.2. This report introduces some amended or new policies for Members to consider for inclusion in the Preferred Options version of the Local Plan.
- 1.3. It is important to note that until such time as the Local Plan is adopted, our current policies are still in place and will be used to guide and determine planning applications.
- 1.4. Members' comments are requested on the policies and amendments. The policies considered in this report at this Planning Committee are relating to Horning and a new policy in Trees, hedges, scrub and shrubs.

Author: Natalie Beal

Date of report: 30 June 2023

Appendix 1 – Horning policies

Appendix 2 – Trees, woodlands, hedges and shrubs and development



**Local Plan for the Broads - Review
Preferred Options bitesize pieces**

July 2023

Sites Specifics – Horning

Information for Members

- 1 Please be aware that development opportunities that increase foul water or surface water flows
2 are not currently supported in both the Broads Authority and North Norfolk District Council
3 planning areas. This is because currently, one of the permit limits, Dry Weather Flow is in
4 exceedance by a significant amount at the Horning Knackers Wood Water Recycling Centre which
5 serves the Horning area. Members may be aware of a [Joint Position Statement](#) on the matter; this
6 is being updated and will come to a future Planning Committee for endorsement.

Policies

This is a proposed draft section/policy for the Preferred Options Local Plan. Member's comments and thoughts are requested. This policy is already in the local plan, but some amendments are proposed.

Amendments to improve the policy are shown as follows: ~~text to be removed~~ and [added text](#).

There is an assessment against the UN Sustainable Development Goals at the end of the policy.

The proposed Sustainability Appraisal of the policy is included at the end of the document. This would not be included in the Preferred Options Local Plan itself; this table would be part of the Preferred Options Sustainability Appraisal, but is included here to show how the policy and options are rated.

Policy [POHOR3](#): Waterside plots

Policy Map: https://www.broads-authority.gov.uk/data/assets/pdf_file/0026/259262/10.-HORNING.pdf

1. The designated area of waterside plots will be protected from over-intensive development and suburbanisation (including from the character of moorings and boundary treatments). The maintenance or upgrading of existing buildings will be encouraged, and their replacement permitted, where this is consistent with the openness and the low key and lightweight forms of building (generally characteristic of the area) and policies on flood risk [and dark skies](#). Proposals need to improve the existing disposal of surface water and ensure that any additional surface water generated by the development is addressed appropriately.
2. [Any new development must ensure there is no adverse impact on the integrity of any European site \(National Site Network\)](#).
3. Development should contribute where feasible to:
 - a) An upgrading of private sewerage systems, and
 - b) An increase in the amount of trees and other planting in the area (with due regard to avoiding wind obstruction near the riverside that might affect sailing on the river).

23 Constraints and features

- 24 • Parts close to (across river) SAC, SPA, Ramsar, and SSSI.
- 25 • Flood risk (zone 3 by EA mapping and all 2 and 3a with most modelled 3b by SFRA 2017
- 26 mapping.
- 27 • Knackers Woods Water Recycling Centre.
- 28 • Surface water concerns (linked to Knackers Wood Water Recycling Centre).

29 Reasoned Justification

30 The policy seeks a balance between updating and redevelopment of the waterside plots, while
31 retaining the best characteristics of the area and discouraging suburbanisation and over-intensive
32 development. The wording of the policy aims to clarify what the Authority is trying to achieve, and
33 focuses on the key qualities to be addressed in any development.

34 The sailing club is excluded, and is subject to a separate policy (HOR4).

35 Proposals will need to meet the requirements of policy **DM22** as the Horning area generally has
36 good dark skies.

37 Applicants are directed to the Authority's adopted Mooring Design Guidance¹.

38 **Reasonable alternative options**

- 39 a) An alternative option would be to keep the original policy
- 40 b) Another alternative would be to have no policy

41 **Sustainability appraisal summary**

42 The following is a summary of the assessment of the policy.

A: Keep original policy	3 positives. 0 negatives. 0 ? Overall positive.
B: No policy	0 positives. 0 negatives. 3 ?
C: Preferred Option - amend policy	4 positives. 0 negatives. 0 ? Overall positive.

43 **How has the existing policy been used since adoption in May 2019?**

44 According to recent Annual Monitoring Reports, the policy has been used and schemes have been
45 in conformity.

46 **Why has the alternative option been discounted?**

47 The stronger wording relating to light pollution is favoured when compared to the original to
48 ensure the dark skies of the Broads are protected.

49 **UN Sustainable Development Goals check**

50 This policy meets these [UN SD Goals](#):
51 None identified

¹ Mooring Design Guidance www.broads-authority.gov.uk/_data/assets/pdf_file/0005/703940/Mooring-design-guide.pdf

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Policy POHOR4: Horning Sailing Club

Policy Map: https://www.broads-authority.gov.uk/data/assets/pdf_file/0026/259262/10.-HORNING.pdf

1. Continued use of the island for sailing facilities will be supported.
2. Maintenance and upgrading, or replacement, of existing buildings for this use will be supported where this is consistent with the character of the riverside area and policies on flood risk [and dark skies](#). Dwellings, business uses and holiday accommodation will not be permitted.
3. Development proposals in this area will be required to:
 - i) Be of high standards of design;
 - ii) Limit the height, bulk and extent of building to retain the general openness of the area in which the club is located;
 - iii) Improve the existing disposal of surface water and ensure that any additional surface water generated by the development is addressed appropriately;
 - iv) Avoid impacting the amenity of nearby occupiers; and
 - v) Avoid adversely impacting navigation and nature conservation (including designated Natura 2000 sites).
4. The continued use of the land south of the footbridge (next to **HOR2**) for car parking associated with the sailing club is supported, but built development here would not be acceptable.
5. [Any new development must ensure there is no adverse impact on the integrity of any European site \(National Site Network\).](#)

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Constraints and features

- Lies within Horning Conservation Area.
- Just across river from SSSI, SAC, SPA, and Ramsar Site.
- Flood risk zone 3 by EA mapping and all 2 and 3a with some modelled 3b by SFRA 2017 mapping.
- Knackers Woods Water Recycling Centre.
- Surface water concerns (linked to Knackers Wood Water Recycling Centre).

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Reasoned Justification

In reviewing the 1997 Local Plan policy that covered this area, it was considered preferable to treat the sailing club separately from the holiday and residential waterside plots around it. This encourages the continuation of this valuable use in the location, and allows the Policy wording to be better focused on the particular likely redevelopment issues relating to a sailing club and to its immediate surroundings. The land off the island is considered suitable for car parking associated with the sailing club, but built development here would reduce the area's contribution to the openness of the area in general and the adjacent public open space in particular.

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The Habitats Regulations Assessment identified the potential for future developments at the club to have adverse effects on the nearby [National Site Network](#) ~~Natura 2000 sites~~. The Habitats Regulations and Policy DM13 require that this potential is assessed and avoided in respect of any future planning application.

91 Proposals will need to meet the requirements of **policy DM22** as the Horning area generally has
92 good dark skies.

93 Of particular importance to this area is the policy on surface water (**DM6**).

94 **Reasonable alternative options**

- 95 a) An alternative option would be to keep the original policy
- 96 b) Another alternative would be to have no policy

97 **Sustainability appraisal summary**

98 The following is a summary of the assessment of the policy.

A: Keep original policy	4 positives. 0 negatives. 0 ? Overall positive.
B: No policy	0 positives. 0 negatives. 4 ?
C: Preferred Option - amend policy	5 positives. 0 negatives. 0 ? Overall positive.

99 **How has the existing policy been used since adoption in May 2019?**

100 According to recent Annual Monitoring Reports, the policy has not been used.

101 **Why has the alternative option been discounted?**

102 The stronger wording relating to light pollution is favoured when compared to the original to
103 ensure the dark skies of the Broads are protected.

104 **UN Sustainable Development Goals check**

105 This policy meets these [UN SD Goals](#):

106 None identified

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Policy POHOR5: Crabbett's Marsh

Policy Map: https://www.broads-authority.gov.uk/data/assets/pdf_file/0026/259262/10.-HORNING.pdf

1. This area will be protected for its landscape and nature conservation value. It is also recognised that the access here is a major constraint.
2. All forms of new build development will be firmly resisted, as will the stationing of vehicles, caravans, and boats. In this context, the stationing of boats excludes short-term halts of waterborne craft in the course of navigation.
3. Acceptable uses are likely to be those which are compatible with its semi-natural and undeveloped state, such as intermittent and very low-level private leisure use, and those that enhance or restore the natural character of the area.

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Constraints and features

- Tree preservation order for this and adjacent area, which also forms an important backdrop to Horning.
- Alder Carr woodland is a Broads Biodiversity Action Plan priority habitat.
- Not far (across river) from SAC, SPA, Ramsar, SSSI.
- Article 4 Direction (1972) removes permitted development rights for gates, fences, walls and enclosures; temporary use of land under '28-day rule'; etc.
- Flood risk - predominantly zone 3 by EA mapping, with small areas of zones 1 & 2 and almost all 2 and 3a with most modelled 3b by SFRA 2017 mapping.
- [Peat soils in this area.](#)

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Reasoned Justification

Attempts to control the incremental development of this area go back to at least the early 1970s, and have been complicated by the sale and purchase of individual leisure plots without always sufficient regard to the lawful uses of the land. During that time, a limited amount of development has either been granted planning permission or become immune from enforcement action, but more generally, the Authority (and its predecessors as local planning authority) has sought to resist built development and engineering works such as the building of roads and the cutting of mooring basins.

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The policy seeks to resist the erosion of the area's landscape and nature conservation value, recognising the limitations of the road access, ~~while revising the wording to~~ and clarify what the policy is seeking to achieve and the acceptable range of possibilities.

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Built development in this context includes sheds and similar structures, and such engineering works as raised ground levels, road building, and creation of moorings, cuts, paved tracks, hard-standings or moorings.

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The stated protection of this site, and the restriction on caravans, etc., is supported by the Environment Agency on flood risk grounds.

144 **Reasonable alternative options**

145 a) An alternative option would be to not have a policy.

146 **Sustainability appraisal summary**

147 The following is a summary of the assessment of the policy.

A: No policy	0 positives. 0 negatives. 2 ?
B: Preferred policy	2 positives. 0 negatives. 0 ? Overall positive

148 **How has the existing policy been used since adoption in May 2019?**

149 According to recent Annual Monitoring Reports, the policy has not been used.

150 **Why has the alternative option been discounted?**

151 Having a policy provides more certainty and seeks to tackle the various historic issues in the area.

152 **UN Sustainable Development Goals check**

153 This policy meets these [UN SD Goals](#):

154 None identified

155 Policy **POHOR6: Horning - Boatyards, etc. at Ferry Road. and Ferry View Road**

156 Policy Map: [https://www.broads-authority.gov.uk/data/assets/pdf_file/0026/259262/10.-](https://www.broads-authority.gov.uk/data/assets/pdf_file/0026/259262/10.-HORNING.pdf)
157 [HORNING.pdf](https://www.broads-authority.gov.uk/data/assets/pdf_file/0026/259262/10.-HORNING.pdf)

- 158 1. The land identified on the Adopted Policies Map will be subject to policies in the economy
159 section of the Local Plan.
- 160 2. No moorings on the banks of the SPA/SAC site over the river from HOR6 will be allowed.
- 161 3. Developments shall include:
- 162 a) Appropriate measures to manage any risk of water pollution arising from development;
163 b) [Respect the dark skies in the area in line with policy DMxx.](#)
- 164 c) Improvements to the existing disposal of surface water and ensure that any additional surface
165 water generated by the development is addressed appropriately;
- 166 d) Significant landscape planting to help soften the appearance of the area, integrate it into the
167 wider landscape, and support wildlife and biodiversity (e.g. by use of nectar mixes), but subject
168 to avoiding the creation of additional wind shadowing of the river affecting its sailing value; and
169 will
- 170 e) Pay particular regard to the setting of the nearby listed buildings.
- 171 4. The range of potential development will be constrained by the high flood risk to most of this
172 area and the application of national and local policies on flood risk.
- 173 5. For the purposes of DM37 (New residential moorings) [this area](#) will be treated as if it meets the
174 locational criteria of DM37 (in relation to being treated as though adjacent to a development
175 boundary/within walking distance to at least three key services set out in that policy) to enable
176 the delivery of a cumulative maximum of 10 residential moorings in this area through the use of
177 existing private mooring spaces. Any residential moorings should be located a minimum of 15
178 metres from the sewage pumping station. [Any residential moorings would need to address the
179 impact of Recreational Impacts, likely through the payment of the RAMS tariff. Further, they
180 would only be able to come forward if/when the capacity constraints at the Water Recycling
181 Centre are addressed.](#)

182 Constraints and features

- 183 • Close to SAC, SPA, Ramsar site, SSSI, NNR.
- 184 • Flood risk - predominantly zone 3 by EA mapping, with small areas of zones 1 & 2 and most 2,
185 3a and modelled 3b according to SFRA 2017 mapping.
- 186 • Knackers Wood Water Recycling Centre capacity constraints.
- 187 • Surface water concerns (linked to Knackers Wood Water Recycling Centre).
- 188 • Inappropriate use of drains, some of which are poorly maintained.
- 189 • Nearby Grade II* Listed Hobbs Mill and Grade II Listed Horning Ferry Mill
- 190 • Sewage pumping station in this area.

191 Reasoned Justification

192 The area is somewhat separate from the heart of the village, but provides an important range of
193 boating and ancillary services and of moorings. Significant development has taken place in recent
194 years. The boat and related services contribute to the character of Horning, the local economy, and
195 sustaining marine skills.

196 The policy gives certainty to the application of industrial and boatyard policies to the area. It has
 197 been further considered that it may be appropriate to permit residential boat moorings here, given
 198 the scale and character of the area and the availability of nearby services. Even though the area
 199 does not abut a development boundary, the relevant policy is applied to it ~~(and to a limited number~~
 200 ~~of boatyards elsewhere)~~. To reflect highways access concerns of Norfolk County Council, a cap of a
 201 maximum of ten residential moorings is applied to the entire area covered by this policy – that is to
 202 say that the cumulative total of residential moorings in this area will be ten (not ten per
 203 boatyard/operator). Note that the figure of 10 residential moorings is not considered an allocation
 204 and does not contribute to meeting the residential moorings number requirements.

205 Of particular importance to this area is the policy on surface water **(DM6) and DM2** in relation to
 206 Horning Knackers Wood Water Recycling Centre capacity issues.

207 The SFRA 2017 highlights that almost all the area is in flood risk zone modelled 3b, and there is a
 208 need to address the risks of water pollution for waterside sites in boatyard use.

