

Planning Committee

AGENDA

Friday 21 July 2017

10.00am

	Page
1. To receive apologies for absence and introductions	
2. To receive declarations of interest	
3. To receive and confirm the minutes of the previous meeting held on 23 June 2017 (herewith)	3 – 20
4. Points of information arising from the minutes	
5. To note whether any items have been proposed as matters of urgent business	

MATTERS FOR DECISION

6. Chairman's Announcements and Introduction to Public Speaking Please note that public speaking is in operation in accordance with the Authority's Code of Conduct for Planning Committee. Those who wish to speak are requested to come up to the public speaking desk at the beginning of the presentation of the relevant application	
7. Request to defer applications included in this agenda and/or to vary the order of the Agenda To consider any requests from ward members, officers or applicants to defer an application included in this agenda, or to vary the order in which applications are considered to save unnecessary waiting by members of the public attending	
8. To consider applications for planning permission including matters for consideration of enforcement of planning control:	
<ul style="list-style-type: none"> BA/2017/0078/FUL Tipperary Cottage, Thimble Hill, Wayford Road, Smallburgh 	21 – 35
<ul style="list-style-type: none"> BA/2017/0103/OUT Hedera House, the Street, Thurne 	36 – 58

	Page
<ul style="list-style-type: none"> • BA/2017/0147/FUL Peto's Marsh (Compartment 28) Carlton Colville • BA/2017/0190/FUL Ferry Marina, Ferry Road, Horning • BA/2017/0164/FUL Fineway Cruisers, Fineway Boatyard, The Rhond, Hoveton 	<p>59 – 68</p> <p>69 – 76</p> <p>77 – 82</p>
9 Enforcement Update Report by Head of Planning (herewith)	83 – 86
10 Code of Conduct for Members on Planning Committee and Officers Report by Director of Planning and Resources (herewith)	87 – 107
POLICY	
11 Broads Local Plan – July Bite Size Piece Report by Planning Policy Officer (herewith) <ul style="list-style-type: none"> • Appendix A: Design • Appendix B: CNSHMA Central Norfolk Strategic Housing Market Assessment • Appendix C: Revised Housing Topic Paper 	108 – 131
12 Landscape and Landscaping Guide for adoption Report by Planning Policy Officer (herewith) <ul style="list-style-type: none"> • Appendix A: Comments • Appendix B: The Guide 	132 – 163
13 Salhouse Neighbourhood Plan for adoption Report by Planning Policy Officer (herewith)	164 – 190
14 Consultation Documents Update and Proposed Responses: South Norfolk Report by Planning Policy Officer (herewith)	191 – 192
MATTERS FOR INFORMATION	
15 Appeals to the Secretary of State: Update Report by Administrative Officer (herewith)	193 – 195
16 Decisions made by Officers under Delegated Powers Report by Director of Planning and Resources (herewith)	196 – 197
17 To note the date of the next meeting – Friday 18 August 2017 at 10.00am at Yare House, 62-64 Thorpe Road, Norwich	

Broads Authority
Planning Committee

Minutes of the meeting held on 23 June 2017

Present:

Sir Peter Dixon – in the Chair

Mr M Barnard
Prof J Burgess
Mr W A Dickson

Ms Gail Harris
Mr P Rice
Mr H Thirtle

In Attendance:

Mrs S A Beckett – Administrative Officer (Governance)
Mr S Bell – for Solicitor
Ms A Long – Director of Planning and Resources
Ms C Smith – Head of Planning

Members of the Public in attendance who spoke: None

13/1 Apologies for Absence and Welcome

The Chairman welcomed everyone to the meeting. Apologies were received from Mr V Thomson.

13/2 Declarations of Interest

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

13/3 Chairman's Announcements and Introduction to Public Speaking

(1) Director of Planning and Resources: Andrea Long

The Chairman wished members to note with much regret that this would be Andrea Long's last Planning Committee meeting with the Authority as she would be leaving us for pastures very new. He commented that she had been a fantastic support to him as Chairman and to the Planning department as well as to the Authority in general. It would be hard to ask for more. He wished her the very best of luck for her future.

The Committee endorsed the Chairman's comments.

(2) The Openness of Local Government Bodies Regulations

The Chairman gave notice that the Authority would be recording this meeting following the decision by the full Authority on 27 January to

record all its public meetings on a trial basis. The copyright remained with the Authority and the recording was a means of increasing transparency and openness as well as to help with the accuracy of the minutes. The minutes would be as a matter of record. If a member of the public wished to have access to the recording they should contact the Monitoring Officer.

- (3) **Introduction to Public Speaking** The Chairman reminded everyone that the scheme for public speaking was in operation for consideration of planning applications, details of which were contained in the Code of Conduct for members and officers. (This did not apply to Enforcement Matters.)

13/4 Minutes: 26 May 2017

The minutes of the meeting held on 26 May 2017 were agreed as a correct record and signed by the Chairman.

13/5 Points of Information Arising from the Minutes

There were no further points of information to report.

13/6 To note whether any items have been proposed as matters of urgent business

The Chairman commented that Members would be aware of a recent blog post made by Mr James Knight making accusations against the Committee and Authority staff in relation to Thorpe Island and Policy TSA2. Therefore, he had asked the Director of Planning and Resources to investigate the factual accuracy of the Blog and to obtain legal opinion. The resulting report had been circulated to all members and he proposed to take this at Agenda Item 9 in relation to the Enforcement Update as it needed to be a matter of public record. Members had also received a further email from Mr Knight.

The Committee concurred.

13/7 Requests to Defer Applications and /or Vary the Order of the Agenda

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

13/8 Applications for Planning Permission

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

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

- (1) **BA/2017/0078/FUL Tipperary Cottage, Thimble Hill, Wayford Road, Smallburgh** Single storey dwelling house to be used as an annexe to the existing dwelling house on the site.
Applicant: Mr Neil Cousins

The Head of Planning provided a brief presentation of the application proposing the development of a dwelling house in the form of a 2 bedroomed bungalow to be used as an annexe sited in the curtilage of Tipperary Cottage towards the rear of the site. The annexe to the existing dwelling house on site was intended to accommodate a relative.

The Head of Planning explained that the application proposed a new form of residential accommodation in the form of a detached annexe. However, the definition of an annexe in planning terms was not precise and could result in a level of ambiguity as to where a proposal ceased to be an annexe and could in fact be an independent form of residential accommodation. Should members decide to grant planning permission this would require a Section 106 Agreement to ensure that the new unit was used only as an annexe.. Therefore it was recommended that members undertake a site visit in order to fully appreciate the relationship between the existing and the proposed units within the local context before determining the application.

Paul Rice proposed that the officer's recommendation be accepted. The Chairman put this to the vote and it was

RESOLVED unanimously

that the Committee undertake a site visit on Thursday 6 July 2017 in order to fully appreciate the relationship between the existing and the proposed building within the local context prior to determination of the application at the next scheduled meeting. (Apologies from Sir Peter Dixon)

13/9 Enforcement Update

The Committee received an updated report on enforcement matters already referred to Committee. The Head of Planning provided further information on the following :

Thorpe Island: (Western end formerly known as Jenners Basin) The new landowners had made good progress on the removal of the unauthorised vessels and in complying with the injunction and all that had been required had been completed to the officers' reasonable satisfaction. It was therefore

proposed to remove this item from the Enforcement Update Schedule and to provide the Committee with any further updates in 3 – 4 months' time.

Members accepted the proposal to delete Thorpe Island from the schedule as compliance had been achieved, welcomed the successful progress made after such a considerable time and commended all who had been involved in the process.

As stated in Minute 13/6 above, the Chairman referred to the piece that had been posted on social media in Mr Knight's Blog in association with Thorpe Island and amended Policy TSA2 in the Broads Local Plan. He thanked the Solicitor and the Director of Planning and Resources for providing such a prompt note in response and proposed that this be noted. He proposed that the issues raised were not matters for discussion by the Planning Committee and they were more appropriate for consideration by the Monitoring Officer and should be treated as an Authority matter.

Members concurred with the approach proposed by the Chairman and agreed:

- (i) to note the response to Mr Knight's Blog at Appendix 2 to these minutes and
- (ii) that the matter concerning the Blog be referred to the Monitoring Officer and the Authority.

Former Marina Keys, Great Yarmouth Untidy land and buildings

There had been correspondence with the owners explaining why some of the works the Authority had requested had not been done and queried whether some of the buildings might be demolished. The Authority's officers were in dialogue with Great Yarmouth Borough Council. Members welcomed the progress.

RESOLVED

that the Enforcement Update report be noted.

13/10 Broads Local Plan: Preferred Options

The Committee received a report introducing the latest topic to inform the publication version of the Local Plan set out as the June 2017 Bite Size piece.

This included policies on Soils with particular reference to Peat, a key matter for the Broads, given its abundance in the area and as it provided so much to ecosystem services. The policy had been developed in discussion with the Authority's Ecologist with the aim of protecting this as much as possible so that development did not have a disproportionate impact on that resource. This would be taken through to the publication version of the Local Plan

Members welcomed and strongly endorsed the proposed policy. The capacity for carbon capture was very significant with regards to climate change and in

relation to responding to government on the high risk flood risk strategy. It was hoped that this could be taken further.

It was noted that the survey on soils had been undertaken a few years ago and conditions could well have changed. It was therefore suggested that there be an examination of whether the current survey still had significant relevance and the potential for undertaking further survey work be examined and costed.

RESOLVED

that the proposed revised policies within the June Bite Size Piece on Soils for the Broads Local Plan be endorsed.

13/11 Customer Satisfaction

The Committee received a report which provided the results of the recently undertaken Customer Satisfaction Survey and the Agent's Forum in order to gauge how the Authority's planning service was performing in the eyes of its clients. Both of these showed a high level of satisfaction with the planning service, which was to be welcomed and commended. Members requested that the results be included within the Chief Executive's Briefing note and placed on the website as well as specifically drawing attention to it at the next Broads Authority meeting.

RESOLVED

that the report be noted

13/12 Appeals to Secretary of State

The Committee received a report on the current appeals against the Authority's decisions since April 2017 as well as a presentation providing an analysis of appeal decisions over the last three years.

Members had received notification of the decision received in connection with Violet Cottage at Irstead where the appeal had been allowed and the Head of Planning had provided members with a history of the site and an analysis of the Inspector's decision in relation to the Authority's policies.

The Head of Planning also provided an analysis of appeal decisions by the Inspectorate in relation to the Authority's policies over the last three years: 2014-2015, 2015-2106 and 2016- 2017. Three of the appeals allowed had been Committee decisions where the Officers had originally recommended approval. There was one other case where further information had been provided at the appeal stage which if provided earlier would have resulted in the application being approved. It was also worth noting that some of the Inspector's decisions within this period had come a considerable time after the the original decision had been made by the Authority.

Over the last year there appeared to be a definite change in approach from the Planning Inspectorate. This had also been experienced by other Local Planning Authorities including National Parks where there had been some unexpected decisions.

The Authority's policies had included a presumption against new residential development in that part of a village outside the development boundary, such areas being treated in policy terms as countryside. However, it appeared that the Inspectors were now taking a more pragmatic stance and examining whether proposed development, although outside the development boundary but "not in the countryside" (ie within or adjacent to a village) would cause "harm".

It was noted that the Broads Local Plan set out a local hierarchy of settlements and identified service villages where there was a more distinct level of development. The Authority would not necessarily wish to promote development where there were no services but it was recognised that there could be gaps. Members considered that the Authority did not necessarily need to change its policies but concluded that it should take a more pragmatic approach, examine the context of the proposed development, taking a character based approach, consider carefully the materials and design (as previously agreed and considered at its last meeting, Minute 12/12), consider whether there was an issue of harm, be less reliant on "evidence/justification not demonstrated", and be less purist.

Members were mindful that the Authority had an elongated boundary and did not have whole settlements within it, unlike within the boundaries of other National Park areas. It was therefore important for the Authority to communicate with its neighbouring District authorities to ensure consistency. This could be achieved through the duty to cooperate and other bodies such as the Greater Norwich Development Partnership.

Members welcomed the report and the benefits gained from the analysis in establishing a more pragmatic, character based approach in its decision making on planning applications.

RESOLVED

- (i) that the report be noted, reinforcing the requirement to take a pragmatic approach in interpreting policies always aiming to achieve a high standard of design in a protected area (*as agreed at the previous meeting*).
- (ii) that officers investigate further, the experiences of the other National Parks as well as those of the Authority's neighbouring authorities and ensure there is consistency with those neighbouring authorities where appropriate.

13/13 Decisions Made by Officers under Delegated Powers

The Committee received a schedule of decisions made by officers under delegated powers from 12 May 2017 to 8 June 2017.

RESOLVED

that the report be noted.

13/14 Date of Next Meeting

The next meeting of the Planning Committee would be held on Friday 21 July 2017 starting at 10.00 am at Yare House, 62- 64 Thorpe Road, Norwich.

The meeting concluded at 11.55 am

CHAIRMAN

Code of Conduct for Members

Declaration of Interests

Committee: **Planning Committee**

Date of Meeting: 23 June 2017

Name	Agenda/ Minute No(s)	Nature of Interest (Please describe the nature of the interest)
Paul Rice		Chairman of Broads Society



Jenner's Basin, Thorpe Island – Planning Policy Draft TSA2
Clarification of position for Members

Members may be aware of a recent Broads Blog from James Knight dated 17.06.17

<http://www.thebroadsblog.co.uk/2017/06/thorpe-island-planning-policy-update.html>

The article relates to Thorpe Island and proposed draft Policy TSA2, currently the subject of focussed consultation prior to reconsideration by Members later this year. It also relates to the discussion at the last Planning Committee (26 May 2017) when Members first considered draft TSA2. It makes a number of allegations including that Members were misled by Officers. This is not the first time James Knights has stated publicly that Officers have misled Members and the Chairman of the Committee has therefore asked Officers to provide a response.

This note is that response and has been put together by Officers and it has been approved by Steven Bell from Nplaw.

1. River frontage Mooring:

James Knights alleges that the Proposed Policy TSA2 is an attempt to ban mooring along the river, re-writes history and that there is a long established mooring right along the river bank.

In fact, there is no planning permission for mooring here. Any mooring use that did exist (in conjunction with the basin) has been abandoned. That point has been proven through the courts. There may have been riverside mooring in the 1960s and 1970s but there has not been anything above an occasional use since 1985 (when the Section 52 was signed). For an established use to be in place then it would need to be proved that there was continuous mooring for a period of 10 years. Aerial photos presented to the 2 public inquiries by the BA taken in 1999, 2003, 2006 show no mooring on the river frontage. Photographs supplied to both inquiries by an objector living opposite show no boats moored in 1985, 1986 and 2003. The same objector bought his house in 1985 and in his witness statement he said there had been virtually no mooring between 1998 and 2006. In fact he could only recall Puma (now sunk in the basin) being moored near the entrance of the basin in 1989 shortly before it was moved into the basin. Boats only started mooring along the river after 2011 (when Mr Wood was actively advertising mooring in the basin as he reacted to being served with an Enforcement Notice). There were no boats mooring on the river frontage when the Enforcement Notice was served in 2011 (or they would have been included within it).

If mooring were to take place here then it would need the benefit of planning permission (and the permission of the landowner for it to be implemented).

The area is still covered by the Injunction (See Appendix A) granted in June 2016, which prevents residential mooring. The draft policy is not preventing a use that is currently lawful and does not impinge any riparian rights. It should be noted that riparian rights are not planning permissions and do not confer any planning rights.

2. Appropriateness of mooring in this location.

James Knight alleges that Officers have wrongly attributed statements to the Inspectors in respect of the impact of mooring on the river on adjacent residents and that the 2012 Inspector's decision cannot be used to support any planning policy and to do so would result in maladministration.

In, 2012 Inspector (Wharton) talked about mooring in the basin being “harmful to both the character and appearance of the conservation area and to residential amenity in the locality” Para 58 of his report refers. However he goes on to say “some form of mooring facility as long as no harm is caused to the character and appearance of this part of the island or to the living conditions of nearby residents” – this indicates that he had concerns about the amenity of the residents opposite.

The 2014 Inspector (Grainger) says in his decision at para 50 “boats moored on the river bank would be more prominent than ones in the basin and would reduce any effect the others had”. Again an implied concern from the Inspector, that the boats on the river would have the greater impact on the amenity of the residents opposite.

The 2012 Inquiry did touch directly on the impact of the boats moored on the river on the amenity of the residents because the local residents raised it in their verbal evidence. The Inspector did agree that the impact of the river mooring would be greater than the basin because it was closer. However he did say it was out of his jurisdiction as the boats moored there by the time of the hearing, were not included in the Enforcement Notice (served in 2011) because they weren't there in 2011. (para 58)

The Broads Authority has discretion to base its planning policies on whatever it sees fit and can give weight to an inspector's decision if it so wishes even if that decision was quashed. In this case the 2012 Inspector's decision was quashed only on a technical point relating to the enforcement notice not the rationale behind the decision or the Inspector's reasoning. The 2nd Inspector also agrees with the reasoning in para 59 of his report. No maladministration point here and the BA is within its rights to assign as much weight as it considers appropriate to that Inspector's reasoning.

The BA does however need to ensure that its planning policies are consistent with any injunctions that may be in force on the land covered by the policy.

3. Historical Established Use

James Knight argues that there is a long established mooring use here and that it is “unarguable”.

This point is factually and legally incorrect. There is no established mooring use here. Evidence provided to both Inquiries by a local resident together with aerial photos was

accepted by the Inspector and proves that there was no continuous mooring taking place between 1988 and 2006 and the mooring use was abandoned together with the use of the basin. No lawful mooring use currently exists, no planning permission exists and the Injunction preventing residential mooring is still in effect.

4. Access

James Knight refers to anyone mooring on the riverbank being able to easily access the mainland via the bridge.

The bridge does provide an access and this was discussed at the Planning Committee meeting however this would only be with the landowner's permission. Without landowner permission to use the bridge then the riverside moorings could only be accessed by boat. The northern riverbank is characterised by private gardens and the only public access would be at River Green.

5. Draft Policy TSA2

James Knight alleges that the Inspector's decision had no powers to dictate planning policy for the riverbank and that a policy could be created to allow for mooring here.

The policy for the basin needs to reflect the Inspector's decision (as upheld by High Court and Court of Appeal) and is a material consideration of significant weight – this also applies to the Injunction which also covers the riverbank (see above).

A policy to create mooring here could only survive Public Examination if there was a realistic prospect of the use coming forward and that would require landowner consent and support. The purpose of the current focussed consultation is to elicit the views of the community and landowners and the responses received will be reviewed in that light. However it should be noted the Injunction is still in place.

6. Mooring on Northern side of the river

James Knight alleges that the mooring on the northern side of the riverbank is comparable to the mooring on the Thorpe Island side.

Mooring on the northern riverbank over a period of time is evidenced by photos submitted to the inquiry and corroborated by local people. Mooring is associated with the domestic dwellings where the landowners moor their own boat at the end of their garden. This doesn't require planning permission.

Mooring on the other side of the river was not associated with a domestic dwelling, was being run as a commercial business and did require planning permission which it didn't have. In addition there is now a live injunction on this area. Norwich City Council were interested in trespass mooring over their land where someone was receiving a financial gain by using their land rather than domestic use. It is unclear whether James Knight is advocating that he would like the BA/Norwich City Council/Crown Estate to pursue all those who moor their boats at the end of their garden?

Summary:

- a) There is no lawful mooring use here. There may have been in the 1960s and 1970s but certainly not since 1985 (over 30 years) .That use is abandoned but if someone wants to challenge that then they could submit a Certificate of Lawfulness application with evidence to suggest otherwise. The land is covered by a live injunction. Planning permission and landowner consent would be required before a mooring use could happen here. The Injunction would also have to be lifted.
- b) Norwich City Council were interested in someone receiving a financial gain through permitting trespass moorings over their land.
- c) There is no lawfully established mooring use here. Riparian rights are enjoyed by the owners. But no rights to moor exist without their permission.
- d) Inspector's reports (quashed or otherwise) can be afforded as much as much weight as the LPA sees fit in terms of policy development. The Inspector's decision was quashed on the technical point relating to the enforcement notice. His reasoning was not attacked by the challenge. The 2012 Inspector's reasoning was given weight by the 2014 Inspector and in turn by the Courts.
- e) The right to navigate is not impeded by this policy. It would be incorrect for anyone to say otherwise.

Other points to note:

- 1. The new landowners are not close personal friends of any BA Officer or Member
- 2. None of the key objectors were known to the BA officers or members prior to the unauthorised mooring use taking place
- 3. No BA officer or Member has been in receipt of any monies/bungs from any of the objectors and/or the new landowners.
- 4. The BA position has been upheld by 2 Inspectors, High Court and the Appeal Court.
- 5. There are no personal agendas from officers in respect of this case – it is simply a case of responding to complaints of unauthorised development and following it through.
- 6. James Knight's brother Bill Knight appeared at the 2012 Public Inquiry as a witness on behalf of Roger Wood. He was appointed in 2002 by the previous landowners as their agent and he acted for them and facilitated the sale to Roger Wood, when Mr Wood bought the eastern end of the island in 2004 and the basin in 2007. He also provided professional advice on the planning status of the basin when Roger Wood purchased the basin in 2007. Bill Knight acted for Roger Wood in respect of the recent sale (March 2017) and contributed to the now withdrawn planning application submitted in October 2016.
- 7. The Broads Authority has been represented by Steven Bell (nplaw) and William Upton (Counsel) throughout this matter. They both act for the Broads Authority and

not individuals within the Broads Authority. If there were concerns Steven Bell/William Upton (in acting in the best interests of the Broads Authority) would have raised those with the Monitoring Officer (at the time Victoria McNeill of nplaw).

CLAIM NO: HQ 16X00618

IN THE HIGH COURT OF JUSTICE
QUEEN'S BENCH DIVISION

IN THE MATTER OF
SECTION 187B OF THE TOWN AND COUNTRY PLANNING ACT 1990

BEFORE MR JUSTICE MITTING
On 16th June 2016

B E T W E E N:-



BROADS AUTHORITY

Claimant

-and-

(1) ROGER WOOD
(2) CAYENNE MARINE LIMITED

Defendants

ORDER

UPON HEARING Mr William Upton for the Claimant and Mr Ned Westaway for the Defendants

IT IS ORDERED THAT

1. There shall be an injunction in the form attached to this Order;
2. The Defendants shall pay two-thirds of the Claimant's costs, to be subject to detailed assessment if not agreed.

Dated 16th June 2016

CLAIM NO: HQ 16X00618

IN THE HIGH COURT OF JUSTICE
QUEEN'S BENCH DIVISION

IN THE MATTER OF
SECTION 187B OF THE TOWN AND COUNTRY PLANNING ACT 1990

BEFORE MR JUSTICE MITTING
On 16th June 2016

B E T W E E N:-

BROADS AUTHORITY

Claimant

-and-

- (1) ROGER WOOD**
- (2) CAYENNE MARINE LIMITED**

Defendants

INJUNCTION ORDER

PENAL NOTICE

**TO THE DEFENDANTS AND
ANYONE SERVED WITH A COPY OF THIS INJUNCTION ORDER**

**IF YOU DISOBEY THIS ORDER YOU MAY BE HELD IN CONTEMPT OF COURT
AND MAY BE IMPRISONED, FINED OR HAVE YOUR ASSETS SEIZED.**

**ANY OTHER PERSON WHO KNOWS OF THIS ORDER AND DOES ANYTHING
WHICH HELPS OR PERMITS THE DEFENDANTS OR ANYONE SERVED WITH A
COPY OF THIS ORDER OR EACH OF THEM TO BREACH THE TERMS OF THIS
ORDER MAY ALSO BE HELD TO BE IN CONTEMPT OF COURT AND MAY BE
IMPRISONED, FINED OR HAVE THEIR ASSETS SEIZED.**

WHEREAS:-

This Order sets out the terms of the injunction restraining the use of the Land at the western end of Thorpe Island, Norwich NR7 0TH as defined in this Order and referred to in the Interim Order of the High Court dated 16th March 2016