209 Proposals will need to meet the requirements of policy **DM22** as the Horning area generally has
 210 good dark skies.

211 **Reasonable alternative options**

- 212 b) An alternative option would be to keep the original policy.
- 213 c) No policy

214 **Sustainability appraisal summary**

215 The following is a summary of the assessment of the policy.

216

A: Keep original policy	4 positives. 0 negatives. 0 ? Overall positive.
B: No policy	0 positives. 0 negatives. 5 ?
C: Preferred Option - amend policy	5 positives. 0 negatives. 0 ? Overall positive.

217 **How has the existing policy been used since adoption in May 2019?**

218 According to recent Annual Monitoring Reports, the policy has been used and schemes have been
 219 in conformity.

220 **Why has the alternative option been discounted?**

221 The stronger wording relating to light pollution is favoured when compared to the original to
 222 ensure the dark skies of the Broads are protected. The clearer wording in relation to the potential
 223 for residential moorings, but the issues they need to address is also preferred.

224 **UN Sustainable Development Goals check**

225 This policy meets these [UN SD Goals](#):

226 None identified

Sustainability Appraisal

SA objectives:

- ENV1: To reduce the adverse effects of traffic (on roads and water).
- ENV2: To safeguard a sustainable supply of water, to protect and improve water quality and to use water efficiently.
- ENV3: To protect and enhance biodiversity and geodiversity.
- ENV4: To conserve and enhance the quality and local distinctiveness of landscapes and towns/villages.
- ENV5: To adapt, become resilient and mitigate against the impacts of climate change
- ENV6: To avoid, reduce and manage flood risk and to become more resilient to flood risk and coastal change.
- ENV7: To manage resources sustainably through the effective use of land, energy and materials.
- ENV8: To minimise the production and impacts of waste through reducing what is wasted, and re-using and recycling what is left.
- ENV9: To conserve and enhance the cultural heritage, historic environment, heritage assets and their settings
- ENV10: To achieve the highest quality of design that is innovative, imaginable, and sustainable and reflects local distinctiveness.
- ENV11: To improve air quality and minimise noise, vibration and light pollution.
- ENV12: To increase the proportion of energy generated through renewable/low carbon processes without unacceptable adverse impacts to/on the Broads landscape
- SOC1: To improve the health and wellbeing of the population and promote a healthy lifestyle.
- SOC2: To reduce poverty, inequality and social exclusion.
- SOC3: To improve education and skills including those related to local traditional industries.
- SOC4: To enable suitable stock of housing meeting local needs including affordability.
- SOC5: To maximise opportunities for new/ additional employment
- SOC6: To improve the quality, range and accessibility of community services and facilities and to ensure new development is sustainability located with good access by means other than a private car to a range of community services and facilities.
- SOC7: To build community identity, improve social welfare and reduce crime and anti-social activity.
- ECO1: To support a flourishing and sustainable economy and improve economic performance in rural areas.
- ECO2: To ensure the economy actively contributes to social and environmental well-being.
- ECO3: To offer opportunities for Tourism and recreation in a way that helps the economy, society and the environment.

Assessment of policy: Policy POHOR3: Waterside plots

	A: Keep original policy		B: No policy	C: Preferred options – amended policy	
ENV1			Not having a policy does not mean that these issues will not be considered or addressed. A policy does however provide more certainty.		
ENV2					
ENV3	+	Policy refers to trees and other planting.		?	+
ENV4	+	The fundamental reason for the policy is to address and consider landscape impact from development.		?	+
ENV5					
ENV6	+	The policy refers to flood risk and surface water.		?	+
ENV7					
ENV8					
ENV9					
ENV10					
ENV11				?	+
ENV12					
SOC1					
SOC2					
SOC3					
SOC4					
SOC5					
SOC6					
SOC7					
ECO1					
ECO2					
ECO3					

Assessment of policy: Policy POHOR4: Horning Sailing Club

		A: Keep original policy	B: No policy	C: Preferred options – amended policy
ENV1				
ENV2				
ENV3				
ENV4	+	The fundamental reason for the policy is to address and consider landscape impact from development.	Not having a policy does not mean that these issues will not be considered or addressed. A policy does however provide more certainty.	+
ENV5				
ENV6	+	The policy refers to flood risk and surface water.		+
ENV7				
ENV8				
ENV9				
ENV10	+	Design is an important consideration in the policy.		+
ENV11				+
ENV12				
SOC1				
SOC2				
SOC3				
SOC4				
SOC5				
SOC6				
SOC7				
ECO1				
ECO2				
ECO3	+	The policy helps the sailing club to change in an appropriate way and still benefit tourism and recreation.	+	

Assessment of policy: Policy POHOR5: Crabbett’s Marsh

		A: No policy	B: Preferred options – amended policy	
ENV1		<p>Not having a policy does not mean that these issues will not be considered or addressed. A policy does however provide more certainty.</p>		
ENV2				
ENV3	?		+	The policy refers specifically to nature conservation.
ENV4	?		+	The policy refers specifically to landscape character.
ENV5				
ENV6				
ENV7				
ENV8				
ENV9				
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ENV11				
ENV12				
SOC1				
SOC2				
SOC3				
SOC4				
SOC5				
SOC6				
SOC7				
ECO1				
ECO2				
ECO3				

Assessment of policy: Policy POHOR6: Horning - Boatyards, etc. at Ferry Road. and Ferry View Road

	A: Keep original policy		B: No policy	C: Preferred options – amended policy	
ENV1					
ENV2	+	Policy refers to water pollution.	?	+	Policy refers to water pollution. Also mentioned issue of capacity at Horning Water Recycling Centre.
ENV3	+	Policy refers to impact on biodiversity.	?	+	Policy refers to impact on biodiversity. Also mentioned RAMs requirement.
ENV4	+	Policy refers to landscaping and integrating into the landscape.	?	+	Policy refers to landscaping and integrating into the landscape.
ENV5					
ENV6	+	Policy refers to issue of flood risk.	?	+	Policy refers to issue of flood risk.
ENV7					
ENV8					
ENV9					
ENV10					
ENV11			?	+	Policy mentions light pollution.
ENV12					
SOC1					
SOC2					
SOC3					
SOC4					
SOC5					
SOC6					
SOC7					
ECO1					
ECO2					
ECO3					

Not having a policy does not mean that these issues will not be considered or addressed. A policy does however provide more certainty.



**Local Plan for the Broads - Review
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Trees, woodlands, hedges and shrubs and Development

Information for Members

This is a new policy. The issue was raised as part of the Issues and Options and the consultation responses are included in this paper. This policy has been produced with the assistance of the Broads Authority's Tree Officer.

Comments received during the Issues and Options consultation

The Issues and Options talked about these options (at section 14 - Trees, woodlands, hedges and shrubs) and the question below:

Options

- a) No specific policy. Rely on DM8 and DM13.
- b) Amend policies DM8 and DM13 to include a greater emphasis on trees, woodlands, hedges and shrubs.
- c) Have a new policy on the subject of trees, woodlands, hedges and shrubs. This would include management, maintenance and protection of existing trees, woodlands, hedges and shrubs, as appropriate, or creation of new areas for trees, woodlands, hedges and shrubs.

Question 13: Do you have any thoughts on trees, woodlands, hedges and shrubs and how we address these in the Local Plan?

Organisation	Comment	Response	Action for next version of the Local plan
Bradwell Parish Council	Fundamentally we need more trees to counteract greenhouse gases, so we need a positive programme of planting more evergreen trees in the area.	Comments noted and will be considered as we work up the trees approach for the Preferred Options. Tree Planting should reflect native tree stock and enhance existing habitat/species	Consider this comment as produce Preferred Options version of the Local Plan.
Designing Out Crime Officer, Norfolk Police	Yes maintenance of vegetation as to not negatively impact surveillance opportunities, including inhibiting lighting from nearby streetlights, or to provide hiding places along footpaths is encouraged.	Comments noted and will be considered as we work up the trees approach for the Preferred Options.	Consider this comment as produce Preferred Options version of the Local Plan.
East Suffolk Council	Of the options put forward, East Suffolk Council would support either option b (amend policies DM8 and DM13 to include a greater emphasis on trees, woodlands, hedges, and shrubs) or option c (a new policy on the subject of trees, woodlands, hedges and shrubs). Option b may be the most logical considering the existing policies, especially DM13. A separate policy on the issue of trees etc. does not appear to be explicitly needed and could be covered by amendments to DM13, however this will depend on the level of detail the Broads Authority considers appropriate.	Comments noted and will be considered as we work up the trees approach for the Preferred Options.	Consider this comment as produce Preferred Options version of the Local Plan.
RSPB	14.4 c) is the best option and enhancing planting (making sure the right species of tree is planted in the right place) to create both a carbon sink and provide a cooling mechanism in urban environments. There needs to be a longer-term approach so that previous policies to remove hedges and then 20 years later incentivise replanting are no longer followed. Trees, hedges and woodland need to be viewed less as field boundaries and more of a biodiversity asset and as means of mitigation for climate impacts. Native species, exemplary management and thoughtful planning and location to enhance the environment and creating habitat and corridors facilitating the movement and flux of wildlife.	Comments noted and will be considered as we work up the trees approach for the Preferred Options.	Consider this comment as produce Preferred Options version of the Local Plan.
Sequence UK LTD/Brundall Riverside Estate Association	2.37The cited policies DM8 and DM13 do not make specific reference to trees, hedges etc. and therefore it would seem sensible to either update those policies or include references within a new policy. Care should be taken that any policy is not overly prescriptive and consistent with national planning guidance such as the Framework, as well as the British Standard (BS) on trees.	Comments noted and will be considered as we work up the trees approach for the Preferred Options.	Consider this comment as produce Preferred Options version of the Local Plan.
Suffolk County Council	Suffolk County Council would support having a new policy for trees, woodlands, hedges and shrubs which covers management, maintenance and protection of existing as well as creation of new. However, the Authority should consider how such a policy would be enforced and how administration of it, including any monitoring, would be resourced. In the event that the Hedgerow Regulations are withdrawn, as part of the Government's Agricultural Transition Plan, the Authority would need to consider how it would resource any enforcement or monitoring responsibilities which may result from replacement regulations or national policy on the protection of trees and hedgerows.	Comments noted and will be considered as we work up the trees approach for the Preferred Options.	Consider this comment as produce Preferred Options version of the Local Plan.
Suffolk County Council	Suffolk County Council is in the process of preparing the Local Nature Recovery Strategy (LNRS). Trees and hedges will feature strongly in the mapping requirements for the strategy. Existing trees and hedges will be mapped to establish a baseline from which opportunities for enhancement to tree, hedge and scrub habitat can be agreed collaboratively (between the Broads Authority and Suffolk County Council) as nature recovery priorities. These enhancements will then be included in the county-wide LNRS.	Comments noted and will be considered as we work up the trees approach for the Preferred Options.	Consider this comment as produce Preferred Options version of the Local Plan.
Wroxham Parish Council	WPC support a separate policy for trees etc. Trees are second only to water as a feature of the Broads. Trees featured heavily in feedback from residents during the WNP consultation and continue to be really important to residents. Trees are more and more important in addressing climate breakdown.	Comments noted and will be considered as we work up the trees approach for the Preferred Options.	Consider this comment as produce Preferred Options version of the Local Plan.

This is a proposed draft section/policy for the Preferred Options Local Plan. Member's comments and thoughts are requested.

There is an assessment against the UN Sustainable Development Goals at the end of the policy.

The proposed Sustainability Appraisal of the policy is included at the end of the document. This would not be included in the Preferred Options Local Plan itself; this table would be part of the Preferred Options Sustainability Appraisal, but is included here to show how the policy and options are rated.

Policy PODMxx: Trees, woodlands, hedges, scrub and shrubs and development

1. Trees, woodlands and significant hedge and shrub masses and areas of scrub that make a positive landscape contribution and/or are of biodiversity/ecological importance will be retained as an integral part of the design of development except where their long-term survival would be compromised by their age or physical condition or where there are exceptional and overriding benefits in accepting their loss, such as restoration of appropriate areas of fen.
2. **Protecting trees, woodlands and hedgerows, shrub masses and areas of scrub**
 - a) Development requiring the loss of trees, woodlands or hedgerows or shrub masses and areas of scrub will only be permitted where:
 - i. the removal of a tree, woodland or hedgerow will enhance the survival or growth of other trees, woodlands or hedgerows. OR
 - ii. it would allow for a substantially improved overall approach to the design and landscaping and landscape/habitat enhancement of the site and surrounding area that would outweigh the loss of any tree, woodland or hedgerow.
3. **Replacement trees**
 - a) Where the loss of trees is accepted as set out in this policy, applicants will be required to provide the specific quantity of compensatory trees set out in the following table unless demonstrably impractical or inappropriate. This will be provided on-site unless the applicant can show exceptional circumstances which would justify replacement provision elsewhere.

Trunk diameter (mm) at 1.5m above ground of tree to be lost to development	Number of replacement trees required, per tree lost*
75<200	1
200<400	4
400<600	6
600<800	9
800<1000	10
1000+	11

*replacement based on selected standards 10/12cm girth at 1m

4. Incorporating new trees in schemes

- a) Where appropriate, opportunities should be taken to incorporate trees in new developments using the principle of the right tree in the right place.
- b) Details of appropriate measures for the establishment and long-term maintenance of new tree planting will need to be provided.

5. Development affecting trees, woodlands and hedgerows

- a) Where proposed development affects existing trees, woodlands or hedgerows, an Arboricultural Impact Assessment and Arboricultural Method Statement, in line with BS5837 – *Trees in relation to design, demolition and construction* – Recommendations, will need to be submitted. This will detail all existing trees, woodlands and hedgerows, the associated tree constraints, implications of the proposed development and associated mitigation throughout the duration of the development to ensure that development works do not have a harmful impact.

6. Irreplaceable Habitats

- a) Development resulting in the loss or deterioration of irreplaceable habitats (such as mature wet woodland, ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons, and a suitable compensation strategy is provided.

7. Roadside trees

- a) Development proposals that have a frontage onto a new or existing highway of more than ten metres in length will only be permitted where they provide for the planting and maintenance of roadside trees of appropriate species at intervals appropriate to the site. Clear, justifiable and compelling reasons would need to be provided if this requirement is not to be met.

8. Wet Woodland/Carr

- a) Proposals that have an adverse impact on areas of wet woodland/carr will be resisted.