IT IS ORDERED THAT:-

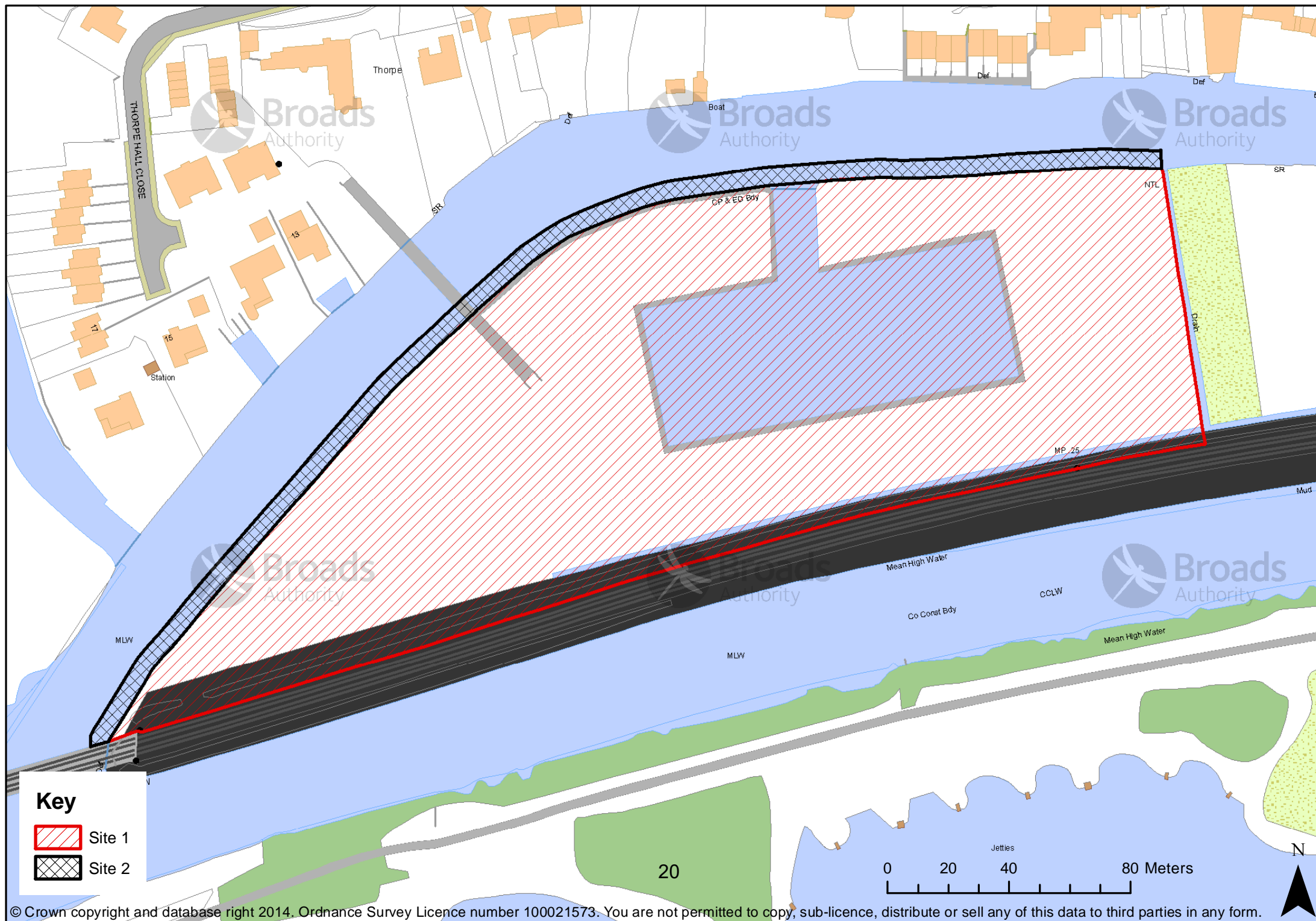
In relation to the land and riverbank at the western end of Thorpe Island, Norwich NR7 0TH, and shown as Sites 1 and 2 on the Plan attached to this Order ("the Land") the Defendants whether by themselves or by authorising any other person must:

1. Not permit the mooring of more than 21 vessels at any one time in the basin in Site 1;
2. Not permit the occupation of any vessel as a main residence or for more than 28 days in a year;
3. Within four months, remove all boats and pontoons in the basin in Site 1 and cease the use of the basin for mooring, unless
 - a. within three months, details capable of being consistent with those required by the planning conditions set out in the decision letter of the Planning Inspector dated 20 October 2014 are submitted as part of a planning application to the Broads Authority.
4. Not move any vessels moored in Site 1 to Site 2 unless they are moored in Site 2 for no more than four days;
5. Remove all the sunken vessels in the basin in Site 1 by 31 December 2016;
6. Remove the green container on Site 1 within four months unless a planning application is made under and in accordance with paragraph 3, and, in the event that such an application is made, must remove it within one month following final determination of the planning application.

Interpretation of this Order

1. In this Order the words "the Land" means the Sites 1 and 2, as shown on the Plan attached to this Order.
2. Site 1 is hatched red on the Plan attached to this Order
3. Site 2 is cross-hatched black on the Plan attached to this Order
4. In this Order, where there is more than one Defendant, (unless otherwise stated) references to "the Defendant" means both or all of them.
5. A requirement to serve on "the Defendant" means on each of them. However, the Order is effective against any Defendant on whom it served.
6. An Order requiring "the Defendant" to do or not to do anything applies to all Defendants.

7. In this Order “final determination” includes the final determination of any appeal and/or statutory challenge.



Reference:

BA/2017/0078/FUL

Location

Tipperary Cottage, Thimble Hill, Wayford Road,
Smallburgh

BA/2017/0078/FUL - Tipperary Cottage, Thimble Hill, Wayford Road, Smallburgh, NR12 9LP



Application for Determination

Parish	Smallburgh		
Reference	BA/2017/0078/FUL	Target date	02 May 2017
Location	Tipperary Cottage, Thimble Hill, Wayford Road, Smallburgh		
Proposal	Single storey dwellinghouse to be used as an annexe to the existing dwellinghouse on the site.		
Applicant	Mr Neil Cousins		
Recommendation	Approve subject to conditions and Section 106 Agreement		
Reason for referral to Committee	Director's discretion		

1 Background

- 1.1 The application site is on the western side of the A149 on Thimble Hill, approximately 500m south of Wayford Bridge. The site is rectangular measuring 34m wide by 114m long. The original dwelling is positioned close to the road frontage and equidistant from the side boundaries, the dwelling has been extended to both sides and to the rear. The remainder of the site is garden. The southern boundary of the site is demarcated by a 2m high close boarded fence. The northern boundary comprises a 2m high close boarded fence with trellising above, visible at the eastern end of the northern boundary of the site with the remainder of this boundary augmented by a tall and continuous evergreen hedge set slightly in from the boundary. A single residential property and Fairview Park static caravan park adjoin the site to the north. The boundary to the east fronts the public highway and is well screened aside from the vehicle access opening. The boundary to the west is adjacent to a public right of way and is well screened along its entire width. The site slopes downhill from east to west with reasonable level elements at the front and rear.
- 1.2 The dwelling is set back from the highway by a small soft landscaped area and an area of hardstanding which allows for vehicle parking. The hardstanding continues down the site parallel to the southern boundary allowing access to three quite different outbuildings all of which are sited adjacent to the southern boundary, and access to the septic tank which is sited beneath the rear amenity space. The outbuildings comprise a modestly sized building of brick construction with tiled roof sited alongside the dwellinghouse which appears older than the dwellinghouse itself, this structure features an adjoining squat outhouse which appears to have been added at a later date. A short distance to the rear of the brick outbuilding is a pent style corrugated tin shed of modest

size. Further down the site is a dry boatshed of timber construction with a corrugated roof, to the rear of which is an open-fronted timber lean-to. This last outbuilding is by far the largest of the three in terms of footprint. The rear amenity space is effectively split into sections, of which the section to the immediate rear of the dwelling is a formalised lawn area which has been levelled, the land to the rear of this is an area of a more scrubby appearance beneath which is the septic tank, this area includes a number of small trees. Further down the site, roughly where the land levels out somewhat is an area utilised as an 'allotment', with a further scrubby area at the very rear of the site.

- 1.3 The surrounding sites comprise a residential property known as White Chimneys and a park homes development known as Fairview Park to the north, a meadow to the west, and a wooded area to the south. The curtilage of White Chimneys lies alongside the dwelling and formal lawn area of the subject site. The remainder of the northern boundary is alongside the park homes development which comprises a mix of residential and holiday uses and features approximately 24 units. The park homes site extends further westwards than the subject site.
- 1.4 The existing dwellinghouse has been extended extensively at ground floor but at first floor retains the original level of accommodation and as such is still a dwelling with three modestly sized bedrooms.

2 Proposal

- 2.1 The application proposes a residential 'annexe' to be sited in the rear garden in the area towards the back of the site and described at 1.2 above as an 'allotment'. The residential 'annexe' would be located 45m from the rear of the existing dwelling. The 'annexe' would be utilised by a family member who can be described for the purposes of this application as a dependent.
- 2.2 The proposed accommodation is in the form of a bungalow with a width of 8.3m, a depth of 14.2m, and a maximum height of 4.85m, falling to 2.6m at eaves. The plans show it internally to provide an open plan lounge and kitchen, two bedrooms, two smaller rooms marked on the plans as 'utility' and 'hobby room', a bathroom and separate WC.

3 Site History

BA/2011/0249/FUL - Erection of single storey side extension and rear conservatory. Approved with conditions, October 2011.

4 Consultation

Parish Council - Smallburgh Parish Council does not wish to make a recommendation as to refusal or approval.

It does wish to comment - that if permission is granted it suggests that the condition that the building should remain ancillary to the main house.

It also wishes to make the comment: The proposed "annexe" appears to be a significant distance from the existing building to be classed as an annexe.

Representations

None received.

5 Policies

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

[NPPF](#)

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

CS1 - Landscape Protection and Enhancement
CS5 - Historic and Cultural Environments

[DEVELOPMENT PLAN DOCUMENT](#)

Development Management Policies DPD (adopted 2011)
DP4 - Design

- 5.2 The following Policy has been assessed for consistency with the NPPF and has found to lack full consistency with the NPPF and therefore those aspects of the NPPF may need to be given some weight in the consideration and determination of this application.
Development Management Policies DPD (adopted 2011)
DP28 - Amenity
- 5.3 The following Policy has been through the Preferred Options Consultation of the draft Local Plan. It has not been examined or adopted and is under review so no weight can be applied to it.
Local Plan for the Broads
PODM37 - Residential Annexes

Neighbourhood Plans

- 5.4 There is no Neighbourhood Plan in force in this area.

6 Assessment

- 6.1 The application proposes an additional unit of residential accommodation in the form of a detached 'annexe' where the two built forms will share access and amenity space. The definition of an annexe in planning terms is not precise and consequently there can be a level of ambiguity as to where a proposal ceases to be for an 'annexe' and is in fact for a separate dwelling. This is a key consideration in this application and is discussed in the following assessment.

- 6.2 The main issues in the determination of this application are the principle of the development and the proposed separation between main dwelling and 'annexe', design and scale, landscape, neighbour amenity, and flood risk.

Principle of development

- 6.3 The application site is in a rural location situated some distance from local services and not well served by public transport. The site lies outside the development boundary and, as such, is not a location where new residential development would normally be considered appropriate. However, annexe accommodation (whereby additional residential accommodation is provided within an existing residential curtilage) can be acceptable in some circumstances. In looking at any particular case and determining its acceptability, it is necessary to consider the need for the annexe, its relationship with the main dwelling and the level of facilities it provides.
- 6.4 The applicants have explained that a member of the family currently residing within the dwelling requires their own accommodation and they are seeking to provide this through the construction of an annexe. Whilst in principle the creation of an annexe is acceptable, it should be clearly noted that what is proposed here is a detached annexe which would provide self-contained accommodation which would be capable of occupation independent from the existing dwelling. It should also be clearly noted that it is located in a part of the site which is 45m distant from the existing dwelling. Traditionally annexe accommodation has been physically integral to the main dwelling, however the characterisation of an 'annexe' has become diluted over time and increasingly includes buildings which are physically separate from the main dwelling, although in some cases they may be joined through some sort of link structure. Alternatively, where physical linking is not possible a functional integrity can be retained by not providing accommodation capable of being occupied independent of the main dwelling, for example through the removal of kitchen facilities, however, in this case the distance to the dwelling is not insignificant (approximately 45 metres) and therefore removing some of the accommodation, for example the kitchen, would not be convenient or reasonable operationally.
- 6.5 The applicants have made it clear that their intention is for annexe accommodation for a family member and not for a separate dwelling. Consideration has been given to the possibility of the erection of an adjoined building, but given the site conditions, access, and existing dwelling there is no reasonable way to further extend the existing dwelling to allow for suitable annexe accommodation, in addition to allowing for retention of the functionality of the existing dwelling. There would be significant design issues with a sizeable addition in this area, as well as potential issues with impact on neighbour amenity owing to the siting of the dwelling to the north in relation to the dwelling at the application site.
- 6.6 Consideration has also been given to the siting of a detached annexe in a location immediately adjacent or close to the existing dwelling, however this would result in a cluttered appearance and overdevelopment on a small section

of what is a reasonably large site. To the immediate rear of the dwelling is a levelled and landscaped area of lawn and planting which provides the traditional domesticated amenity area to the dwelling. Beyond the landscaped area the land falls away gently and is where the sewerage treatment plant is sited which would be an impediment to development in this area. The adjacent area is considered to be the first potential position on the site for an 'annexe' and this is approximately 30 metres from the rear of the dwelling. Although possible, this area is somewhat constrained as it is still on a gradient and is planted with a sporadic covering of trees. If the principle of an annexe at 30 metres from the main dwelling is considered acceptable, it may be difficult to argue a further 15 metres distance is unacceptable so there is no plausible reason to not allow for the siting of the building where the land levels out and is not planted with trees some 15 metres further down the site.