1 Reasoned justification

2 Trees, woodlands, hedges and shrubs are an integral part of the Broads landscape and add
 3 great beauty, a sense of place and character to, and are a defining feature of the Broads
 4 Authority Executive Area. Trees and woodlands enhance the landscape and provide
 5 important landmarks, complementing the natural and built environment by providing
 6 screening, perspective, focal points, privacy and seclusion and they define and
 7 separate public open spaces. They provide shade for people and riverside trees play an
 8 important role in keeping rivers cool. Riverside trees also provide woody debris for flow
 9 dynamics and roots for fish spawning. They also provide habitats, with mature wet woodland
 10 being one of the rarest types of woodland habitat in the UK and continental Europe (and
 11 connectivity) for an exceptional range of wildlife and form a “carbon sink” helping to absorb
 12 and store and counteract the harmful effect of climate change. This policy, relating to trees,
 13 scrub, woodlands including riparian, wet and dry woodland, hedges and shrubs affected by
 14 development, will further the Authority’s aim to preserve the variety, number and quality of
 15 trees woodlands, hedges and shrubs within the Broads Authority Executive Area and to

16 ensure that development contributes to the maintenance or enhancement of the tree and
17 woodland cover of the Broads. Due to the impacts on navigation and the open character of
18 some parts of the Broads landscape, and the priority habitats of grazing marsh and fen and
19 the unique peatland-based ecosystem of fen and the requirements of breeding and
20 wintering birds of the marshes, tree planting will not always be appropriate.

21 For the purposes of this policy, 'protected trees' include those protected by a tree
22 preservation order, tree(s) within a conservation area, an ancient, aged or veteran tree or
23 any other tree of category B or A as per BS 5837:2012, Table 1. Whilst there is no precise
24 definition of an 'ancient tree' there are three guiding principles: 1) trees which are of
25 interest biologically, aesthetically or culturally because of their age; 2) trees that are in the
26 ancient stage of their life; 3) trees that are old relative to others of the same species. A
27 commonly accepted technical definition of an ancient tree is "a tree that shows
28 characteristics of having passed beyond its mature phase." Such characteristics might
29 typically include a large girth, signs of crown retrenchment and hollowing of the stem.

30 In terms of suitable compensation for irreplaceable habitats, this would be on a case by case
31 basis and could include biodiversity and habitat enhancements and replacement planting.

32 The NPPF, similarly, defines an 'ancient' or 'veteran tree' as "a tree which, because of its
33 age, size and condition, is of exceptional biodiversity, cultural or heritage value. All ancient
34 trees are veteran trees. Not all veteran trees are old enough to be ancient, but are old
35 relative to other trees of the same species. Very few trees of any species reach the ancient
36 life-stage'.

37 Consistent with the NPPF's advice on protecting valued landscapes, the presumption of this
38 policy is that existing viable trees, woodlands and hedgerows of value should be protected
39 unless their loss is unavoidable. Where new development is proposed the preference will
40 always be to incorporate trees, woodland and significant hedges into the development.
41 Where the loss of any tree is unavoidable as part of a development and meets the tests as
42 set out above, replacement provision will be required and conditioned as part of any
43 permitted development. Where specific on or off-site planting proposals are negotiated as
44 part of the overall enhancement of a particular development site, the replacement,
45 protection and maintenance of trees, woodland, and hedges would normally be specified by
46 condition or secured by a planning obligation, either a section 106 agreement or unilateral
47 undertaking.

48 Where a proposed development retains existing trees on-site, a satisfactory arboricultural
49 impact assessment and preliminary arboricultural method statement, undertaken by a
50 suitably experienced arboriculturalist, should be submitted in accordance with BS5837 and
51 the Broads Authority validation checklist. This statement should analyse the potential
52 impact on the retained trees. Where proposed development would have an impact on trees,
53 particularly where it would impinge on root protection areas of trees both within and
54 outside the development site, a site specific arboricultural method statement should be
55 submitted. The statement should demonstrate mitigation measures are in place to ensure
56 that development works do not harm the existing tree.

57 Wet woodland/carr is characteristic of the Broads. % of uk's wet woodland? European
 58 priority feature under the conservation (natural habitat) regulations 1994. Listed as a
 59 feature in the Broads SAC.

Reasonable alternative options

- a) No specific policy. Rely on DM8 (Green Infrastructure) and DM13 (Natural Environment).
- b) Amend policies DM8 (Green Infrastructure) and DM13 (Natural Environment).to include a greater emphasis on trees, woodlands, hedges and shrubs.

Sustainability appraisal summary

The following is a summary of the assessment of the policy.

A: Preferred Option – policy on Trees, woodlands, hedges and shrubs and development	6 positives. 0 negatives. 0 ?
B: No specific policy. Rely on DM8 and DM13.	6 positives. 0 negatives. 0 ?
C: Amend policies DM8 and DM13 to include a greater emphasis on trees, woodlands, hedges and shrubs.	6 positives. 0 negatives. 0 ?

How has the existing policy been used since adoption in May 2019?

This is a new policy.

Why have the alternative options been discounted?

Whilst options B and C rate the same in the Sustainability Assessment, given the importance of trees and hedgerows in nature recovery, air pollution management and climate change mitigation, but also given how important it is that there is the right tree in the right place, option C, a new policy, is favoured.

UN Sustainable Development Goals check

This policy meets these [UN SD Goals](#):

11 SUSTAINABLE CITIES AND COMMUNITIES



13 CLIMATE ACTION



15 LIFE ON LAND



60 Sustainability Appraisal

61 SA objectives:

- 62 • ENV1: To reduce the adverse effects of traffic (on roads and water).
- 63 • ENV2: To safeguard a sustainable supply of water, to protect and improve water quality and to
64 use water efficiently.
- 65 • ENV3: To protect and enhance biodiversity and geodiversity.
- 66 • ENV4: To conserve and enhance the quality and local distinctiveness of landscapes and
67 towns/villages.
- 68 • ENV5: To adapt, become resilient and mitigate against the impacts of climate change
- 69 • ENV6: To avoid, reduce and manage flood risk and to become more resilient to flood risk and
70 coastal change.
- 71 • ENV7: To manage resources sustainably through the effective use of land, energy and materials.
- 72 • ENV8: To minimise the production and impacts of waste through reducing what is wasted, and
73 re-using and recycling what is left.
- 74 • ENV9: To conserve and enhance the cultural heritage, historic environment, heritage assets and
75 their settings
- 76 • ENV10: To achieve the highest quality of design that is innovative, imaginable, and sustainable
77 and reflects local distinctiveness.
- 78 • ENV11: To improve air quality and minimise noise, vibration and light pollution.
- 79 • ENV12: To increase the proportion of energy generated through renewable/low carbon
80 processes without unacceptable adverse impacts to/on the Broads landscape
- 81 • SOC1: To improve the health and wellbeing of the population and promote a healthy lifestyle.
- 82 • SOC2: To reduce poverty, inequality and social exclusion.
- 83 • SOC3: To improve education and skills including those related to local traditional industries.
- 84 • SOC4: To enable suitable stock of housing meeting local needs including affordability.
- 85 • SOC5: To maximise opportunities for new/ additional employment
- 86 • SOC6: To improve the quality, range and accessibility of community services and facilities and to
87 ensure new development is sustainability located with good access by means other than a
88 private car to a range of community services and facilities.
- 89 • SOC7: To build community identity, improve social welfare and reduce crime and anti-social
90 activity.
- 91 • ECO1: To support a flourishing and sustainable economy and improve economic performance in
92 rural areas.
- 93 • ECO2: To ensure the economy actively contributes to social and environmental well-being.
- 94 • ECO3: To offer opportunities for Tourism and recreation in a way that helps the economy,
95 society and the environment.

96 Assessment of policy

97 There are no reasonable alternatives identified at this stage.

	A: Preferred Option – policy on Trees, woodlands, hedges and shrubs and development	B: No specific policy. Rely on DM8 and DM13.	C: Amend policies DM8 and DM13 to include a greater emphasis on trees, woodlands, hedges and shrubs.
ENV1			
ENV2			
ENV3	+ Trees benefit biodiversity.	+ These policies would include trees. Trees benefit biodiversity.	+ Trees benefit biodiversity.
ENV4	+ Trees can add to the character of some areas. Policy refers to right tree in right place.	+ These policies would include trees. Trees can add to the character of some areas.	+ Trees can add to the character of some areas. Policy could refer to right tree in right place.
ENV5	+ Trees absorb carbon dioxide.	+ These policies would include trees. Trees absorb carbon dioxide.	+ Trees absorb carbon dioxide.
ENV6			
ENV7			
ENV8			
ENV9	+ Trees can add to the character of some areas. Policy refers to right tree in right place.	+ These policies would include trees. Trees can add to the character of some areas	+ Trees can add to the character of some areas. Policy could refer to right tree in right place.
ENV10	+ Trees can add to the character of some areas. Policy refers to right tree in right place.	+ These policies would include trees. Trees can add to the character of some areas	+ Trees can add to the character of some areas. Policy could refer to right tree in right place.
ENV11	+ Trees help reduce air pollution. Policy refers to road frontage trees.	+ These policies would include trees.	+ Trees can add to the character of some areas. Policy could refer to right tree in right place.
ENV12			
SOC1			
SOC2			
SOC3			
SOC4			
SOC5			
SOC6			
SOC7			
ECO1			

Planning Committee

21 July 2023

Agenda item number 13

Broads Local Plan- Local Green Space Topic Paper and proposed policy

Report by Planning Policy Officer

Summary

The Topic Paper assesses the Local Green Spaces that are currently allocated in the Local Plan, as well as those put forward for the Broads Authority to consider allocating in the new Local Plan. The proposed policy is included in this topic paper.

Recommendation

To endorse the topic paper as evidence for the Local Plan and to endorse the proposed policy.

1. Introduction

- 1.1. Local Green Space designation is a way to provide special protection against development for green areas of particular importance to local communities.
- 1.2. The Local Plan for the Broads allocates some spaces as Local Green Space. Some others are included in Neighbourhood Plans.
- 1.3. This topic paper assesses the spaces currently allocated in the Local Plan as well as others put forward as part of the Local Plan preparation for consideration. It also includes the proposed policy relating to Local Green Space. Finally, it includes the Local Green Spaces allocated in made Neighbourhood Plans at the time of writing, to show all the currently allocated Local Green Space and the proposed area to allocated in the Local Plan.
- 1.4. Members' comments are invited on the assessments as well as the policy. Author:

Natalie Beal

Date of report: 28 June 2023

Appendix 1 – Local Green Space Assessment (June 2023)



Local Green Space Assessment

June 2023

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1. Introduction

Communities can identify areas of green space that are of particular importance to them. The NPPF 2021¹ states that:

101. The designation of land as Local Green Space through local and neighbourhood plans allows communities to identify and protect green areas of particular importance to them. Designating land as Local Green Space should be consistent with the local planning of sustainable development and complement investment in sufficient homes, jobs and other essential services. Local Green Spaces should only be designated when a plan is prepared or updated, and be capable of enduring beyond the end of the plan period.

102. The Local Green Space designation should only be used where the green space is: a) in reasonably close proximity to the community it serves; b) demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and c) local in character and is not an extensive tract of land.

103. Policies for managing development within a Local Green Space should be consistent with those for Green Belts.

As part of the Issues and Options consultation (end of 2022), a call for nominations for areas to be considered as Local Green Space was undertaken. No new areas were put forward as part of that consultation, but some sites were put forward a few months later for consideration.

This document assesses the Local Green Spaces currently included in the Local Plan for the Broads 2019 and the nominations put forward for new areas of Local Green Space.

2. Neighbourhood Plans

Many of the adopted/made Neighbourhood Plans that are relevant to the Broads Authority have identified Local Green Space. The areas of Local Green Space in the Broads Authority area not only include those allocated in the Local Plan, but also those allocated/identified in Neighbourhood Plans. The map at [Appendix 1](#) shows the Local Green Spaces (from Neighbourhood Plan Local Green Spaces) located in the Broads at the time of writing.

3. Assessment of the current Local Green Spaces

The Local Green Spaces that are part of the current Local Plan for the Broads have been assessed, with site visits undertaken in March 2023. Please note that this is a re-assessment and check; the original Local Green Space Nominations and Assessment can be found here: https://www.broads-authority.gov.uk/_data/assets/pdf_file/0022/239404/Local-Green-Space-Nominations-and-Assessment-Revision-April-2017.pdf. The Parish/Town Councils

¹ [National Planning Policy Framework \(publishing.service.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/101363/nppf-2021.pdf)

were asked if they still wanted the Local Green Space identified and were also asked to provide some information, as follows.

a) Beccles Rowing Club

Site visit: undertaken by Natalie Beal 24 April 2023

Current use: wild overgrown area in parts, some mooring plots and associated buildings

Please note that the information included in the table below is from the original nomination, but the Parish Council have confirmed that they wish for the Local Green Space allocation to continue and support the space’s inclusion in the Local Plan.

	Information from Parish/Town Council	Assessment by Broads Authority
How far is the green space from the community it serves?	All areas highlighted are very close to the town centre or residential housing, excluding land to the north of the river which is surrounded by the river to one side and mostly farmland to the other.	On the edge of Beccles.
Is the green space local in character and not an extensive tract of land?	The Beccles Marsh Trail, Beccles Quay, Waveney Meadow, the land surrounding the Beccles Rowing Club and the land on the Norfolk side of the river all have local character as they are marsh land, left from when the river retreated many hundreds of years ago and form the floor of the Waveney Valley.	Yes, the wild area reflects this part of the settlement and Broads. Not an overly extensive tract of land.
How/why is the local green space special/significant to the local community?	The Beccles Marsh Trail, Beccles Quay Waveney Meadow, the land surrounding the Beccles Rowing Club and the land on the Norfolk side of the river all have historic significance as described above. The land surrounding Beccles Rowing Club is lovely to walk around, and is rich in wetland wildlife.	For the wildlife benefits and is on the rural/urban transition.

Photos:



Plan: [SSLGS LOCAL GREEN SPACE.pdf \(broads-authority.gov.uk\)](https://broads-authority.gov.uk/SSLGS_LOCAL_GREEN_SPACE.pdf)

Please note that this Local Green Space does include some mooring plots with associated buildings. When assessing any proposals on Local Green Space, the NPPF defers to the national policies on Green Belt. Para 149 of the NPPF talks of situations where buildings would be acceptable, in principle and in general, in the green belt. A key criterion is b: ‘the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it’. As such, the current area of allocation for this local green space is proposed to continue as suitable and appropriate development associated with the mooring plots can still come forward, subject to details, in line with other local plan policies, in particular, Policy DM50: Leisure plots and mooring plots.

Officer recommendation: Continue allocation as Local Green Space.

Reasons: For the benefits to the wildlife in the area.

b) Beccles – Waveney Meadow

Site visit: undertaken by Natalie Beal 24 April 2023

Current use: wild boundary of the open space and play area.

Please note that the information included in the table below is from the original nomination, but the Parish Council have confirmed that they wish for the Local Green Space allocation to continue and support the space’s inclusion in the Local Plan.

	Information from Parish/Town Council	Assessment by Broads Authority
How far is the green space from the community it serves?	All areas highlighted are very close to the town centre or residential housing, excluding land to the north of the river which is surrounded by the river to one side and mostly farmland to the other.	Fairly accessible, although towards the periphery of the settlement.
Is the green space local in character and not an extensive tract of land?	The Beccles Marsh Trail, Beccles Quay, Waveney Meadow, the land surrounding the Beccles Rowing Club and the land on the Norfolk side of the river all have local character as they are marsh land, left from when the river retreated many hundreds of years ago and form the floor of the Waveney Valley.	Yes – it is a wild border of the open space.
How/why is the local green space special/significant to the local community?	The Beccles Marsh Trail, Beccles Quay, Waveney Meadow, the land surrounding the Beccles Rowing Club and the land on the Norfolk side of the river all have local character as they are marsh land, left from when the river retreated many hundreds of years ago and form the floor of the Waveney Valley. Beccles Quay and Waveney Meadow both have children’s play areas and grassed areas for residents to sit and enjoy.	For the wildlife and the setting of the open space.

Photos:



Plan: [SSLGS LOCAL GREEN SPACE.pdf \(broads-authority.gov.uk\)](#)

Officer recommendation: Continue allocation as Local Green Space.

Reasons: For the benefits to the wildlife in the area and for its contribution to the setting of the open space.

c) Chedgrave Common

Site visit: undertaken by Natalie Beal 24 April 2023

Current use: County Wildlife Site

	Information from Parish/Town Council	Assessment by Broads Authority
How far is the green space from the community it serves?	Chedgrave Common is within an easy 10 minute walk of the centre of Chedgrave and is considered "accessible" e.g. via foot, wheelchair or mobility scooter.	Agreed. There is a path by the river. Can also be accessed by cars along an informal track.
Is the green space local in character and not an	Chedgrave Common is relatively small and can be crossed in 2-3 minutes so not an extensive tract of	Agreed.

	Information from Parish/Town Council	Assessment by Broads Authority
extensive tract of land?	land. It is managed with a light touch to retain its local character and encourage local flora and fauna to flourish.	
How/why is the local green space special/significant to the local community?	Chedgrave Common is an extremely popular location for walkers, bird watchers and broads holiday visitors. There is a BA mooring adjacent to the Common and boaters can either use Chedgrave Common for recreation or walk from there to the centre of Chedgrave. It is a designated County Wildlife Site and is managed by Chedgrave Common in conjunction with BA and the Norfolk Wildlife Trust to preserve its natural feel and wildlife.	Agreed.

Photos:



Plan: [SSLGS LOCAL GREEN SPACE.pdf \(broads-authority.gov.uk\)](#)

Officer recommendation: Continue allocation as Local Green Space.

Reasons: For the benefits the area brings to the wildlife of the Broads, as well as a space for exercise to benefit physical and mental health and wellbeing.

d) Geldeston – The Stone Pit

Site visit: undertaken by Natalie Beal 24 April 2023

Current use: wild area

	Information from Parish/Town Council	Assessment by Broads Authority
How far is the green space from the community it serves?	Yes, it is in the village opposite the playing field on Station Road.	Towards the edge of Geldeston, but Geldeston is a linear settlement.
Is the green space local in character and not an extensive tract of land?	This piece of land has been handed over to the wildlife. A small piece of land	A wild area, important for the biodiversity in the area.
How/why is the local green space special/significant to the local community?	There are mature trees and lovely wild flowers and rich with wildlife.	A wild area, important for the biodiversity in the area.

Photos:



Plan: [SSLGS LOCAL GREEN SPACE.pdf \(broads-authority.gov.uk\)](https://broads-authority.gov.uk/SSLGS_LOCAL_GREEN_SPACE.pdf)

Officer recommendation: Continue allocation as Local Green Space.

Reasons: For the benefits the area brings to the wildlife of the Broads.

e) Geldeston – Playing Field

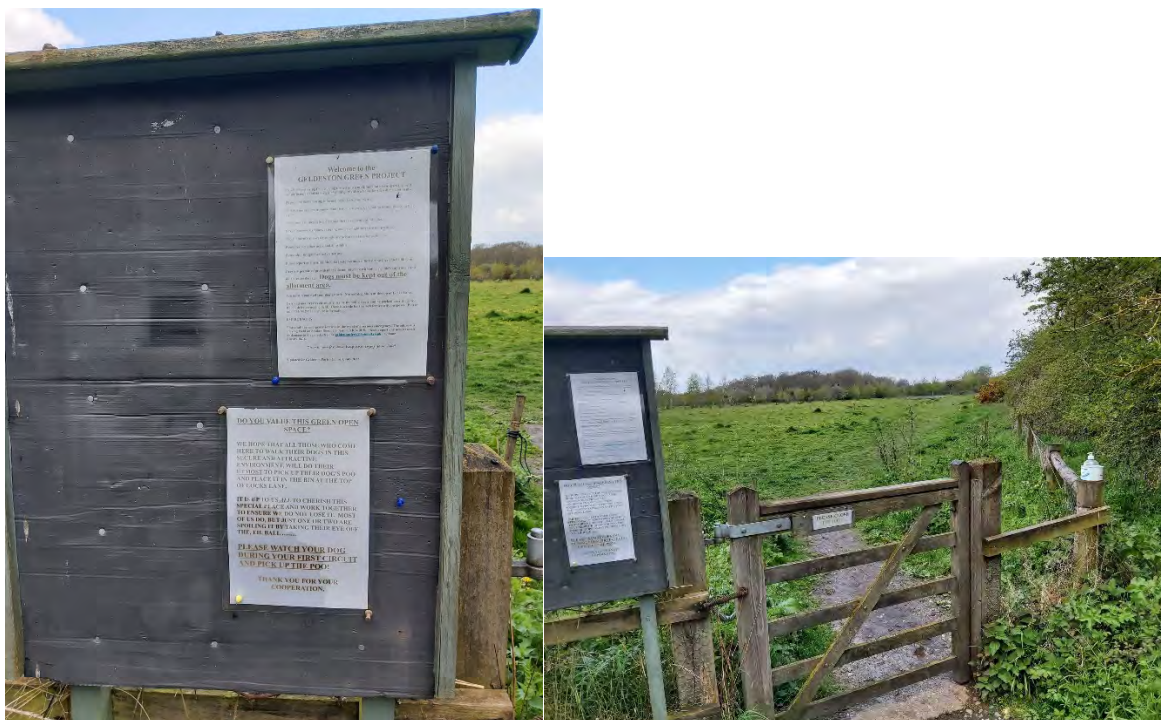
Site visit: undertaken by Natalie Beal 24 April 2023.

Current use: An area of open space with trees, benches and an informal track around the perimeter.

	Information from Parish/Town Council	Assessment by Broads Authority
How far is the green space from the community it serves?	There is a 'green project' there for tranquil seating on one half the other half is set out for allotments. Based in Station Road.	Towards the edge of Geldeston, but Geldeston is a linear settlement.
Is the green space local in character and not an extensive tract of land?	Dog walking area, seating area and allotments. Not extensive.	Sits nicely in the rural nature of this part of the settlement. Agreed, it is not extensive.
How/why is the local green space special/significant to the local community?	Land is owned by the Poors Trust. There is a 'green project' there for tranquil seating on one half the other half is set out for allotments. Based in Station Road.	Provides space for growing food and exercising. Benefits food production and mental and physical health and wellbeing.

Photos:





Plan: [SSLGS LOCAL GREEN SPACE.pdf \(broads-authority.gov.uk\)](https://broads-authority.gov.uk/SSLGS_LOCAL_GREEN_SPACE.pdf)

Officer recommendation: Continue allocation as Local Green Space.

Reasons: This green space is important to the community for a variety of reasons and is well used.

f) Potter Heigham – Bridge Green

Site visit: undertaken by Natalie Beal 24 April 2023.

Current use: an open area with benches and cycle parking.

Please note that the information included in the table below is from the original nomination, but the Parish Council have confirmed that they wish for the Local Green Space allocation to continue and support the space’s inclusion in the Local Plan.

	Information from original nomination	Assessment by Broads Authority
How far is the green space from the community it serves?	The site lies within, at the centre, of the Community it serves.	Although not necessarily close to the village of Potter Heigham, this serves more those visiting the Potter Heigham Bridge area. It is within the Potter Heigham Bridge Area.

	Information from original nomination	Assessment by Broads Authority
Is the green space local in character and not an extensive tract of land?	<p>This space/ area was once covered with boatsheds belonging to local boatyards such as Herbert Woods and Applegates. Boats were hired from there as well as boats being repaired and stored within the sheds. The boatsheds were situated close to the Bridge and to Bridge Road, allowing no public access. The boatsheds were still there in the 1960s.</p> <p>Once the sheds were removed the concrete floors were left and also the boat cuts. This area was then turfed in the early 1990s and trees planted. The area and character of the area is much changed from a 'working area'. It is now a recognised Open Space for anyone to use that visits the area. There are few such spaces on the Broads when people can relax close to the river and can see boats and wildlife without travelling far from their cars/boats.</p>	<p>Yes as there are some areas of more open space near to the bridge and river.</p>
How/why is the local green space special/significant to the local community?	<p>This space is sited close to an Historic Monument (Potter Heigham Bridge). It is used recreationally for a variety of purposes which include picnics, fishing, mooring boats, parking cycles, a rest place for walkers and hikers, playing ball games and just 'watching the world go by'. It contains a large Crack Willow tree which provides shade and many people with children shelter beneath it. It is a special site and used extensively because of the proximity of the Medieval Bridge,</p>	<p>It is a place to sit, relax and enjoy the passing boats. Also adds to the setting of the bridge which is a scheduled monument.</p>

	Information from original nomination	Assessment by Broads Authority
	parking, the road, and local shops. In the recent past Raft Races and Charity Duck Races have taken place from this site. There have also been stalls set up for charity events.	

Photos:



Plan: [SSLGS LOCAL GREEN SPACE.pdf \(broads-authority.gov.uk\)](#)

Officer recommendation: Continue allocation as Local Green Space.

Reasons: The space adds to the setting of the bridge and provides an area for visitors to sit and relax in one of the Broads' honey pot areas.

4. Assessment of a new nomination for Local Green Spaces

When contacting Chedgrave Parish Council about the Local Green Space that is in their area, they nominated another potential area for Local Green Space.

a) Chedgrave Carr

Nomination from: Chedgrave Parish Council

Site visit: undertaken by Natalie Beal 24 April 2023

Current use: wild wooded area

	Information from Parish/Town Council	Assessment by Broads Authority
How far is the green space from the community it serves?	Chedgrave Carr is within an easy 10 minute walk of the centre of Chedgrave and is considered "accessible" e.g. via foot, wheelchair or mobility scooter.	Agreed. There is a path by the river. Can also be accessed by cars along an informal track.
Is the green space local in character and not an extensive tract of land?	Chedgrave Carr is a traditional "carr" (i.e. wet woodland area). It is currently entirely wild and unmanaged and while the wildlife status is unknown, it is likely to have numerous species which will have been able to thrive in this natural environment. The area is quite small, perhaps 4 tennis courts sized approx. Chedgrave Carr is entirely local in character. It is currently largely dominated by willow trees and other vegetation and at this point in the year is very wet/boggy. In summer it will dry out.	Agreed. It does extend the Local Green Space in this area, but given the land use, and the benefits of allocating as Local Green Space (added protection), it is considered as a suitable allocation.
How/why is the local green space special/significant to the local community?	This piece of land is in the process of being purchased from a local landowner and will be gifted to the council in due course. The council has very 'light touch' plans for the area with possibly a bench/viewing area to enable visitors to fully access this wild area.	The area seems important to the community and also seems a natural extension to the local green space allocation at the Common.

Photos:



Plan:

Proposed local green space: Chedgrave Carr

Scale: 1:1,250



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Officer recommendation: Allocate as Local Green Space.

Reasons: For the benefits the area brings to the wildlife of the Broads, as well as a space for exercise to benefit physical and mental health and wellbeing. It seems a natural extension to the Common local green space allocation.

b) Other nominations

Nomination from: Gillingham Parish Council

Areas: Gillingham Allotment and play areas.

Summary: these areas are already allocated as open space and protected through the local plan. The open spaces are to be rolled forward.

5. Summary and draft policy

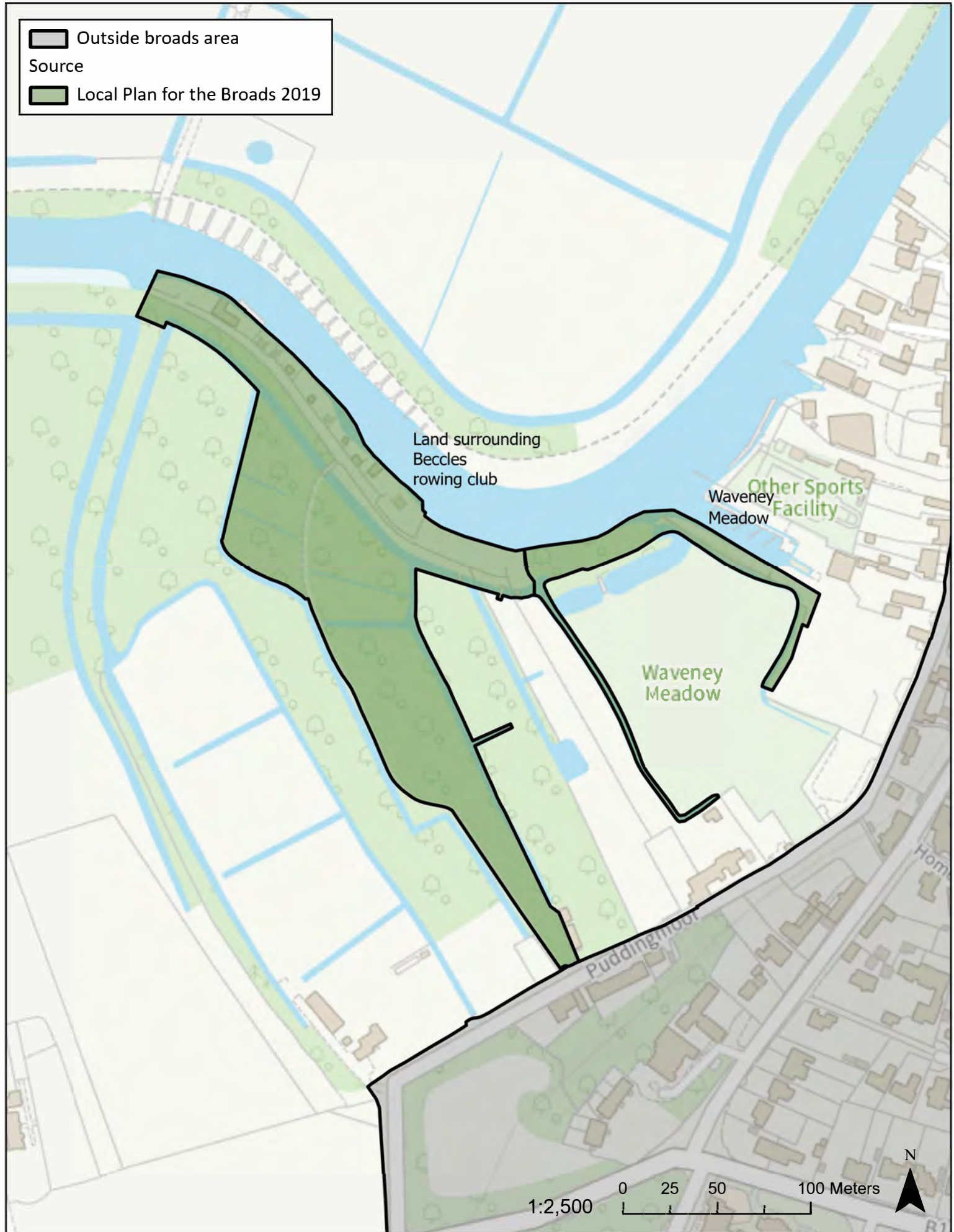
The following tables shows each of the current local green spaces as well as the proposed new local green space with a recommendation as to whether to allocate in the new Local Plan or not.