6.7 Having established the reasons put forward for the siting of the building in the location proposed, the definition of an 'annexe' must be considered. Legal advice was sought on this matter and whilst it was confirmed that there is no definition in the Town and Country Planning legislation, the Government does provide some guidance around types of accommodation. It is useful to set this out here:

- a) A dwelling is defined as '*a self-contained unit of accommodation. Self-containment is where all the rooms (including kitchen, bathroom and toilet) in a household's accommodation are behind a single door which only that household can use.* It should be noted therefore that a dwelling can consist of one self-contained household space or two or more non-self-contained household spaces at the same address'. (Government Guidance - Definitions of general housing terms.)
- b) An ancillary dwelling is included as a dwelling '*...provided they are self-contained, pay separate council tax from the main residence, do not share access with the main residence (e.g. a shared hallway) and there are no conditional restrictions on occupancy*'. This specifically includes former 'granny annexes. (Government Guidance - Definitions of general housing terms)

On this basis, an ancillary dwelling is not a separate dwelling unless it meets the criteria listed in (b) – i.e. it is self-contained and pays council tax separately etc.

6.8 In this case, any grant of planning permission would be conditioned to require the new building to remain as part of a single planning unit (i.e. not be separated off) and would be subject to conditions restricting occupancy, as well as being secured through a s106 legal agreement which has already been drawn up. When assessed against the above criteria it can be concluded that the proposed self-contained unit can be treated as an ancillary dwelling as opposed to a dwelling.

6.9 The Government guidance confirms that the proposed 'annexe' can be classed as self-contained accommodation in the form of an 'ancillary dwelling', which it

is noted was previously defined as annexe accommodation. The Government guidance presents a narrowly defined explanation of what can fall under the banner of annexes. Other common measures which indicate an 'annexe' as being part of the same 'planning unit' along with sharing the same access is the sharing of parking areas and garden. In this case access from the highway, parking areas, and the garden would be within the common property curtilage. There would be potential to subdivide the garden through a simple boundary treatment but this can be controlled through a planning condition. An additional access would not be possible without permission from the Local Planning Authority and Highways Authority and is therefore controlled. The driveway serving the property is adjacent to the southern boundary which currently enables access across half the property and culminates alongside the dry boatshed and it would not be possible to achieve subdivision of the property and maintain a separation of the driveway.

- 6.10 The occupation would be by a family member which provides a different type of functional link to any shared accommodation and thus maintains a connection between the main dwelling and 'annexe'. The ownership of the site and the 'annexe' would be the same as the principal dwelling and the maintenance of this would be part of the legal agreement. Finally the building in terms of its scale and appearance would be a subservient form of development to the main dwelling which would emphasise its secondary nature as a form of additional accommodation rather than as an independent form of accommodation.
- 6.11 Whilst it is accepted that a separation between main dwelling and 'annexe' should be minimal it is accepted that applications must be assessed on their own merits and certain site conditions can emphasise the need for an approach which may not be acceptable in other cases. With regard to the above assessment it is argued that there is no reasonable opportunity to make the annexe physically integral to the existing dwelling or immediately adjacent to the existing dwelling. The proposal therefore brings the built form some distance into the space to the rear of the site. However the site surroundings are such that the property is isolated to the south by an area of woodland, and to the north by a park home development and accordingly would not appear as an isolated new unit in the open countryside.
- 6.12 The park home development comprises a high density development of over twenty individual units. The spread of development across the site, immediately adjacent to the northern boundary of the application site and extending further westwards, results in the built residential form covering unconventional areas of a plot of this type, as well as bringing residential activity across the full depth of the site. In this context the proposed 'annexe', whilst some distance from the main dwelling on the application site, would not result in a form of development or type of use, i.e. a residential unit, which would be discordant with surrounding development or adjacent site activity. It is noted that the particular circumstances here – i.e. the adjacent park homes development and the difficulty in achieving accommodation close to the main house – are uncommon. Therefore, whilst constituting an unusual form, in addition to the argument regarding justification for separation, there is a

reasonably unique set of site specific circumstances which would allow for a development of this type in this particular location.

- 6.13 The emerging Broads Local Plan will seek to address the issue of residential annexes (ancillary dwellings) with a specific policy. The Local Plan has been through the 'Preferred Options' stage and a policy numbered PODM37 considers the issue of residential annexes. This policy is currently under review and at the present time no weight can be attached to it.
- 6.14 Finally, turning to case law and the help this can give in determining what is an 'annexe', it is noted that there is no unequivocal case law which provides a definitive explanation of what is an 'annexe' and what separation is reasonable. The Courts have considered and ruled on multiple permutations and the overriding message appears to be that without clear definition the cases are judged on their own basis and it is a matter of fact and degree as to whether an 'annexe' was occupied as a separate dwelling or as 'ancillary accommodation'.
- 6.15 Having regard to the above assessment it is concluded that the proposed form of accommodation can be considered to represent 'annexe' accommodation or an 'ancillary dwelling'. There is sufficient means to control the use of the property and ensure it remains an integral part of the single planning unit. There would not be a reasonable way to extend the existing dwelling. The separation between the main dwelling and proposed 'annexe' is considered to be justified and reasonable. The development on the adjacent site is of a form and use that would ensure that the proposed development is not an anomaly in this specific locale and would not result in activity in a part of the site which would be out of keeping with adjacent uses. The principle of the proposal is therefore considered acceptable in planning terms, subject to planning conditions to regulate use, retention of shared elements, and planning obligations to prevent separation of the proposed 'annexe' from the main dwellinghouse.

Design and scale

- 6.16 In terms of design, the application proposes an unremarkable bungalow of basic design. There has been some discussion with the applicants regarding external appearance and it has been difficult to settle on a scheme which has a regularised appearance in terms of openings, but some acceptance of the constraints due to internal layout has to be accepted. It is noted that both the elevation which looks up the site towards the main dwelling and the elevation which looks down the site towards the rear boundary have a regular appearance. In addition to this the unit features a front entrance porch which ensures that the annexe accommodation is a readable form. Taking into account the siting of the annexe which would not be readily visible from a public vantage point, its single storey form, the presence of mature planting to all boundaries, the unremarkable appearance of the main dwelling, and the location of a park homes development on the adjacent, the basic design of the proposed accommodation is acceptable.

- 6.17 The scale of the 'annexe' is reasonable when considered in relation to the main dwelling taking into account the footprint and height of the respective buildings, and the separation between the two built forms would ensure that there would not be an unacceptable concentration of development on a small area of the site which would lead to an appearance of overdevelopment.
- 6.18 In conclusion it is considered that the proposal is for a reasonably simple and basic form which would be unimposing when considered in the context of the main dwelling. The siting of the 'annexe' would ensure it does contribute to a cluttered or overdeveloped appearance of the site. The proposed development is therefore considered acceptable with regard to DP4 of the Development Management Policies DPD.

Landscape

- 6.19 The entrance to the site is narrow and owing to the fall in land the proposed development will not be readily visible from the public highway. There is a public footpath to the rear of the site, the boundary at the rear of the site is well planted which would provide a good level of screening and is considered adequate to ensure that the proposed building would not be detrimental to the Broads landscape. The proposed development is therefore considered acceptable with regard to DP2 of the Development Management Policies DPD and Policy CS1 of the Core Strategy.

Neighbour amenity

- 6.20 Residential development is limited to the northern boundary of the site and comprises a park home development which runs along the majority of the boundary to the rear of the main dwelling. Taking into account the density of development which achieves very limited space between the park home units, the separation to the proposed 'annexe' building is considered sufficient and is augmented by a boundary fence and tall hedge. The proposed development is single storey and would not result in any overlooking of neighbouring residential properties. The proposed development is therefore considered acceptable with regard to DP28 of the Development Management Policies DPD

Flood risk

- 6.21 The application site is wholly within Flood Zone 1 and flood risk is therefore not considered to be an issue when considering this proposal. The proposed development is therefore considered acceptable with regard to DP29 of the Development Management Policies DPD.

7. Conclusion

- 7.1 The proposal is for an 'annexe' or 'ancillary dwelling' the definition of which is not clearly defined in planning terms and as such is reliant on Government guidance and a rational judgement of the development as proposed and its site specific circumstances. Taking all the factors that apply to this application into account the proposed accommodation is considered to be ancillary and

therefore acceptable in planning terms. Whilst the separation between main dwelling and proposed 'annexe' is not insignificant it is considered that the siting is justified and acceptable, and a reasonable relationship between the two forms would be retained. The use of the 'annexe' ancillary to the main dwelling will need to be secured by an s106 legal agreement in addition to planning conditions. The siting of ancillary accommodation to the rear of the site is acceptable with regard to development on the neighbouring site, would not be detrimental to neighbouring amenity, and would not be detrimental to the appearance and character of the Broads landscape.

8. Recommendation

Approve subject to conditions and s106 Agreement

- i. Standard time limit;
- ii. In accordance with submitted plans;
- iii. Details of materials;
- iv. Lighting scheme to be agreed;
- v. Use ancillary to the existing dwelling;
- vi. No separation either physically or in terms of use; and
- vii. Remove permitted development rights;

9. Reason for Recommendation

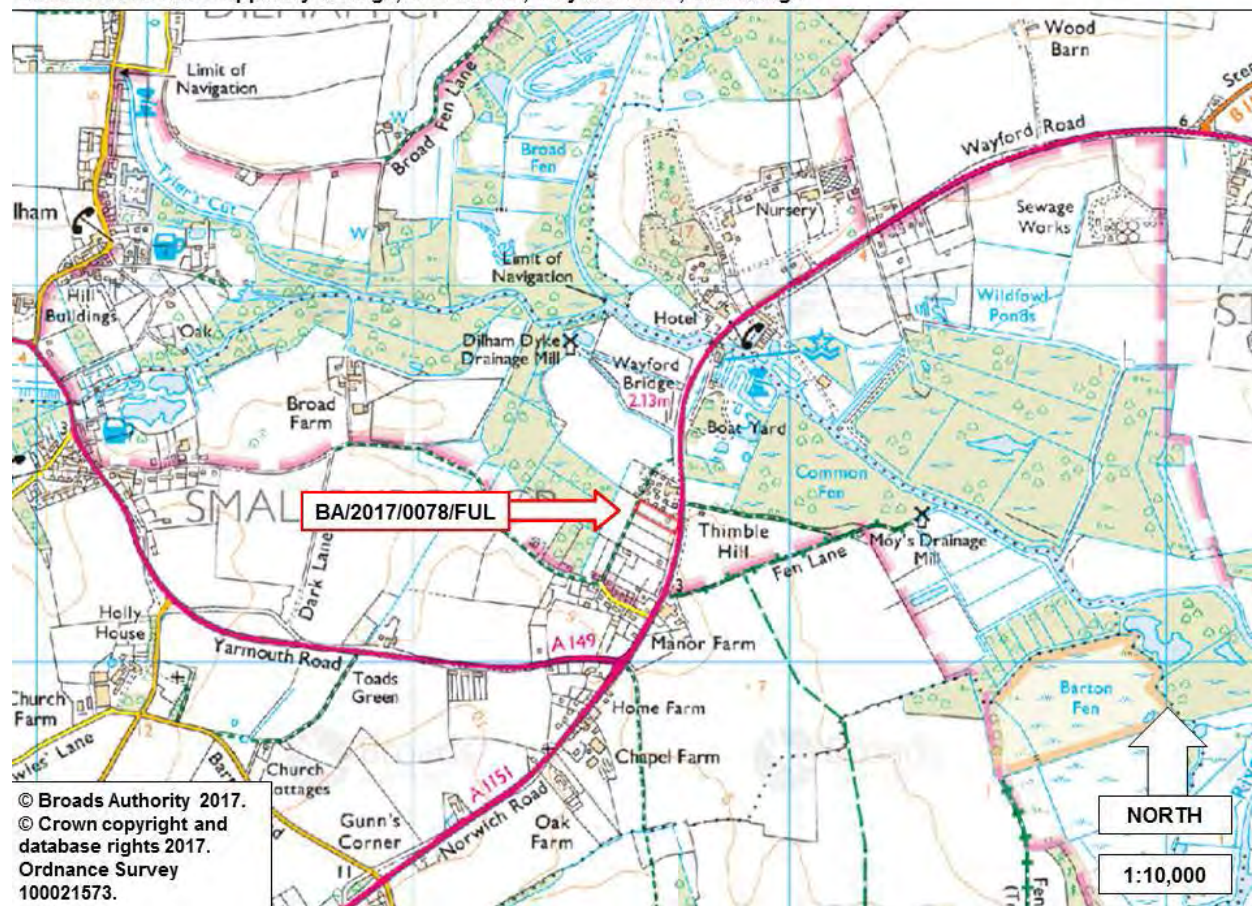
The proposal is considered to be in accordance with Policy CS1 of the Core Strategy (2007), Policies DP2, DP4, and DP28 of the Development Plan Document (2011), and the National Planning Policy Framework (2012) which is a material consideration in the determination of this application.

List of Appendices: Appendix 1 Location Plan
 Appendix 2 Note of Site Visit on 6 July 2017

Background papers: Application File BA/2017/0078/FUL

Author: Nigel Catherall

Date of Report: 7 July 2017



PLANNING COMMITTEE

21 July 2017

Note of site visit held on Thursday 6 July 2017

**BA/2017/0078/FUL: Tipperary Cottage, Thimble Hill, Wayford Road,
Smallburgh**

Single storey dwelling house to be used as an annexe to the existing dwelling house on the site.

Applicant: Mr Neil Cousins_

Present:

Mr Paul Rice– in the Chair

Prof Jacquie Burgess	Mr V Thomson
Mr Mike Barnard	Mr H Thirtle
Mr Bill Dickson	

In attendance:

Mrs Sandra A Beckett – Administrative Officer (BA)
Ms Andrea Long – Director of Planning and Resources (BA)
Ms Cally Smith – Head of Planning (BA)
Mr Nigel Catherhall– Planning Officer (BA)

Mr Neil Cousins – The Applicant
Mrs A Cousins – The Applicant

Apologies for absence were received from: Sir Peter Dixon and Ms Gail Harris

Introduction

The Vice-Chair/Acting Chairman of the Planning Committee welcomed everyone and invited them to introduce themselves.

The Chairman reminded members of the procedures for the site visit emphasising that it was purely fact finding and no decisions would be made at this visit but the matter would be considered in detail at the next meeting of the Planning Committee on 21 July 2017. He reminded them to avoid discussing the merits of the application, to keep together as a group when moving round the site and not enter into debate. Members were on the visit to aid their understanding of the context of the site, the relationship between the existing residential accommodation and the proposed accommodation and to make sure that all the relevant factors of the site had been pointed out. They were able to ask questions.

Members met in the entrance drive of the application site which was off the main A1151 in front of the residential property of Tipperary Cottage. Following the

introductions and the Planning Officer providing a brief outline of the plans for the site, Members were given the opportunity to walk around the site to view the various different levels and elements within it.

The Plans

The Planning Officer explained that the existing dwelling on the site was a modest cottage with 3 bedrooms and a small study room upstairs. The property had been extended on the ground floor on both sides, with a fairly recent extension to the rear and side of the property to provide a conservatory and slightly enlarge the kitchen and entrance area. The double garage to the north of the property was noted. He explained that the site was level at the top but sloped downhill to the rear. The proposed “Annexe” accommodation, or “ancillary dwelling” as otherwise described, would provide single storey two bedroomed accommodation at the further end of the site. It was stated that the small study within the existing dwelling was 7 square metres and not up to bedroom standard.

Site context

Members noted that the site was rectangular, bordered to the south by woodland and to the north by a high leylandi hedge behind which was a single residential property and the Fairview Park static caravan park. It was clarified that the neighbouring sites were in different ownerships to that of the applicant. There was a modest driveway down the south side of the site. Members noted the outbuildings on the southern boundary of the site adjacent to the woodland, the first being a modest brick building with tiled roof opposite to the kitchen entrance to Tipperary Cottage. This was single storey with a floor in the ceiling area and used for storage. It was stated that it would be too small and was not capable of being brought up to living accommodation standard. Further down the site, attention was drawn to the other outbuildings of timber construction, one being a dry boatshed with corrugated roof, the other an open fronted lean-to. There was also a small corrugated tin shed. These outbuildings were not considered suitable for conversion for additional accommodation.

Members walked down the site observing the landscaped garden at the rear of the existing dwelling which had been levelled, a scrubby area and an area of shrubs and small trees. Members also noted the significant size of the septic tank and were informed of the land drainage issues in association with the water treatment plant. These restricted the siting and design of additional accommodation.

Members walked to the bottom part of the site which levelled out into an area known as the “allotment”, formerly used for growing vegetables. This was the site of the proposed ancillary dwelling. Poles and tape marked out the proposed property which was designed to be a bungalow with a width of 8.3 metres, a depth of 14.2 metres and a maximum height of 4.85 metres to accommodate two bedrooms, open plan lounge and kitchen, as well as a utility and hobby room, bathroom and separate WC. Members viewed the plans with the entrance being on the track to the south. It was stated that the design, alignment and siting of the proposed dwelling and its internal rooms had needed to take account of the sewage, soakaways and clear water systems for the site.

Members were able to walk to the furthest boundary of the site which was well screened, behind which was a footpath.

Having walked into the whole site members returned to the patio area to get a view of the proposed siting of the ancillary dwelling through the shrubs and trees before returning to the entrance.

Conclusion and Procedures

The Chairman confirmed that the application would be considered by the Committee at the next scheduled meeting on 21 July 2017. The Chairman thanked everyone for attending the site inspection.

The meeting was closed at 10.30 am.

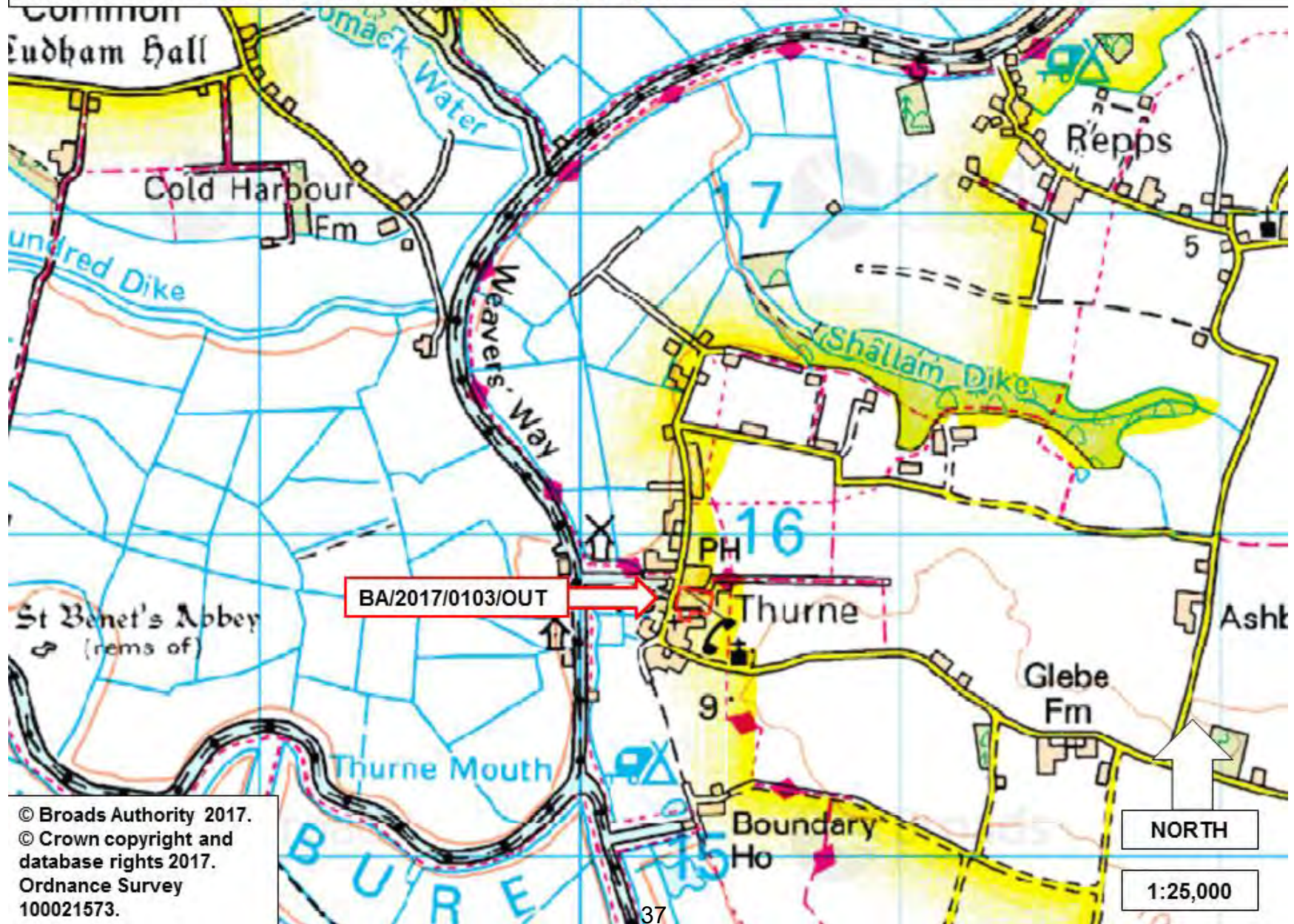
Reference:

BA/2017/0103/OUT

Location

Hedera House, the Street, Thurne

BA/2017/0103/OUT - Hedera House, The Street, Thurne, NR29 3AP



Application for Determination

Parish	Thurne		
Reference	BA/2017/0103/OUT	Target date	03 August 2017
Location	Hedera House, The Street, Thurne, NR29 3AP		
Proposal	Outline application to redevelop Hedera House to form 6 residential dwellings and 10 new holiday cottages		
Applicant	Mr Delf		
Recommendation	Approve subject to conditions		
Reason for referral to Committee	Objections received		

1 Background

- 1.1 The application site comprises an area of 0.8 hectares known as Hedera House located on the east side of The Street in Thurne, close to the centre of the village. Thurne is comprised of a village centre which includes the Staithe, a shop, and a public house, with development around the Staithe area and north and south along The Street, and a small amount along Church Street. Residential development is effectively in sections, with a cluster at the southern end of The Street and Church around where the road turns 90 degrees to run roughly parallel to the River Thurne, a couple of properties opposite the application site, there are then properties on the northern side of the Staithe, following which there is a stretch of housing along the west side of The Street, followed by a stretch of housing along the east side of The Street. There are a number of farm buildings, predominantly around the application site, and a Methodist Church immediately south of the site. The depth of developed plots in Thurne in terms of distance from street frontage to rear boundary is reasonably regular with the notable exception of a bulge on the eastern side of The Street. This section comprises the Hedera House site and sections of farm buildings on either side, with some residential development on the northern side of Hedera House continuing a little further eastward.
- 1.2 The Hedera House site is predominantly rectangular save for a much smaller rectangular protrusion at the south of the site and to the rear of the Methodist Church. The western boundary of the site is along The Street for a distance of 65 metres although it is noted that at present the site has its back to the street with a tall hedge along the majority of the street frontage. The site comprises a large 2-storey dwelling located roughly in the centre of the site which offers

holiday accommodation for up to 12 people, 10 holiday chalet bungalows comprising 7 units adjacent to the northern boundary, 1 adjacent to the western boundary and 2 within the small rectangular protrusion at the south of the site, and an open air enclosed swimming pool which is located in the south-eastern corner of the site.