Local Green Space	Allocate as local green space or not?
Beccles Rowing Club	Continue allocation.
Beccles Waveney Meadow	Continue allocation.
Chedgrave Common	Continue allocation.
Geldestone – Stone Pit	Continue allocation.
Geldestone – Playing Field	Continue allocation.
Potter Heigham – Bridge Green	Continue allocation.
Chedgrave Carr	Allocate as Local Green Space
Gillingham Allotments	Already allocated as open space and continue this allocation.
Gillingham play area	Already allocated as open space and continue this allocation.

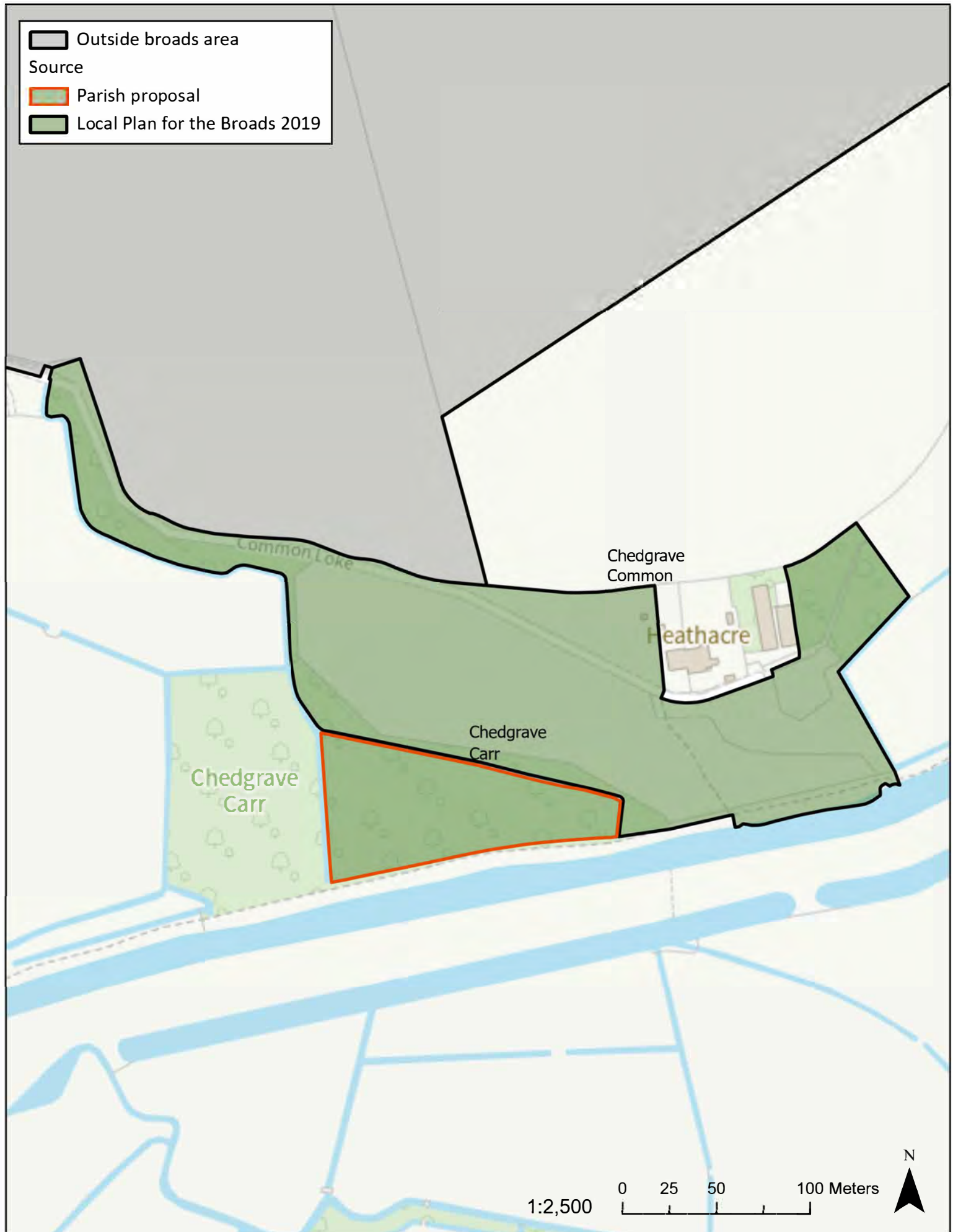
The proposed policy for the new Local Plan for the Broads is included at Appendix 1.

Appendix 1: Map of current Local Plan Local Green Spaces within Neighbourhood Plan Local Green Spaces