- 1.3 The 2-storey dwelling known as 'Hedera House' is a large dwelling but is not a dominating presence in terms of views from the surrounding area owing to the size of the site within which it sits and the level of screening surrounding the site. Anecdotal evidence suggests the house was previously the farmhouse for one of the surrounding farms but was subdivided from the original property and subsequently the site developed for tourism purposes. The building is fairly unremarkable and has been extended unsympathetically to the rear which creates a cluttered and jumbled appearance so that only from the front does the building have any appeal. It is noted that the traditional joinery has been replaced by modern windows which further undermine the appearance of the property.
- 1.4 The 10 holiday chalets are single storey with an extremely slight mono-pitch to the roof. There appear to be two sizes although the differences are reasonably minor and the uniform appearance of cream colour rendered walls, white eaves with an overhang to the front featuring two metal V-shaped supports allows for a calm rhythm of appearance. However, the chalets have no visual merit and are accurately described in a 1991 planning decision notice as 'of a poor standard of design'. The swimming pool is enclosed on all sides but has the unfortunate appearance of a static caravan with the roof cut off and therefore has no visual merit.
- 1.5 The boundary treatments are varied. The western boundary which fronts The Street mostly comprises a tall hedge although there is a vehicle access opening at the southern end and a section of the hedge is absent towards the southern end, both of which allow views of the site. The northern boundary is mostly tree lined, with an opening adjacent to The Street which allows pedestrian access, and at the northern end there is a barn on neighbouring land adjacent to the boundary. The eastern boundary is a mix of trees, hedge, and fencing, with one noticeable gap in the boundary which is partly filled by a low post and rail fence. The southern boundary features trees adjacent to the church, close boarded fencing, and a pair of large barns with a brick wall in between. The overall appearance lacks clear form or approach in terms of boundary treatment or appearance. The site is mostly screened from public vantage points along The Street with occasional views of the site, and has a fairly open appearance to the eastern boundary which can be viewed from public footpaths which run parallel to the boundary and form part of the Weavers' Way.
- 1.6 This application follows a previous application which was submitted in 2016. Concerns were raised in relation to design and site layout and discussions were held with the Agent for the application. Revised plans were not submitted and a significant time elapsed before any agreement on a way forward occurred, it was therefore considered appropriate to request that the application be withdrawn and the scheme resubmitted to ensure a clarity of approach. There

was further delay in the scheme being resubmitted and a substantial amount of time has passed since the original submission. The submitted scheme is not markedly different from the previous proposal but has sought to address design issues and make alterations to the site layout.

2 Proposals

- 2.1 An outline planning permission is sought for the demolition of the existing buildings on site and a redevelopment of the site to provide a mixture of replacement holiday accommodation comprising 10 units, and residential dwellinghouses as enabling development.
- 2.2 The site would effectively be divided into two halves with the western half comprising the tourism element, and the eastern half comprising the residential element. The split in terms of site area is roughly 50/50.
- 2.3 The proposed holiday accommodation comprises three different building designs. Two pairs of semi-detached 2-storey units located within the rectangular protrusion at the south of the site. A short terrace of three units and a semi-detached pair with an appearance of 1.5 storeys sited to the western side of the site at an angle of 18 degrees to The Street. A single bungalow described as 'disabled friendly' sited adjacent to the northern boundary. All holiday accommodation would be 2-bedroom units.
- 2.4 The proposed residential accommodation comprises three different styles based on a common design approach which features a main 2-storey element with either one or two 'wings' which are 1.5 storeys. Each unit features its own driveway, integral garage, and private amenity space. The provision would be three 3-bedroom houses and three 4-bedroom houses.
- 2.5 The submitted application indicates that the only matter to be reserved would be landscaping, although it is noted that the submitted plans do not feature a full set of elevations and upon raising this issue with the Agent it was accepted that some aspects of appearance would also be reserved.

3 Site history

- 3.1 BA/1990/3082/HISTAP - Single storey extension to chalets. Approved with conditions, March 1990.
BA/1991/0055/HISTAP - Alterations to chalets to form new bedrooms with en suite facilities. Refused, September 1991.
BA/1991/0083/HISTAP - Alterations to chalets to form new bedrooms with en-suite facilities. Approved with conditions, January 1992.
BA/2016/0009/OUT - Redevelop Hedera House to form 6 residential dwellings and 10 new holiday cottages. Withdrawn

4 Consultation

Parish Council - the Parish Council commented as follows:

- 1: We strongly agree with the points set out by Mr Malcolm Cater in his comments to you and presented to a meeting of the Parish Council.
- 2: This application seems to ignore Local Plan policy which states:
 - i) The majority of the site be retained in holiday accommodation. More than half the site is for large private housing.
 - ii) A layout, form and design which strengthens the rural characteristics of the village. The application fails to address this.
- 3: We agree the site is tired and in need of an upgrade.
We feel the replacement holiday units should be single storey, the proposed two storey cottages will be too intrusive, particularly as they are close to existing properties.
- 4: Bearing in mind Thurne is a very small village, to create what is in effect a mini housing estate right in the middle would detrimentally alter the character of the village.

Thurne Community Action Group (TCAG) - A number of points raised which are summarised as follows:

- o Tourism is important to village, modernising this site is welcomed, important not to damage character of the village.
- o Two storey development in heart of village will be visually prominent and spoil rural nature of village.
- o Loss of Hedera House is disturbing to TCAG, there is a strong case for retention.
- o Concerns over drainage and run-off.
- o Concerns over increase in traffic.
- o Management of holiday chalets needs to be clarified.
- o Opportunity here to do something exciting and imaginative, not reflected in this plan.

NCC Highways - No objection subject to conditions and informative.

Internal Drainage Board - As stated within the FRA the site falls within the Drainage district of the Broads Internal Drainage Board. Any change to the impermeable area of the site or the positive discharge to the drainage system, may result in increased flows (by rate and/or volume) entering the district, which will need to be dealt with by the boards infrastructure.

Therefore further details will be required from the applicant to confirm how excess surface water from the site will be dealt with and of any change to the drainage characteristics of the site.

Land Drainage consent may be required as may a one off surface water discharge contribution. Details of this and the charges associated can be found on our website.

Environment Agency - No objection on flood risk grounds providing that the LPA have taken into account flood risk considerations.

BA Ecologist - No objection subject to conditions.

BA Tree Officer - No objection raised over loss of trees to centre of the site.
Concern raised about loss of hedge to western boundary to provide visibility

splay, request made to confirm if this is necessary, any loss should be mitigated and secured by planning condition.

BA Landscape Officer - Concerns raised and current proposal not supported. The outline application does not seek approval of landscaping, however matters of landscape and setting are relevant to the acceptability of a proposal given the nature of the site and its location. The site sits within an area of relatively open arable land, with some long views towards the settlement of Thurne, in particular from Church Road/Thurne Road and Repps Road to the south, due to slightly higher elevation.

The proposals locate the holiday accommodation along The Street and larger units of market housing to the east of the site. This is positive in terms of the development maintaining a green frontage and providing character in keeping with the village from The Street itself, however the form and layout of the development from the wider setting is of some concern. It is acknowledged that the housing types proposed have been designed with relatively low profile roof heights and styles and variation in roof form, all of which will likely assist in minimizing the impact on the wider views, however I am unconvinced that the same consideration has been applied to the layout. Currently the site is not readily identifiable from surrounding views due to the built form being at a scale similar to surrounding development. The introduction of larger scale built form and at a higher density is likely to make the development a visible introduction within the wider setting of existing buildings in the area and increase the sense of density and scale perceived from wider views.

In order to limit any notable increase in density and massing of the existing settlement, the layout of the eastern part of the site could be reconsidered to ensure it responds more sensitively. More information could also be provided about the rationale behind the current layout beyond simple consideration of the marketability of units. In addition the use of boundary treatments around the site will have the potential to either add further negative impact to the proposals or to partially mitigate the proposals. The applicant may therefore wish to consider these issues and provide additional information.

Without a full application, or landscape forming part of the matters for outline approval, it is difficult to determine the full extent of the impact of the proposals on the surroundings and establish suitable measures to integrate the development into its setting and mitigate any change. I conclude that currently the application lacks sufficient information to demonstrate that there would not be a visual impact and some impact on the character of the landscape setting. Therefore, in landscape terms I would be unable to support the current outline proposal due to a lack of certainty over the impact it would have on the wider setting.

Representations

Four responses to the public consultation were received from Thurne residents which raised a number of points which are summarised as follows:

- Loss of Hedera House building should be avoided.
- Consideration should be given to refurbish the existing accommodation.
- Viability arguments are contradictory and lacking justification
- No justification that the holiday accommodation is much needed.
- Concern that houses will be built and holiday accommodation not.
- Concern over use of holiday accommodation as residential
- Planning permission required for change of use.
- New homes are considered to be 'executive' style, they do not reflect village architecture or improve quality of built environment.
- Cul-de-sac style does not exist in village.
- No provision of affordable housing.
- Lack of mix of house sizes
- Two storey holiday accommodation would be more intrusive, overbearing, and result in a loss of amenity.
- Increase in traffic a hazard for pedestrians, cyclists, and animals.
- Drainage is an important issue.
- Contention that development will contribute to local economy is questioned.
- Application reduces holiday accommodation provision.
- Flood risk assessment is incorrect.
- No specific need for housing in Thurne.
- Lack of supporting infrastructure.
- Contrary to Core Strategy CS18, CS19, CS20, CS21, and CS24.
- Contrary to Development Plan DP22-30 excluding DP25.
- Sewage treatment needs to be addressed.
- No consultation over emergency access.

5 Policies

5.1 The following Policy has been assessed for consistency with the National Planning Policy Framework (NPPF) and has been found to be consistent and can therefore be afforded full weight in the consideration and determination of this application. [NPPF](#)

5.2 Site Specific Policies Local Plan (adopted 2014)

http://www.broads-authority.gov.uk/_data/assets/pdf_file/0009/469620/Adopted-Site-Specific-Policies-Local-Plan-11-July-2014-with-front-cover.pdf (Page 90/91)

THU1 - Tourism Development at Hedera House, Thurne

Neighbourhood Plans

5.3 There is no Neighbourhood Plan in force in this area.

6 Assessment

- 6.1 The proposal is for the redevelopment of the Hedera House site in the village of Thurne. The proposal seeks a comprehensive redevelopment which would involve the demolition of all structures currently on the site, the division of the site into part residential comprising 6 houses and part holiday accommodation comprising 10 units.
- 6.2 The main issues in the determination of this application are the principle of the development, design and layout, landscape, neighbour amenity, trees and ecology, highways, flood risk, and developer contributions.

Principle of development

- 6.3 The site is currently in tourism use primarily providing holiday accommodation in the form of chalets. There is a large old dwellinghouse on the site but according to the documents submitted with the application this is also utilised to provide holiday accommodation. Whilst the principle of holiday accommodation provision is well established and accepted, there is no current residential use and the proposed use of part of the site to provide residential housing must be considered as a new residential development.
- 6.4 Site Specific Policy THU1 relates to Thurne and specifically the Hedera House site. The Policy states:

“Land at Hedera House is allocated for tourism- uses, with a proportionate amount of general market housing as enabling development. Development proposals on this site shall provide the following:

- (i) The majority of the site to be retained in holiday accommodation available as short-stay lets;
- (ii) The proportion of the site to be developed for general market housing shall be only that required to deliver satisfactory redevelopment, renovation or upgrading of the existing holiday accommodation. This shall be demonstrated to the satisfaction of the Broads Authority, in a viability assessment of the proposed development which shall be prepared by an independent chartered surveyor;
- (iii) A layout, form and design which strengthens the rural character of the village and its location in a national park equivalent area and reinforce local distinctiveness and landscape character;
- (iv) Retention of mature hedgerows and provision of suitable boundary landscaping and areas of open space to retain a spacious and ‘green’ approach within the site appropriate for a rural village;
- (v) Demonstration that there is adequate capacity in water recycling centre (sewage treatment works) and the foul sewerage network to serve the proposed development and that proposals demonstrate they will not have an adverse impact on surface or ground water in terms of quality and quantity;
- (vi) Protect the amenities of nearby residents;
- (vii) Adequate vehicular access compatible with the above criteria; and

- (viii) Proposals must ensure no adverse effects on the conservation objectives and qualifying features of the nearby SSSI.