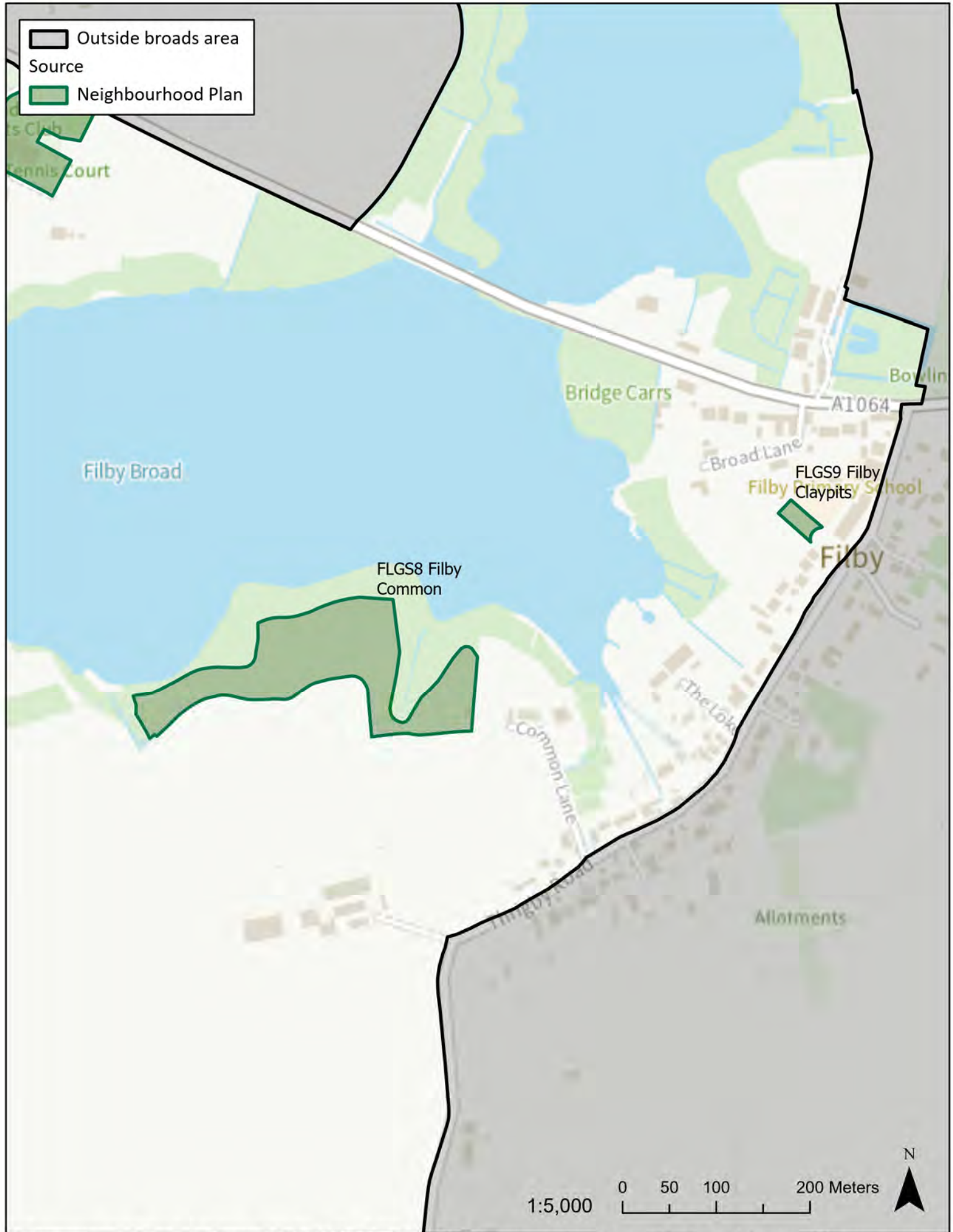
Local Green Space: Beccles CP



Local Green Space: Chedgrave CP



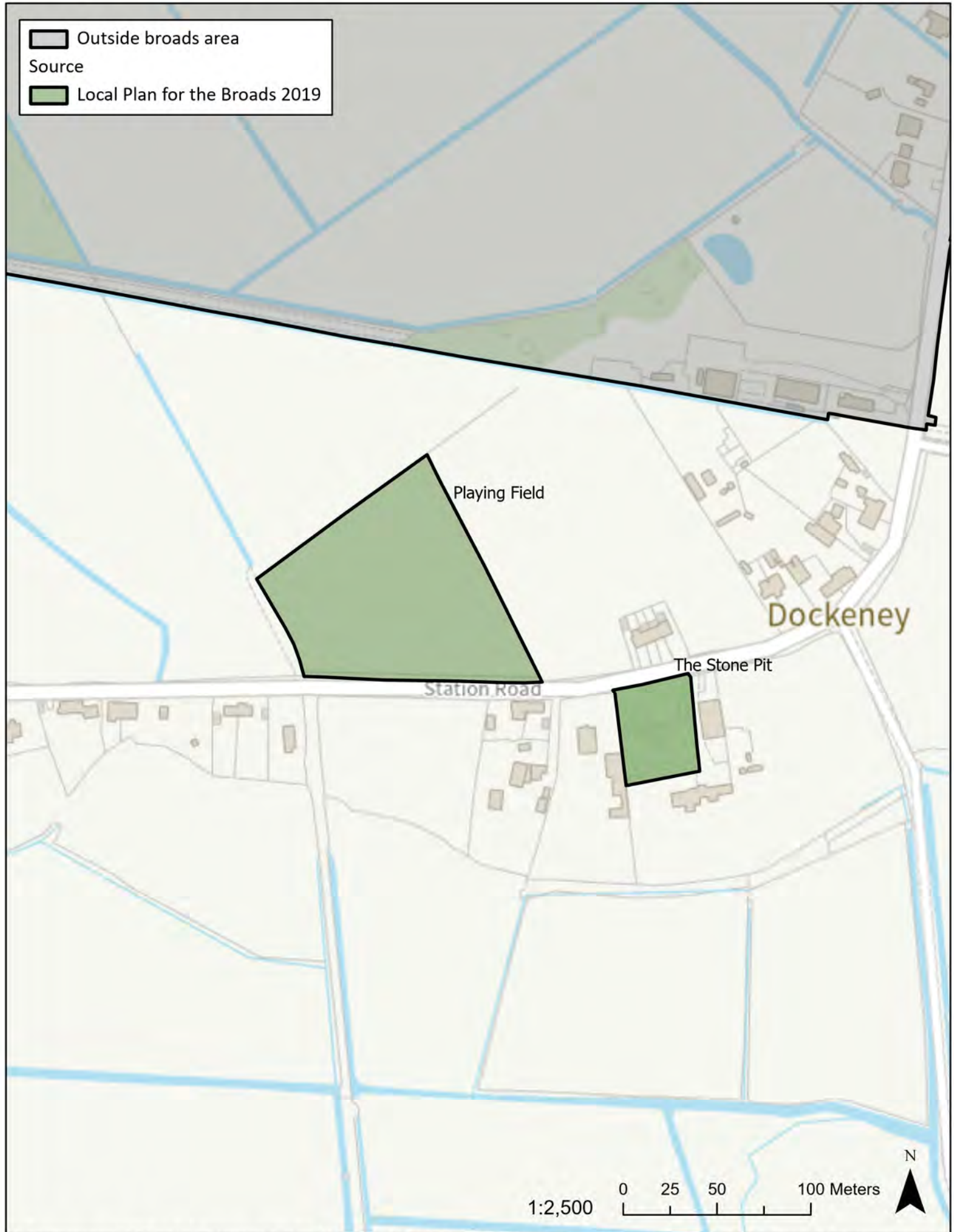
Local Green Space: Filby CP



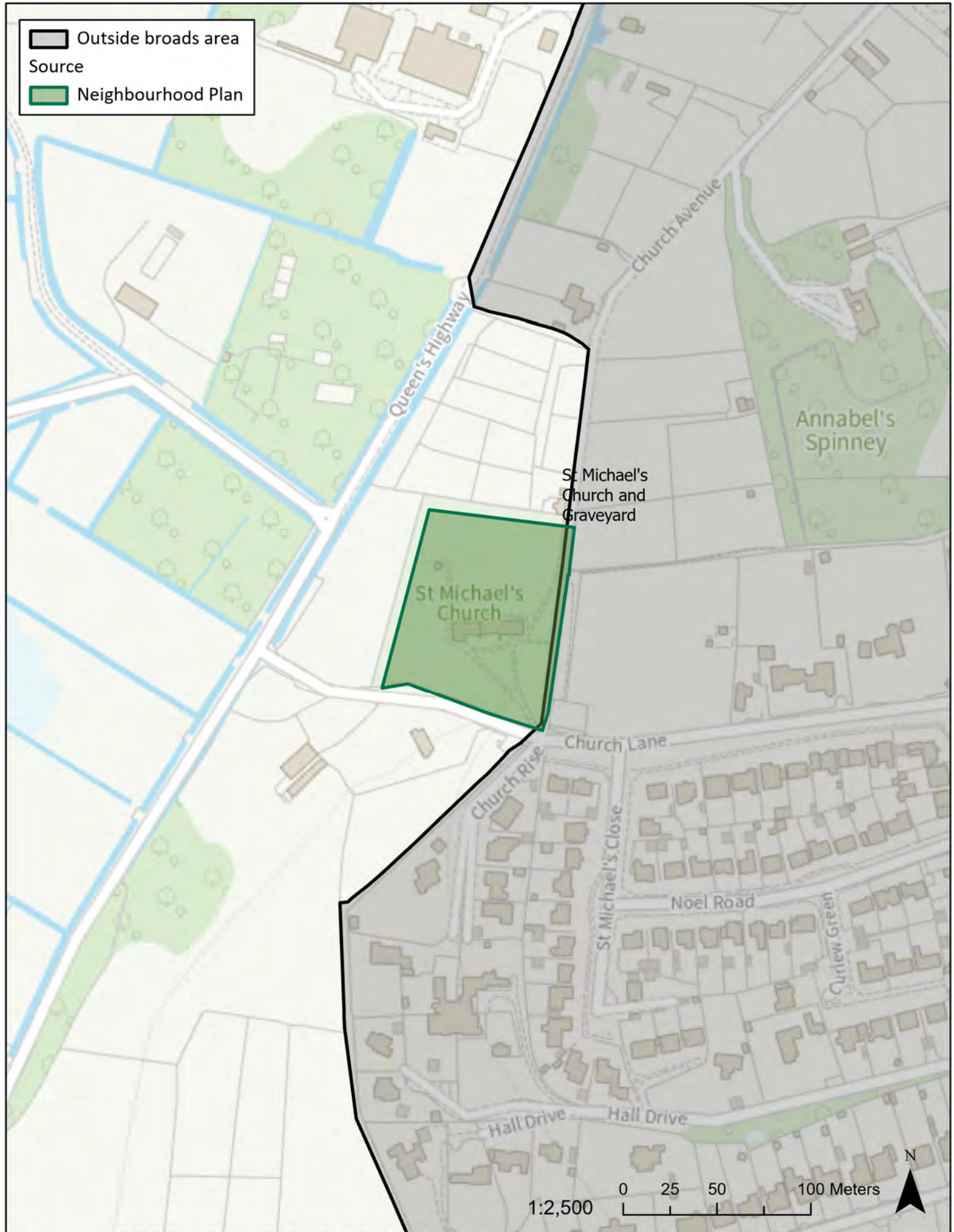
Local Green Space: Fleggburgh CP



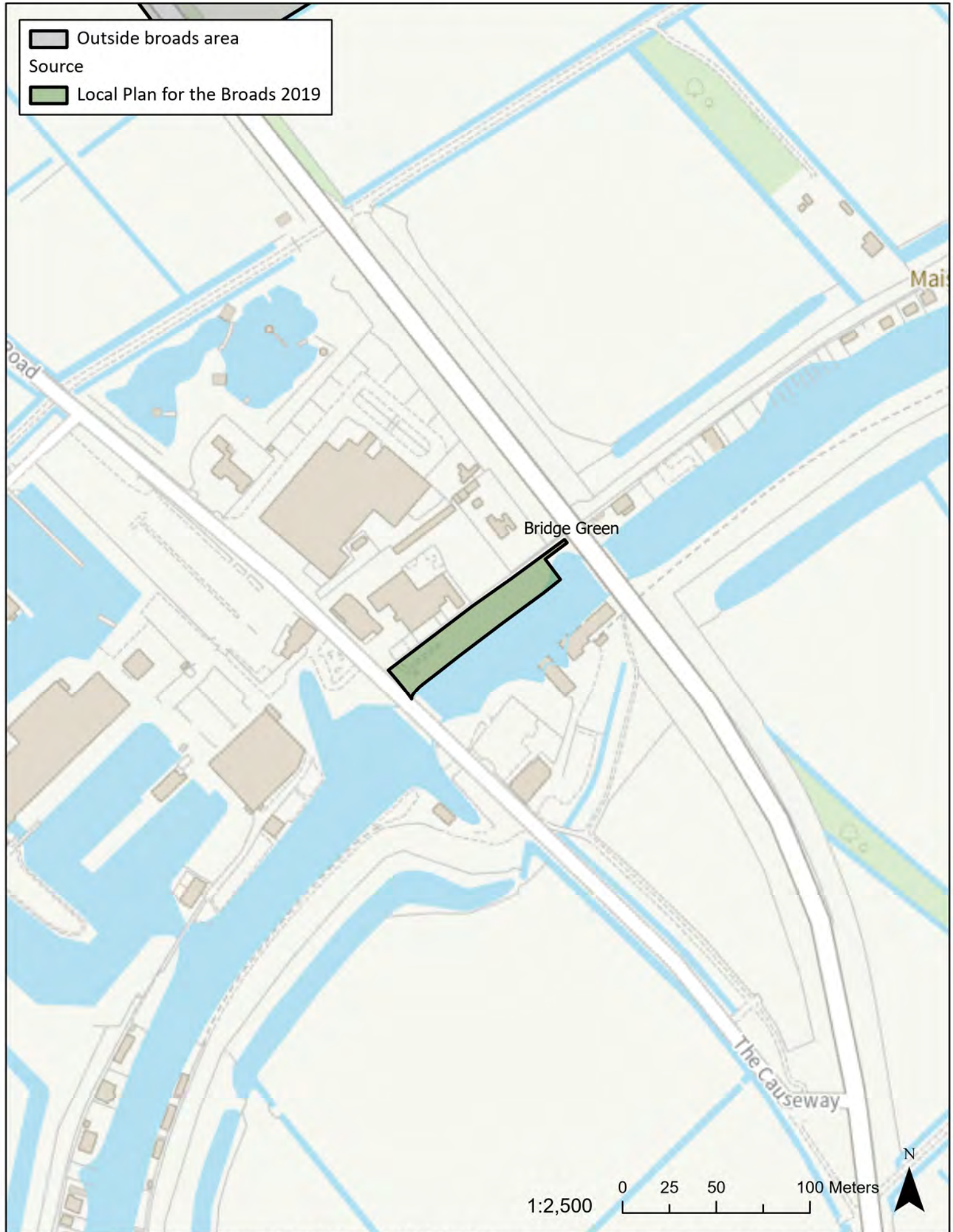
Local Green Space: Geldeston CP



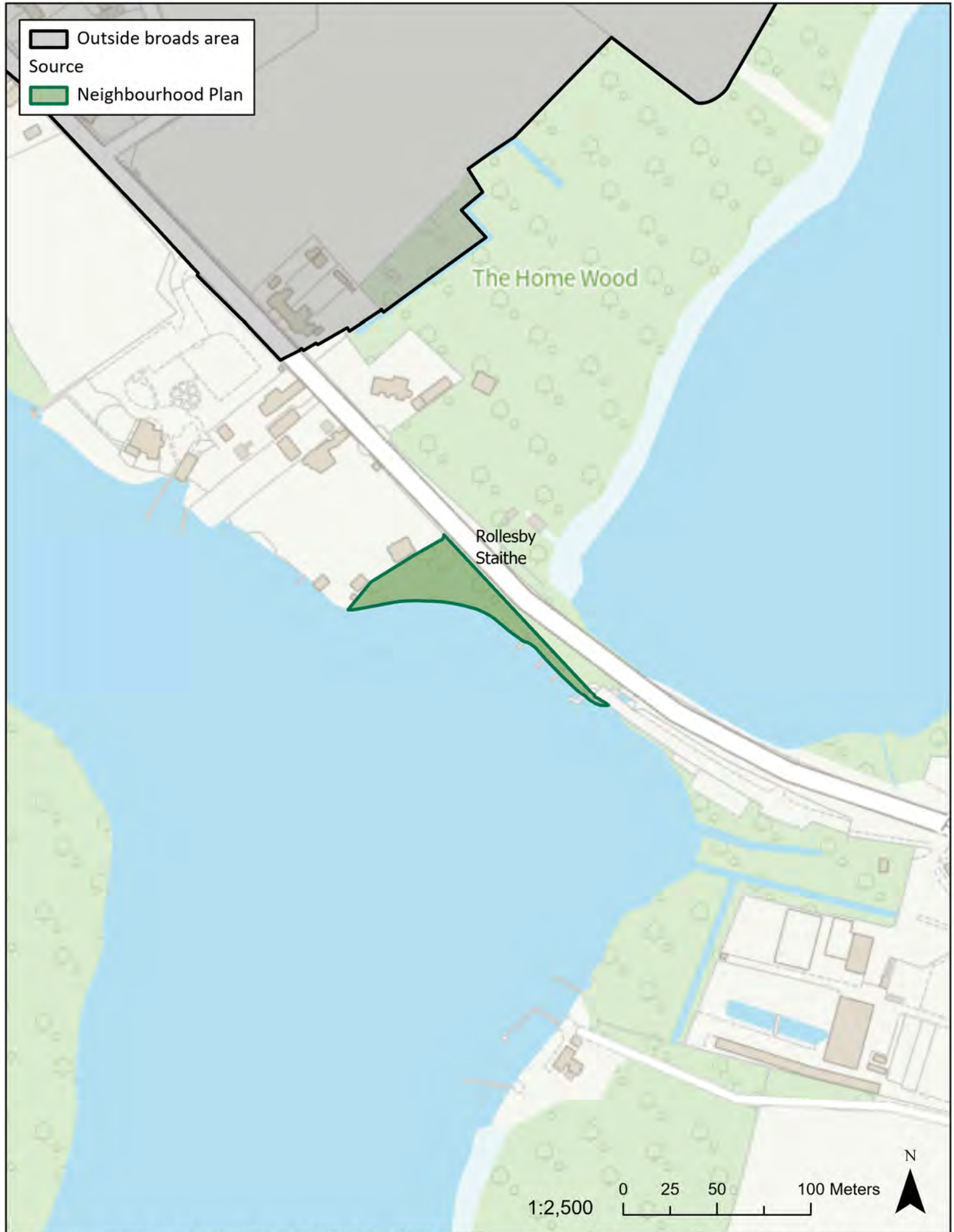
Local Green Space: Oulton CP



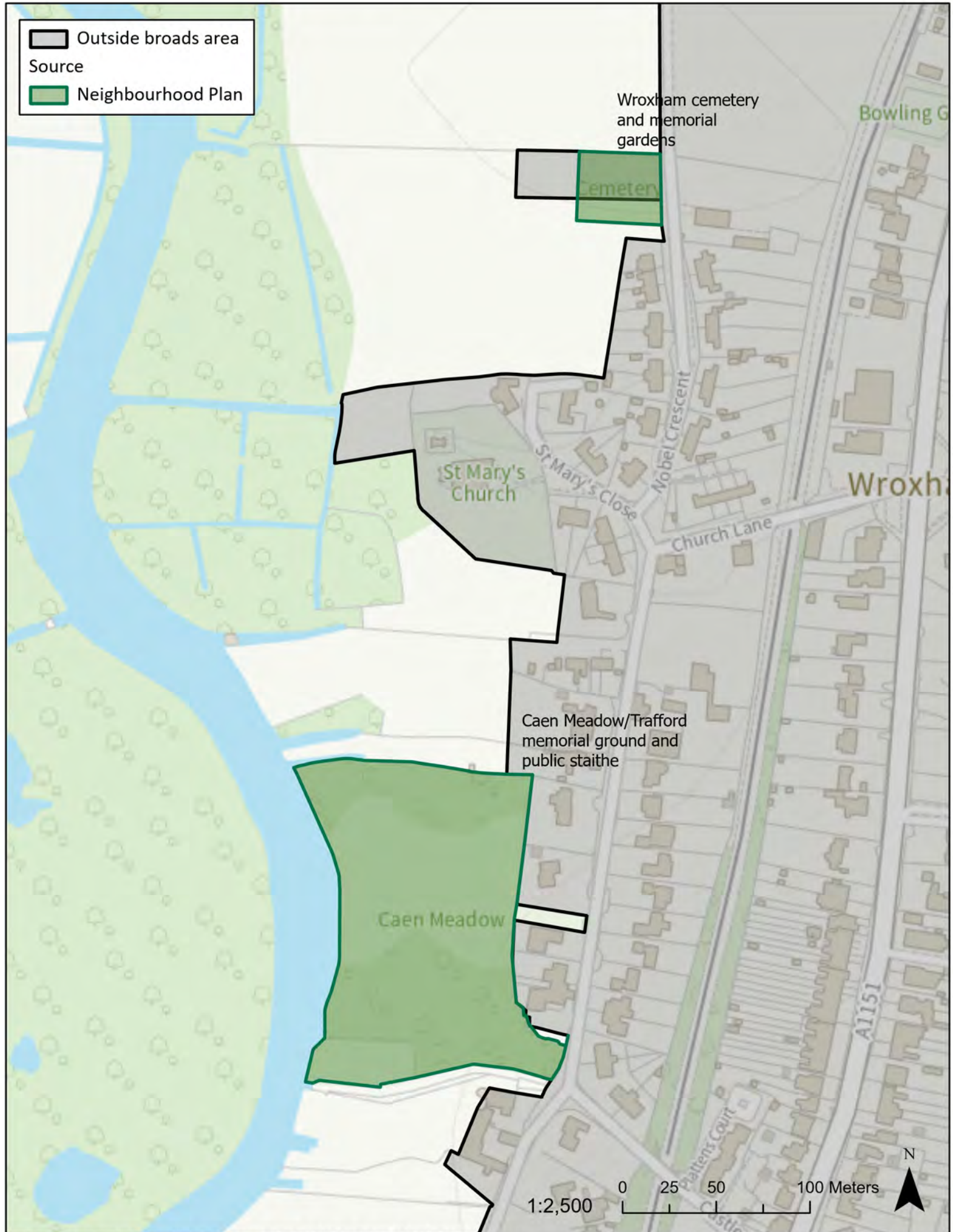
Local Green Space: Potter Heigham CP



Local Green Space: Rollesby CP



Local Green Space: Wroxham PC



Appendix 2: Draft Local Green Space policy

This is a proposed draft section/policy for the Preferred Options Local Plan. Member's comments and thoughts are requested. This policy is already in the local plan, but some amendments are proposed.