The inclusion of ancillary facilities (for example the retention of the swimming pool and/or games room) for the benefit of visitors or residents would be welcomed, subject to it not compromising the provision of a suitable scheme.”

- 6.5 The preamble to the policy states that ‘Open market residential development is considered to be an appropriate and complementary land use for the Hedera House site redevelopment’. It is considered that the proposed use of part of the site for residential development is acceptable in the broadest principle, but that analysis of the criteria for assessment within Site Specific Policy THU1 is essential in considering whether the current proposal is itself acceptable in policy terms. Each point is considered in turn.

Site Use Distribution

- 6.6 In essence the criteria under (i) and (ii) of Policy THU1 are interlinked. In order to deliver a viable development it is accepted that general market housing would need to be provided as enabling development. Criteria (ii) states clearly that ‘The proportion of the site to be developed for general market housing shall be only that required to deliver satisfactory redevelopment’, whilst criteria (i) states that ‘The majority of the site to be retained in holiday accommodation available as short-stay lets’.
- 6.7 The submitted application includes a viability assessment prepared by an independent chartered surveyor as required by Policy THU1. The assessment shows that a minimum of 6 general market houses would be required in order to make the proposed development viable. This assessment has been independently reviewed in order to test the accuracy of the stated calculation and the following conclusions were drawn:
- The viability appraisals are based upon the demolition of the existing holiday chalet accommodation and replacement with ten new units together with enabling development involving the removal of the existing dwelling and the construction of six open market detached dwellings.
 - The Viability Assessment provides limited supporting evidence justifying the assumptions, costs and values used in the appraisals. Whilst I do not necessarily agree with all assumptions and inputs used, however, in my opinion, those used are not wholly unreasonable.
 - I consider the appraisals to be a fair assessment of the relative viability of the two parts of the proposed development and provide both landowner and developer with a fair return sufficient to ensure that the development of the proposed open market housing will enable the delivery of the new holiday accommodation.

With the assessment and independent review in mind it is considered that sufficient information has been submitted to demonstrate that the level of enabling development is reasonable and at a level which would allow for the

satisfactory redevelopment of the site whilst ensuring the need for significant investment can be made with a sound level of confidence.

- 6.8 The issue quickly arises that the level of enabling development required is at a quantity which would challenge the requirement stated in criteria (i). The western half of the development which provides the holiday accommodation has a gross area as measured on the submitted plans of 3856.4sqm. The eastern half of the development which provides the general market housing has a gross area as measured on the submitted plans of 3871.1sqm. This equates to a near 50/50 divide. It is considered that six houses on a site of this size, taking into account the need to provide reasonable setting and layout, avoid clustering or overdevelopment, and achieve acceptable levels of private amenity space, requires the portion of the site proposed and it is not considered to reasonably be at a lower level in terms of the submitted proposal.
- 6.9 Having accepted that the enabling development proposed at a level of 6 houses has been satisfactorily demonstrated to be at the minimum level required, and that the proportion of the site allocated is at a reasonable and acceptable level for the siting of 6 houses, consideration must turn to how this impacts on criteria (i) of Policy THU1. It is clear that the majority of the site would not be retained as holiday accommodation, but the thrust of the policy is to ensure a satisfactory redevelopment of the site and one which is viable. To undermine the viability of the site would undermine the prospects of the site being redeveloped. It is consistently accepted, even by those objecting to this scheme, that the site is tired and in need of redevelopment, and the existence of Site Specific Policy THU1 emphasises this. In placing enabling development at the centre of the policy it acknowledges difficult realities in redeveloping a site such as this.
- 6.10 As a basic measure the requirement for the majority of the site to be retained as holiday accommodation could be achieved by moving the dividing line between the two halves of the development a short distance to the east. This simple act of redistribution would result in a majority of the site being retained as holiday accommodation but would be a largely technical exercise without any tangible benefit. It would still be possible to provide 10 holiday units and six residential houses only with a minor change in the position of the proposed boundary between the two. The area around the holiday units and the setting this provides is considered to be generous and not in need of expansion. Conversely a reduction in the area for setting and amenity of the residential houses would have an impact on the acceptability of that element of the scheme.
- 6.11 It is further considered that the proposed scheme achieves a satisfactory redevelopment of the site. Taking into account the level of holiday accommodation currently provided, the proposed scheme achieves a reasonably comparable provision, by utilising predominantly 2-storey units the site density is increased which ensures that provision is continued and this retains this location as a dedicated tourism site. In turn the economic benefits

of such an asset in the village is sustained which helps support businesses such as the public house and shop.

- 6.12 Finally it is noted that the provision of accommodation in terms of number of units favours the holiday accommodation provision which numbers 10 as opposed to the six residential houses. It is noted that the primary difference between them is the size of the buildings and their type, with the residential being detached and the holiday units being terraced, semi-detached, and detached. Consideration could arguably be given to taking a similar approach with the residential houses and providing a different approach to the provision of accommodation with smaller units taking up less of the site and therefore having the potential to retain more of the site in holiday accommodation use. However, any reduction in the numbers proposed would result in a loss of potential value which would undermine the scheme in terms of providing a sound level of enabling development. Another possible approach would be to provide a lower quality of holiday accommodation which would require less investment and therefore require a smaller proportion of enabling development. Whilst this may assist in retaining a larger portion of the site for holiday accommodation it would not assist in bringing about a satisfactory redevelopment of the site which would raise the standard not only of the accommodation provision but also providing a character and appearance which seeks to complement the character and appearance of the village of Thurne.
- 6.13 Having regard to the above assessment it is not considered that a strict interpretation of this aspect of the policy would result in an improvement to the scheme (much less a significant one) and there is therefore no benefit to requiring the division between the element of the scheme to be revised. The proposed enabling development is considered to be the minimum required to make the scheme viable and that the approach to dividing the site between the holiday accommodation and residential housing elements is sound on this basis. The division is roughly 50/50 which allows for a reasonable balance of uses, and by siting the holiday accommodation to the western end of the site the existing interface with the village is maintained. It is therefore considered that the site use distribution is in accordance with criteria (ii) of Policy THU1 and is not considered to undermine the thrust and intention of criteria (i) of Policy THU1.
- 6.14 Having determined that the proposal is acceptable in principle and in terms of the distribution of development types across the site, consideration must be given to the layout and design of the development including siting and scale of the proposal, and the impact the works would have on the landscape of the Broads. Policy DP2 requires that development would not have a detrimental effect on a feature of landscape importance. Policy DP4 requires that development must be appropriate in terms of scale, form and massing when considered in the context of the site and the surrounding landscape and streetscape. Criteria (iii) and (iv) of Policy THU1 relate to design, landscaping, and areas of open space and are detailed above in paragraph 5.7. Policy CS1 seeks to protect the distinct landscape of the Broads and varied landscape character of both the built and natural environment.

Layout and Design

- 6.15 The pattern of development in Thurne comprises a number of different elements. To the north of the Staithe the appearance is more open chiefly due to the siting of development on only one side of the street, first to the west and then to the east. Development around the Staithe area is more built up but still retains an open feel due to the Staithe itself. To the south of the Staithe the street scene becomes more enclosed but still retains a reasonably open feel, however it is noticeable around this part of the village that development on the eastern side of The Street spreads further from the road which gives an increased perception of depth of development. Where The Street becomes Church Street there is a small collection of houses which are obviously set back and away from the public highway which again gives a different perception to the pattern of development.
- 6.16 The layout of the application site proposes a reasonably straightforward division into two halves, with the western half of the site providing holiday accommodation and the eastern half of the site providing residential houses. This approach ensures a clear demarcation between the two uses which also contributes to providing readable clusters of development. By concentrating the holiday accommodation to the western side of the site it ensures that views from The Street achieve a degree of comprehensible development and with a layout that conforms to the overall pattern of development in the village. A similar argument can be put forward when considering views of the residential development to the eastern side of the site from public vantage points to the east, and from that vantage point the site is framed by not unsubstantial farm buildings. Views of the two site elements together would be reasonably limited to the site entrances on The Street, and even these will be diluted once landscaping elements have matured.
- 6.17 Taking each element in turn, the layout of the holiday accommodation comprises a semi-detached pair and three unit terrace roughly parallel to The Street, with the single storey unit slightly further to the north with an increased set back, and two semi-detached pairs in the rectangular protrusion at the south of the site. This is considered to spread the development reasonably evenly across this section of the site, providing a mix of established building positions, and development which reflects the pattern of development within the village. It also helps ensure that a single access point can provide access to the entire site which limits the requirement for hard surfaced areas and allows the site to be reasonably enclosed boundary wise. It is noted that the proposed buildings parallel to eastern boundary are set at an angle of 18 degrees to The Street, this is not reflective of development within Thurne but is not considered to undermine the appearance of the development or character of the village.
- 6.18 The layout of the residential housing is broadly two rows of three detached properties with a central access road. This approach is largely in keeping with existing development in Thurne in the few locations where roads run at a right angle to The Street such as on the corner with Church Street and the sites

either side of Hedera House. It is a simple layout that provides a clear pattern of development, regular siting of amenity space, a minimum level of potential overlooking, and contributes to an unfussy and less cluttered appearance when viewed from the surrounding area.

- 6.19 In terms of building design the village of Thurne features a variety of form, design, and siting, and a notable range of materials and finishes. There is a mix of single storey and two storey, traditional old buildings and more modern constructions, some buildings featuring low eaves and some with prominent front gables. There are plenty of examples of quality design alongside examples of design without obvious merit, but it seems possible to find examples across a range of architectural styles which have varied throughout the years. Across the village there are brick and render finishes, although it is noted at the southern end of the village where the subject site lies there are arguably more brick than rendered buildings. Roof coverings are predominantly pantiles, with some thatch and the odd example of slate.
- 6.20 The application proposes a few styles of building around a central theme which the submitted design and access statement describes as 'Norfolk Barn appearance'. The properties fronting The Street have a reasonably low eaves level with rooms in the roof and small traditional dormer projections. The design has a rural feel which it is considered complements the overall feel of properties in the immediate surrounds and would result in a positive addition to the street scene. The two semi-detached pairs at the south of the site have a more rudimentary appearance but are of a design and appearance which would sit comfortably within the village setting. The separation and siting of the two properties would allow for a different approach in terms of design but it is noted in terms of scale there is a comparable overall form. The bungalow is set away from the adjacent terrace row which allows for a different scale and form with a design that is simple and unfussy.
- 6.21 The design of the residential housing has a common theme of a main 2-storey element with either one or two 'wings' which are 1.5 storeys with three different configurations proposed. The design does pick up on some aspects of the village vernacular, but again with such a variety of housing design it is difficult to argue that there is a particular Thurne style. The strong front gable, here emphasised by the two storey nature of that element of the house, reflects an approach which is evident in the village, including at the immediately adjacent site. The 1.5 storey elements feature low eaves and small dormer projections which provides some level of continuity in design approach across the site. The scale of the properties is only comparable to the larger houses in Thurne, but are not considered to be of a scale that is out of keeping with the village, or overly dominant on the site. Either side of the site are varying scales of farm buildings, and in this context the scale of development would sit quite comfortably.
- 6.22 In terms of materials the submitted design and access statement envisages red brick and pantiles but concedes that this is expected to be determined at reserved matters stage and will be conditioned so. Certainly a brick and

pan-tile appearance would sit well in the village but will need a reasonable level of certainty in terms of actual type and appearance.

- 6.23 Concerns have been raised by the Parish Council, the Thurne Community Action Group and a number of objectors about the loss of Hedera House itself. Hedera House is a brick and slate building, which is visible from public viewpoints and forms part of the familiar local landscape. Although it clearly needs maintenance, it is not an unattractive building and its retention within the scheme would have been likely to have been supported. However, it is not listed (or of a quality to justify listing) and neither is it in a Conservation Area so the Local Planning Authority has no power to require its retention. It may be regrettable that the scheme which has been developed does not include it, but this is not a planning consideration as such and the LPA can only consider whether the submitted scheme is acceptable on its merits, not whether an alternative scheme might have been better. On this basis, whilst the loss of Hedera House is regretted, this is not a matter to which weight can be given.
- 6.24 It is proposed that permitted development rights relating to extensions, roof additions, and outbuildings are removed as part of any grant of planning permission. That is not to say that reasonable outbuildings are not acceptable, but it is important to have control over their size and design.
- 6.25 In conclusion it is considered that the proposal strikes a reasonable balance in reflecting some aspects of the varied style of the village, proposing a simple and unimposing difference in design while seeking common characteristics and a reasonable level of site identity. The layout and scale would ensure that the overall scheme reads well from public vantage points, does not appear cluttered or overdeveloped, and introduces a good level of interaction with The Street. The space between the sections of development is considered acceptable, allowing for the different forms to be read in sections whilst not undermining the overall flow of development across the site. The proposed development is therefore considered acceptable with regard to DP4 of the Development Management Policies DPD and criteria (iii) and (iv) of Policy THU1 of the Site Specifics Policy.