Amendments to improve the policy are shown as follows: ~~text to be removed~~ and added text.

There is an assessment against the UN Sustainable Development Goals at the end of the policy.

The proposed Sustainability Appraisal of the policy is included at the end of the document. This would not be included in the Preferred Options Local Plan itself; this table would be part of the Preferred Options Sustainability Appraisal, but is included here to show how the policy and options are rated.

The currently adopted policy remains in place – these are proposed amendments and this section will form part of the Preferred Options version of the Local Plan.

1 Policy POSSLGS: Local Green Space

2 <<see maps within this Local Green Space Assessment 2023 document>>

- 3 1. Development proposals that protect or enhance local green spaces and that comply with
4 other relevant policies will be permitted.
- 5 2. Development proposals that would have an unacceptable adverse impact on the use,
6 function and appearance of these local green spaces or would result in their loss will not
7 be permitted other than in very special circumstances and such circumstances will only
8 exist where the harm resulting from the proposal is clearly outweighed by other
9 considerations.
- 10 3. Development or change of use that would conflict with the reason for designation will
11 be seen as inappropriate development.
- 12 4. Inappropriate development adjacent to a Local Green Space that would have a
13 significant adverse impact upon the reason for the designation will not be supported.

14 Reasoned Justification

15 Local green spaces are green spaces that are demonstrably special to a local community.
16 The preparation of local and neighbourhood development plans offers the opportunity to
17 designate local green spaces and provide extra protection to them that rules out new
18 development other than in very special circumstances.

19 Local green space must be reasonably close to the community it serves; have demonstrable
20 local significance and interest; be local in character; and not cover an extensive tract of land.

21 The Broads' community was asked to nominate areas to be considered as local green space.
22 The Local Green Space Map Bundle and the following list show the spaces allocated as areas
23 of local green space:

- 24 • Bridge Green, Potter Heigham
- 25 • Chedgrave Common [and Chedgrave Carr](#)
- 26 • Part of Waveney Meadow that is not open space, Puddingmoor, Beccles
- 27 • Land surrounding Beccles Rowing Club, Off Puddingmoor, Beccles
- 28 • The Stone Pit, Station Road, Geldeston
- 29 • The playing field, Station Road, Geldeston

30 [As part of this review of the Local Plan for the Broads, a call for sites for areas of Local Green](#)
31 [Space was held \(end of 2022\), and three new sites were put forward. The Parish Councils](#)
32 [relevant to the Local Green Spaces allocated in the 2019 Local Plan for the Broads were](#)
33 [contacted to ascertain if they wanted the status to continue. The analysis of local green](#)
34 [spaces can be found in the **Local Green Space Topic Paper**.](#)

35 [Please note that there are other areas of Local Green Space that are relevant to the Broads,](#)
36 [allocated in various Neighbourhood Plans. This Local Plan does not repeat those allocations,](#)
37 [but this map shows the areas of Local Green Space relevant to the Broads and shows if they](#)
38 [are identified in a Neighbourhood Plan or through the Local Plan for the Broads.](#)

39 The [2019 2021](#) NPPF at paragraph 101 says that '*policies for managing development within*
40 *a Local Green Space should be consistent with those for Green Belts*'. The [2019 2021](#) NPPF
41 goes on to say that inappropriate development can harm green belt (and therefore local
42 green space) and should only be approved in very special circumstances ([para 147](#)). The
43 [2019 2021](#) NPPF then goes on to provide clarification of this by saying '*Very special*
44 *circumstances*' will not exist unless the potential harm to the Green Belt by reason of
45 inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by
46 other considerations.

47 **Reasonable alternative options**

48 a) The original policy, with no amendments.

49 Considering there are current Local Green Spaces and also nominations for more Local
50 Green Spaces, not to have a policy is seen as not a reasonable alternative.

51 **Sustainability appraisal summary**

52 The three options (of the amended policy and the original policy) have been assessed in the
53 SA. The following is a summary.

A: Keep original policy	3 positives. 0 negatives. 0 ? Overall, positive.
-------------------------	---

B: Preferred Option - amend policy.	3 positives. 0 negatives. 0 ? Overall, positive.
-------------------------------------	---

54 **How has the existing policy been used since adoption in May 2019?**

55 According to recent Annual Monitoring Reports, the policy has been not been used.

56 **Why have the alternative options been discounted?**

57 The amendments to the original policy fundamentally reinforce the importance of these

58 Local Green Spaces and how proposals on and around them will be considered.

59 **UN Sustainable Development Goals check**

60 This policy meets these [UN SD Goals](#):

15 LIFE
ON LAND



61 Sustainability Appraisal

62 SA objectives:

- 63 • ENV1: To reduce the adverse effects of traffic (on roads and water).
- 64 • ENV2: To safeguard a sustainable supply of water, to protect and improve water quality and to use
65 water efficiently.
- 66 • ENV3: To protect and enhance biodiversity and geodiversity.
- 67 • ENV4: To conserve and enhance the quality and local distinctiveness of landscapes and towns/villages.
- 68 • ENV5: To adapt, become resilient and mitigate against the impacts of climate change
- 69 • ENV6: To avoid, reduce and manage flood risk and to become more resilient to flood risk and coastal
70 change.
- 71 • ENV7: To manage resources sustainably through the effective use of land, energy and materials.
- 72 • ENV8: To minimise the production and impacts of waste through reducing what is wasted, and re-using
73 and recycling what is left.
- 74 • ENV9: To conserve and enhance the cultural heritage, historic environment, heritage assets and their
75 settings
- 76 • ENV10: To achieve the highest quality of design that is innovative, imaginable, and sustainable and
77 reflects local distinctiveness.
- 78 • ENV11: To improve air quality and minimise noise, vibration and light pollution.
- 79 • ENV12: To increase the proportion of energy generated through renewable/low carbon processes
80 without unacceptable adverse impacts to/on the Broads landscape
- 81 • SOC1: To improve the health and wellbeing of the population and promote a healthy lifestyle.
- 82 • SOC2: To reduce poverty, inequality and social exclusion.
- 83 • SOC3: To improve education and skills including those related to local traditional industries.
- 84 • SOC4: To enable suitable stock of housing meeting local needs including affordability.
- 85 • SOC5: To maximise opportunities for new/ additional employment
- 86 • SOC6: To improve the quality, range and accessibility of community services and facilities and to ensure
87 new development is sustainability located with good access by means other than a private car to a
88 range of community services and facilities.
- 89 • SOC7: To build community identity, improve social welfare and reduce crime and anti-social activity.
- 90 • ECO1: To support a flourishing and sustainable economy and improve economic performance in rural
91 areas.
- 92 • ECO2: To ensure the economy actively contributes to social and environmental well-being.
- 93 • ECO3: To offer opportunities for Tourism and recreation in a way that helps the economy, society and
94 the environment.

	A: Keep original policy	B: Preferred Option - amend policy
ENV1		
ENV2		
ENV3	+ The areas of land, to a lesser or greater extent, have benefits for biodiversity.	+ The areas of land, to a lesser or greater extent, have benefits for biodiversity.
ENV4	+ The areas of land are local in character and enhance the area.	+ The areas of land are local in character and enhance the area.
ENV5		
ENV6		
ENV7		
ENV8		
ENV9		
ENV10		
ENV11		
ENV12		
SOC1	+ Generally, the areas have been put forward as they are important to the community, with many being areas for quite relaxation and walking around so benefitting mental and physical health and wellbeing.	+ Generally, the areas have been put forward as they are important to the community, with many being areas for quite relaxation and walking around so benefitting mental and physical health and wellbeing.
SOC2		
SOC3		
SOC4		
SOC5		
SOC6		
SOC7		
ECO1		
ECO2		
ECO3		

Heritage Asset Review Group

Notes of the meeting held on 16 June 2023

Contents

1.	Notes of HARG meeting held on 10 March 2023	1
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	Buildings at Risk	3
	Water, Mills and Marshes - update	3
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Present

Tim Jickells – in the Chair (Apologies received from Harry Blathwayt), Bill Dickson, Peter Dixon, Tony Grayling, Keith Patience & Melanie Vigo di Gallidoro

In attendance

Jason Brewster – Governance Officer, Kayleigh Judson – Heritage Planning Officer and Kate Knights – Historic Environment Manager

1. Notes of HARG meeting held on 10 March 2023

The notes of the meeting held on 10 March 2023 were received. These had been submitted to the Planning Committee on 28 April 2023.

2. Historic Environment Team progress report

The Historic Environment Manager 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 11 March and 16 June 2023.

Conservation areas – update

The Historic Environment Manager (HEM) provided an update on the Halvergate and Tunstall Conservation Area appraisal public consultation. The HEM explained that the drop in event at

Halvergate village hall had been well attended. The public consultation had concluded and the Historic Environment Team would now review the feedback and incorporate into an updated draft of the appraisal. The draft version would be available for review at the next HARG in preparation for approval at September's Planning Committee.

Listed buildings

The Historic Environment Manager (HEM) provided an update on the ongoing quinquennial survey of listed buildings. Since the last meeting, the Historic Environment Team had visited buildings in Hoveton, Oulton Broad and Hickling (photographs of some of the following buildings were included in the presentation).

The HET had visited various buildings within the Hoveton Estate including:

- **Greengates** a Grade II* two-storey brick and plain tiled property circa 1700 with a grand door surround of brick pilasters, a pediment and plank door. The building was generally in a good condition apart from some minor cracking on one of the gables; recommended that this was monitored by the owner.
- **Hoveton House** a Grade I listed house built circa 1680 for Thomas Blofield a former Mayor of Norwich and the city's representative in Parliament. The building was very grand with the photograph showing a two-storey and dormer attic brick building in 11 bays. The HEM noted that the building appeared to be in good condition and drew attention to detailed plasterwork on the gable that depicted various carved vegetables.
- **Walled garden to Hoveton House including Ha-Ha** Grade II listed. The Ha Ha was in need of repair although it was noted that it had been in quite poor condition on the last inspection indicating that it had not deteriorated greatly in the intervening period. The need for repair had been reported to the estate manager.

The HET had visited Potter Heigham bridge, a scheduled monument and a Grade II* listed building dating from 13-14th century. The bridge road surface had now been repaired by Norfolk County Council, in liaison with Historic England, and had re-opened to traffic. The structure was in pretty good condition with some areas requiring repointing and the removal of vegetation growing on the stone/brick work.

The HET visited Oulton Broad and surveyed the summerhouse at Lavengro, a simple timber framed and weatherboarded Grade II listed building with an historic association with George Borrow; the summerhouse was his study and was where he wrote the novel "Lavengro", published in 1851. The original main house, in the grounds of which the summerhouse was situated, was demolished after 1885 and replaced with a new house called Lavengro (not included in the listing).

While at Oulton Broad the Grade I listed church of St Michael was also visited. Parts of this building date back to the 12th century including the base of the tower and the nave. There had been a series of work throughout the 13th, 14th, 15th and 18th centuries with a major restoration in 1862. The building was deemed to be in good condition.

The team visited two drainage mills within the Norfolk Wildlife Trust's (NWT's) site at Hickling. The first was Stubb Mill, a Grade II listed windpump that had been repaired by the Authority in conjunction with NWT over 10 years ago; this repair included the provision of a traditional boat shaped cap and was facilitated under the aegis of a Millwright Bursary Scheme. The building was found to be in sound condition with some areas of repointing required. Internally, some brickwork had deteriorated due to damp and these would need to be replaced at some point. The wooden treads to the stairs were also in need of attention, and some minor repairs would be undertaken by NWT. The HEM highlighted that this mill dated back to the early 19th century and was notable for the fact that three generations of the Nudd family had lived there and the interior reflected this domestic use. The timber staircase and partitions, the chimney stack and evidence of lathe and plaster ceilings were in contrast to the usual utilitarian fittings associated with these working structures.

The second structure visited was Swim Coats Windpump located to the west of Hickling Broad, at Catfield. This Grade II listed 2 storey brick tower was in sound condition with some brickwork and the brick lintel of the single window in need of repair. An NWT warden had reported that this mill was becoming increasingly isolated by the incursion of water from the Broad in recent years. The HEM explained that they had to traverse quite muddy terrain on this occasion in order to survey the mill. This drainage mill had an internal scoopwheel and, despite the surrounding land not being submerged, the internal raceway showed the water to be within 30cm of the ground floor. This situation would need to be monitored in order to ensure that surface/ground water did not undermine the structure. A member noted that he had undertaken a visit to this site for a previous quinquennial survey. He indicated that the water level in this area was high and in fact he was surprised that the HET had been able to walk to the mill, in his experience it was more usual to visit by canoe.

Buildings at Risk

The Historic Environment Manager (HEM) made reference to the Buildings at Risk register; this list was local to the Authority and was maintained through periodic review or following activity such as the quinquennial survey. The intention of the register was to identify buildings in poor repair and try to work with owners to encourage their repair and with mills such as Brograve, retain these structures and slow, if not halt, their deterioration (given the existing state of some of these structures restoration was an unlikely outcome).

The presentation illustrated three of the structures currently on the list; Brograve Mill, a WW1 pillbox at St Olaves and Stones Mill. A member asked for an update on the WW1 pillbox at St Olaves. The HEM explained that following consultation with Historic England, options regarding the preservation of the pillbox had been put to the owners and talks were ongoing.

Water, Mills and Marshes - update

The Historic Environment Manager (HEM) provided an update on the Water, Mills and Marshes project. The work at Mutton's Mill was coming to an end; the access track had been made good, the scaffolding was due to be removed imminently and the sails and stocks were due to be installed in the coming weeks. The annual site visit on 6 July 2023 would provide an ideal opportunity for members to see firsthand the work achieved by this project.

The HEM provided news on Herringfleet Mill, the only remaining smock mill on the Broads. This structure had initially been assessed for inclusion in the WMM project however due to delays and the estimated cost it was deemed out of scope. The work was assessed by a millwright and a specialist quantity surveyor and the estimated cost was in the region of £500,000.

Since then, the Authority had been liaising with Somerleyton Estate, who own the building, and the Churches Conservation Trust, who undertake fund raising for the conservation of historic buildings, with the intention of creating a standalone project to restore Herringfleet Mill. The Authority was aware that East Coast College were looking to provide training in heritage skills. The restoration of Herringfleet Mill would provide an ideal opportunity to establish this training course especially as the college were proposing to establish a construction centre at Lound. The Authority were continuing to liaise with East Coast College to investigate what support they could provide this restoration. In the meantime, the HEM would be preparing the necessary Listed Building Consent(s) and planning permission(s) to ensure these matters would not delay the restoration in the event that this project came to fruition. These would of course be brought to the Planning Committee at the appropriate time.

A member thanked the HET for their efforts on this matter.

Matters for information

Boardman's Mill: An application that has been determined under delegated powers for information and interest.

The Heritage Planning Officer (HPO) presented an approved application, under delegated powers, for the repair and restoration of a Grade II* listed skeleton trestle drainage mill (Boardman's Mill) on the banks of the River Ant at How Hill in Ludham. The presentation included location maps, various photographs of Boardman's Mill showing earlier condition and current state, two other mills at How Hill, front and side elevation plans and detailed plans of the cap and fan tail.

Boardman's Mill was located within an ecologically sensitive area being a Ramsar site, Site of Special Scientific Interest, Special Area of Conservation and a Special Protection Area. There had been safety concerns regarding the condition of the mill and the owners, Norfolk Windmill Trust, had removed the sails and fan tail as a precautionary measure. The sail stocks were too heavy for the structure causing it to lean and the mill cap, installed in the 1970's, was not authentic being too modern for a mill of this period (built 1897). The metal drive mechanism within the timber trestles was also in need of repair.

The Norfolk Windmill Trust proposal to repair and restore the mill included:

- Repair and re-instate the sails and fantail
- Remodel the cap to its traditional shape
- Straighten the lean on the tower

- Replace the metal stocks with traditional timber stocks

Natural England (NE) had raised concerns regarding the potential impact of the construction work on the designated sites. The applicant submitted a robust information detailing how the work could be timed and mitigated to limit these impacts. This information then informed the Habitat Regulation Assessment performed by the BA Ecologist which supported the proposed mitigations. NE had now advised that the works could be supported. This application highlighted the potential conflict between Heritage gains and the ecology of a site.

A member asked about how the Authority prioritised which mills to include in a prospective project. The HEM indicated that some of the key factors included:

- The condition of the mill
- The willingness of the owners to participate in the restoration
- Access to the mill itself; some of the structures were in very remote and inaccessible areas that might be prohibitive from a logistical perspective

A member asked about the lack of a weatherproof covering at Oby Mill. The HEM had been in contact with the new owner, earlier this year, and they had indicated that a new cover had been purchased. The HEM would follow up to establish when this cover would be installed.

3. Any other business

None.

4. Date of next meeting

The next HARG meeting would be held on Friday 08 September 2023 at Ranworth Village Hall, Broad Road, Ranworth NR13 6HS.

The meeting ended at 10:53am.

Signed by

Chair

Planning Committee

21 July 2023

Agenda item number 15

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/W/22/3291736 BA/2021/0244/FUL	Messrs T.A. Graham	Appeal received by the 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 Appeal DISMISSED 7 July 2023

Application reference number	Applicant	Start date of appeal	Location	Nature of appeal/ description of development	Decision and dates
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 submitted 5 August 2022
APP/E9505/C/22/3301919 BA/2022/0023/UNAUP2	Mr R Hollocks	Appeal received by the BA on 27 June 2022 Appeal start date 14 July 2022	Beauchamp Arms, Ferry Road, Carleton St Peter	Appeal against Enforcement Notice - lighting and kerbing	Committee Decision 27 May 2022 LPA statement submitted 25 August 2022
BA/2022/0021/UNAUP2 APP/E9505/C/22/3301976	Mr R Hollocks	Appeal received by the BA on 27 June 2022 Appeal start date 14 July 2022	Beauchamp Arms, Ferry Road, Carleton St Peter	Appeal against Enforcement Notice - workshop	Committee Decision 27 May 2022 LPA statement submitted 25 August 2022

Application reference number	Applicant	Start date of appeal	Location	Nature of appeal/ description of development	Decision and dates
BA/2021/0490/FUL APP/E9505/W/22/3303030	Mr N Mackmin	Appeal received by the BA on 13 July 2022 Appeal start date 2 December 2022	The Old Bridge Hotel Site, The Causeway, Repps with Bastwick	Appeal against refusal of planning permission: 8 one-bedroom & 4 two-bedroom flats for holiday use with restaurant & covered car-park at ground level.	Committee Decision 7 March 2022 LPA statement submitted 6 January 2023
BA/2021/0295/FUL APP/E9505/W/22/3308360	Trilogy Ltd	Appeal received by the BA on 5 October 2022 Appeal start date 13 February 2023	Morrisons Foodstore, Beccles, NR34 9EJ	Appeal against refusal of planning permission: Coffee Shop with Drive Thru Facility	Delegated Decision 8 April 2022 LPA statement to be submitted by 20 March 2023
BA/2017/0006/UNAUP1 APP/E9505/C/22/3310960	Mr W Hollocks, Mr R Hollocks & Mr Mark Willingham	Appeal received by the BA on 11 November 2022 Appeal start date 16 November 2022	Loddon Marina, 12 Bridge Street Loddon	Appeal against enforcement notice-occupation of caravans	Committee decision 14 October 2022 LPA statement submitted 21 December 2022

Application reference number	Applicant	Start date of appeal	Location	Nature of appeal/ description of development	Decision and dates
BA/2022/0309/COND APP/E9505/D/22/3311834	Mr B Parks	Appeal received by the BA on 23 November 2022 Appeal start date 16 March 2023	Shoals Cottage, The Shoal, Irstead	Appeal refusal of planning permission to change approved roof materials.	Delegated decision 15 November 2022 Fast track householder appeal so no LPA Statement submitted.
BA/2022/0144/FUL APP/E9505/W/22/3313528	Mr B Wright	Appeal received by the BA on 20 December 2022 Appeal start date 26 April 2023	East End Barn, Annexe, East End Barn, Aldeby	Appeal against refusal of planning permission to change the use of a residential annex to holiday let.	Delegated decision 5 July 2022 LPA Statement 31 May 2023
BA/2023/0001/ENF APP/E9505/C/23/3316184	Mr R Hollocks & Mr J Render	Appeal received by the BA on 6 February 2023 Appeal start date 8 February 2023	Beauchamp Arms, Ferry Road, Carleton St Peter	Appeal against enforcement notice - occupation of caravans	Committee decision 9 December 2022 LPA Statement submitted 22 March 2023

Application reference number	Applicant	Start date of appeal	Location	Nature of appeal/ description of development	Decision and dates
BA/2022/0416/FUL APP/E9505/W/23/3321331	Mr & Ms Steve & Mary Hooper & Alexander	Appeal received by the BA on 2 May 2023 Start date awaited.	Blackwater Carr Land Off Ferry Lane, Postwick	Appeal against refusal of planning permission – Retrospective consent for the use of a yurt on a small, raised platform, securing a table and bench to the ground, the installation of a small staked and woven willow windbreak.	Committee Decision 3 February 2023
BA/2023/0004/UNAUP2 APP/E9505/C/23/3322890 and APP/E9505/C/23/3322949	Jeanette Southgate and Mr R Hollocks	Appeal received by the BA 24 May 2023 Appeal start date 27 June 2023	Berney Arms Inn	Appeal against enforcement notice - occupation of caravan	Committee decision 31 March 2023 LPA Statement required by 9 August 2023

Author: Cheryl Peel

Date of report: 29 June 2023

Background papers: BA appeal and application files

Planning Committee

21 July 2023

Agenda item number 16

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 12 June 2023 to 7 July 2023 and Tree Preservation Orders confirmed within this period.

Recommendation

To note the report.

Parish	Application	Site	Applicant	Proposal	Decision
Beccles Town Council	BA/2023/0243/APPCON	The Quay Fen Lane Beccles Suffolk NR34 9BH	Mr David Ansell	Details of Condition 3: external materials of permission BA/2022/0396/FUL	Approve

Parish	Application	Site	Applicant	Proposal	Decision
Brundall Parish Council	BA/2023/0180/FUL	3 Riverside Estate Brundall Norwich Norfolk NR13 5PU	Mr Stephen Cozens	Proposed new inlet/slipway to an existing private riverside plot, including any associated decking, landscaping and planting	Approve Subject to Conditions
Burgh St Peter/Wheatacre PC	BA/2023/0193/AGR	Carr Farm Burgh Road Burgh St Peter Norfolk NR34 0AD	Mr & Mrs D Chapman	Proposed agricultural building for the storage of hay & machinery	Prior Approval not Required
Carlton Colville Parish Council	BA/2021/0311/COND	Former Pegasus Boatyard Caldecott Road Oulton Broad Lowestoft NR32 3PE	Mr Edward Gilder	Variation of Conditions 14 (Materials), 18c(Hard landscaping), 19 (Reed bed planting) & 22 (Pontoon details) of permission BA/2016/0151/COND to allow submission of details prior to development progressing above slab level on any building rather than within 6 months of commencement of development.	Approve Subject to Conditions

Parish	Application	Site	Applicant	Proposal	Decision
Coltishall Parish Council	BA/2023/0147/FUL	18 Wroxham Road Coltishall Norwich Norfolk NR12 7EA	Mr Jonathan Miller	Retention of shop unit at ground-floor. New side-extension separate entrance to office accommodation at first-floor	Approve Subject to Conditions
Coltishall Parish Council	BA/2023/0236/APPCON	Boatyard Maltings 30 Anchor Street Coltishall Norwich Norfolk NR12 7AQ	Penny Keeley	Details of Condition 3: details of windows and doors of permission BA/2023/0117/HOUSEH	Approve
Ditchingham Parish Council	BA/2023/0159/HOUSEH	Waveney Carriage House 1 Ditchingham Dam Ditchingham Norfolk NR35 2JQ	Mr & Mrs Mark & Jan Holloway	Convert games room to attached annex & install roof light	Approve Subject to Conditions
Fleggburgh Parish Council	BA/2023/0188/ADV	Land South Corner of Main Road and Stokesby New Road Main Road Clippesby Fleggburgh Norfolk	Mr Ian Scott	Proposed timber sign on posts	Approve Subject to Conditions

Parish	Application	Site	Applicant	Proposal	Decision
Halvergate Parish Council	BA/2023/0174/LBC	Stracey Arms Drainage Mill Acle New Road Halvergate Norwich Norfolk NR13 3QE	Mrs Amanda Rix	The installation of a lightning conductor on the mill	Approve Subject to Conditions
Horning Parish Council	BA/2023/0191/ADV	The Swan Inn 10 Lower Street Horning Norfolk NR12 8AA	Miss Tracy Homer	1x two-sided panel added to existing pictorial sign. 2x wall mounted panels.	Approve Subject to Conditions
Horning Parish Council	BA/2023/0179/HOUSEH	The Moorings, Ranworth House Ferry Cott Lane Horning Norfolk NR12 8PP	Mr Tony Taverner	Removal of existing steel balustrade from balcony and installation of new replacement stainless steel and glass balustrades	Approve Subject to Conditions
Hoveton Parish Council	BA/2023/0043/COND	Bewilderwood Horning Road Hoveton Norfolk NR12 8JW	Mr Tom Blofeld	Limited seasonal extended opening hours to 9pm, variation of condition 2 of permission BA/2010/0034/COND	Approve Subject to Conditions

Parish	Application	Site	Applicant	Proposal	Decision
Hoveton Parish Council	BA/2022/0361/HOUSEH	Burwood House Horning Road Hoveton Norfolk NR12 8JW	Ms Dawn Simm	Removal of a strip of land at boundary of rear garden to join large pond in garden to Black Horse Broad allowing boat access to property. Construction of timber jetty to house side of pond to allow secure mooring for a boat	Approve Subject to Conditions
Hoveton Parish Council	BA/2023/0190/HOUSEH	Cellar Dyke Meadow Drive Hoveton Norfolk NR12 8UN	Mr & Mrs Walters	Two storey extension and alterations	Approve Subject to Conditions
Oulton Broad Parish Council	BA/2023/0166/HOUSEH	17 Pegasus Mews Caldecott Road Lowestoft Suffolk NR32 3PH	Mr Stephen Jones	Erection of a garden shed (retrospective)	Approve Subject to Conditions
Oulton Broad Parish Council	BA/2023/0175/FUL	Ivy House Farm Ivy Lane Lowestoft Suffolk NR33 8HY	Neil Sage	Erection of dwelling for a rural enterprise worker for temporary period of three years.	Refuse

Parish	Application	Site	Applicant	Proposal	Decision
Reedham Parish Council	BA/2023/0106/HOUSEH	Seven Mile House The Marshes Reedham Norwich Norfolk NR13 3UB	Mr & Mrs Whittle	Revisions to previously approved extensions (BA/2016/0252/HOUSEH) including addition of a balcony.	Approve Subject to Conditions
Reedham Parish Council	BA/2023/0162/FUL	Seven Mile House The Marshes Reedham Norwich Norfolk NR13 3UB	Mr Andrew Whittle	Install 56 solar PV panels, 3x 250m ground loops for a ground source heat pump, & replace septic tank with a sewage treatment plant	Approve Subject to Conditions
Somerton Parish Council	BA/2023/0139/HOUSEH	Staithe Farm Sandy Lane West Somerton Somerton Norfolk NR29 4DJ	Mr James Chapman	Proposed garden room extension partially on original footprint	Approve Subject to Conditions
Somerton Parish Council	BA/2023/0139/HOUSEH	Staithe Farm Sandy Lane West Somerton Somerton Norfolk NR29 4DJ	Mr James Chapman	Proposed garden room extension partially on original footprint	Approve Subject to Conditions

Parish	Application	Site	Applicant	Proposal	Decision
Sutton Parish Council	BA/2023/0150/HOUSEH	Broadside Cottage Staithe Road Sutton Norfolk NR12 9QT	Mrs Caroline Cornell du Houx	Replacement of current porch roof with tiled roof and sky lights. Enclosed with a conservatory. Dwarf wall at base.	Approve Subject to Conditions
Thurne Parish Council	BA/2023/0192/PN	Abbey Farm Repps Road Thurne Norfolk NR29 3BY		Prior approval for telecommunications mast and associated equipment	Prior Approval not Required
Thurne Parish Council	BA/2023/0199/HOUSEH	4 The Street Thurne Norfolk NR29 3AP	Mr Craig Weatherington	Single storey extension to rear	Approve Subject to Conditions
Woodbastwick Parish Council	BA/2023/0169/HOUSEH	Harry Brownes Cottage 3 Farm Lane Ranworth Norwich Norfolk NR13 6HY	Mr & Mrs Bill & Christine Harris & Holt	Single storey rear extension to replace existing, smaller single storey extension.	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: 10 July 2023