Landscape

- 6.26 The application site is reasonably level and so when considered from within the confines of the village itself is not a prominent presence. In addition given the sections of farm buildings on either side of the site, its presence is fairly well contained. There will be views of the new development from the Staithe and logically from the river itself at certain points, but when considered within the village setting, the concentration of development in this section, and the scale of buildings on either side, the proposed development will relate well in terms of scale of development and overall appearance and is considered to be acceptable in terms of landscape when taking into account views from the west.

- 6.27 The land rises gently to the east of the village which gives it a slightly higher elevation than the village itself. To the east of the Hedera House site is open fields without obvious field boundaries and therefore the proposed development will be visible from surrounding land. Views from Church Road to the north of St Edmund church offer a wide vista of Thurne village, what becomes apparent is wide and low level spread of buildings with significant trees, Thurne Mill clearly visible in the background, and the backdrop to all this is fields on the western side of the river Thurne. To the south of the church views from Church Road allow for much more of the village detail to become obvious, views of the mill disappear, and only snatches of a backdrop beyond the village are visible. The application site can be clearly distinguished and owing to the sporadic boundary treatment single storey chalets become part of the landscape. What is most apparent is that the scale and form of development in Thurne becomes readable, and a number of buildings have a strong presence in views, this includes residential properties and farm buildings, with the significant trees becoming a more striking presence. There is a public footpath forming part of the Weavers' Way which runs directly north from the church and runs parallel to the application site at a distance of approximately 70 metres. This footpath allows clear views of Thurne and the application site.
- 6.28 Taking into account the above description any development at Hedera House will be part of the village and wider landscape. The BA Landscape Architect has reviewed the proposed scheme and has concluded that, owing to this application being outline with landscape forming part of the reserved matters, they are unable to support the current proposal. The issues cited are layout, with the larger properties forming the residential housing element being at a higher density and visible from the east of the site, and the potential for poor boundary treatments. The conclusion reached is that without landscape forming part of the submitted scheme it is difficult to determine the full extent of the impact of proposals on the surroundings and establish suitable measures to integrate the development into its setting and mitigate any change.
- 6.29 It is accepted that any development will have a visual impact, and there will be some impact on the character of the landscape setting. The key issue is whether that impact will be negative taking into the landscape character, existing development, and the development as proposed. The scale of the buildings proposed will undoubtedly result in a more obvious presence when viewed from the east, the existing site is predominantly characterised by single storey buildings, and although the 'Hedera House' building itself is not insignificant, it is the only 2-storey form on the site. However, the presence of the 'Hedera House' building does at least allow for an appreciation for the potential impact of development, and in terms of the surroundings it is not a particularly prominent presence. When viewed from the east it is the buildings either side which have a greater presence, and the application site itself is almost an anomaly in this context, therefore to provide a more apparent built presence on this site would only be that, a more apparent presence, not a negative or unacceptable presence.

- 6.30 The layout of the residential housing element is broadly in two rows which to some level would limit the perceived extent of development, this includes the orientation of the buildings. The height of the proposed buildings is not excessive, and taking into account the scale of neighbouring development would assimilate reasonably well with its surroundings. There would be some loss of through views but this would not be detrimental to the landscape character taking into account the impact of development in general at this part of the village, the views not being characteristic or an indelible feature of this location.
- 6.31 The issue relating to boundary treatments is acknowledged and uncharacteristic boundary treatments such as close boarded fencing would have a poor relationship to the existing situation. The submitted plans indicate that boundaries would be formed by natural planting, although no detail is presented in this outline application. Boundary treatments would form part of the reserved matters, and it is proposed to remove Permitted Development rights for boundary treatments to ensure that future proposals are within the control of the Local Planning Authority.
- 6.32 One final point to note is that whilst the existing chalets are fairly diminutive, their appearance is an incongruous presence in the village landscape setting both in terms of design and materials which arguably draws more attention to itself than a more subtle form of design. The proposed scheme by that measure would undoubtedly be an improvement on the existing situation.
- 6.33 In conclusion it is considered that the proposed development at Hedera House will not be an unnecessarily obvious or unwarranted presence in the wider landscape, and taking into account its setting and context would not have an unacceptable adverse impact on the surrounding landscape character. Any landscape impacts are reasonably related to the scale of development in this location, and the proposal represents an improvement in the overall appearance of the site both in isolation and in relation to its surroundings. In this respect the proposed development is considered acceptable.

Neighbour Amenity

- 6.34 There are neighbouring residential properties to the west and south of the application sites, and it is noted that an objection has been received from the residents of the property on the opposite side of The Street citing a loss of amenity and a visually overbearing form of development dominating the skyline to the east.
- 6.35 There are currently two chalets, one of which is side on, adjacent to the eastern boundary of the site. The boundary is comprised of a tall hedge which is open in places. The Street is a narrow road and there is no footpath. However, the proposed siting of the holiday accommodation is away from the boundary, with a separation of a minimum of 11 metres at its closest point, and 20 metres at its furthest point, taking into account the angle of the line of buildings in relation to the boundary. Further to this is the width of the road and small set back from the road of the neighbouring building, this ensures

that a separation of between 20 and 25 metres is maintained between the two built forms. The design of the buildings is such that the upper floor is within the roof which takes up a greater proportion of the buildings height than the ground floor walls, this results in a form which pitches away from the boundary. The combination of these factors is considered to mitigate any potential for the development to be unacceptably overbearing or visually enclosing. There will be some loss of skyline at certain points but this is not considered to be unacceptable taking into account the separation between properties. In terms of privacy the separation again is considered to be sufficient to overcome any concerns, and an established boundary treatment would allay concerns over the perception of being overlooked at a direct level.

- 6.36 In relation to the residential property to the south of the site, the separation between the built forms, particularly at two storey level is considered sufficient to ensure no undue loss of amenity. The proposed buildings are set away from the boundary as is the neighbouring property, and there is an access road between the two sites. The combination of these factors would ensure that the proposed development would not be visually overbearing or result in a sense of enclosure. The holiday units adjacent to the southern boundary have been designed so that there are no first floor windows to the rear elevation which would therefore ensure no loss of privacy or overlooking.
- 6.37 The proposed development is therefore acceptable with regard to Policy DP28 of the Development Management Policies DPD and criteria (vi) of Policy THU1 of the Site Specific Policies Local Plan.

Biodiversity

- 6.38 The applicants have submitted an ecological and protected species survey of the site. The report concluded that the plant communities are ecologically unremarkable, the marginal habitats are of greater ecological value, in particular the scattered trees and hedging to the north, east, and west. No evidence of protected species was found within the site, although the boundary hedges and trees contain some features that may be of value to nesting birds and foraging bats.
- 6.39 The report has been reviewed by the BA Ecologist who has raised no objections to the scheme subject to conditions including enhancements, and advice notes which will be included in any grant of planning permission in the form of Informatives. Should any enhancement measures be proposed up front Members will be updated verbally. In this respect the proposed development is considered acceptable.

Trees

- 6.40 The applicants have submitted an arboricultural impact assessment and method statement for the proposed development, this has been assessed by the BA Tree Officer. No objections have been raised to the loss of trees in the centre of the site but some concern was raised about the proposed removal of the frontage hedge in order to provide the required visibility splay. This point

was raised with the applicant's agent who confirmed that the removal was specifically a highway safety issue and that a replacement hedge would be planted behind the area of the visibility splay. It is noted that criteria (iv) of Policy THU1 requires retention of mature hedgerows but in criteria (vii) it requires highway access compatible with the other criteria. In this respect having regard to the consultation responses it would appear that these two elements are incompatible, but it would not be reasonable to refuse a scheme over the loss of an existing hedgerow, however regrettable, when highway safety considerations in this respect would outweigh that element of the assessment criteria. Taking into account the highways requirement for a visibility splay and the fairly sporadic form of the existing hedge it is considered that the loss of the hedge would be acceptable in these specific circumstances, a point which has been accepted by the BA Tree Officer. The replacement hedge would need to be detailed to the satisfaction of the Local Planning Authority at the reserved matters stage. In this respect the proposed development is considered acceptable with regard to criteria (iv) of Policy THU1 of the Site Specific Policies Local Plan.

Flood Risk

- 6.41 The subject site is located within flood zones 1, 2, and 3. The western part of the site is within flood zone 3 up to approximately the mid-point of the 'Hedera House' building. The north-east portion of the site is with flood zone 2, with the remainder of the site in flood zone 1.
- 6.42 This is an allocated site, where the principle of mixed residential and holiday use has been accepted following consideration of all the relevant issues, including flood risk. A flood risk assessment (FRA) was submitted as part of this application, which the Environment Agency have reviewed and confirmed that they have no objection on flood risk grounds providing that the LPA have taken into account the flood risk considerations. The FRA includes measure to cover finished floor levels and a flood response plans and these represent a satisfactory mitigation of the residual risks. It is concluded that the proposed development at Hedera House has sufficiently considered flood risk and related matters.

Drainage

- 6.43 The application site falls within the Drainage district of the Broads Internal Drainage Board (IDB). The Broads IDB have commented as follows:
- Any change to the impermeable area of the site or the positive discharge to the drainage system, may result in increased flows (by rate and/or volume) entering the district, which will need to be dealt with by the boards infrastructure.
 - Therefore further details will be required from the applicant to confirm how excess surface water from the site will be dealt with and of any change to the drainage characteristics of the site.
 - Land Drainage consent may be required as may a one off surface water discharge contribution.

6.44 The comments of the IDB were passed to the Agent for the application and a response was received with the following:

- Regarding the IDB, I have calculated that the existing impermeable area is 1568 sqm, and the proposed impermeable area is 2590 sqm. Therefore, as soil infiltration is likely to be poor at this location, surface water would need to be discharged into the adjacent ditch system and a financial contribution to the IDB is expected due to the increase in impermeable area.

6.45 The IDB have accepted that increased drainage flows will need to be dealt with by existing infrastructure, there is no suggestion that the development would otherwise compromise the efficient working of the drainage system within the Drainage District, and provisions exist for regularising how this will be achieved as well as required contributions. Should planning permission be granted it will be necessary to include a condition requiring demonstration of agreement with IDB over the proposed drainage discharge. Subject to this requirement the proposed is considered to be acceptable with regards to Criteria (v) of THU 1 of the Site Specific Policies Local Plan.

Sewerage

6.46 Criteria (v) of THU 1 requires demonstration that there is adequate sewerage capacity. There are no specific details submitted as part of this application although on the submitted plans there is a reference to Sewage Treatment System with treated effluence discharged into Thurne Dyke. It is accepted that there are a number of systems which would adequately deal with sewage disposal from the site and which discharge clean water into the dyke, with a treatment plant installed below ground level and minimal provision of apparatus above ground level. The provision of a sewage treatment plant can be secured by planning condition as well as an informative relating to Environmental Permitting Regulations which would adequately address the objectives of Criteria (v) of THU 1.

Highways

6.47 A single access at the same location as the existing access is shown on the submitted plans, this has been reviewed by the County Highway Authority who have raised no objection subject to a planning conditions and an informative. The scheme is therefore considered acceptable on highway grounds with regard to criteria (vii) of Policy THU1.

Planning Contributions

6.48 Planning contributions may be sought from applicants under specific circumstances. According to the NPPG contributions for affordable housing and tariff style planning obligations should not be sought from small scale developments. Small scale developments are defined as developments of 10-units or less. The NPPG goes on to state that in designated rural areas,

local planning authorities may choose to apply a lower threshold of 5-units or less. The Department for Communities and Local Government provided a list of designated rural areas which does not include Thurne. The threshold for planning contributions for the provision of affordable housing contributions is therefore at a base level of more than 10 units. The proposal is for six units of residential accommodation and therefore there is no grounds for requiring a contribution to affordable housing.

SSSI

- 6.49 Criteria (viii) of THU 1 requires that the proposed development must ensure no adverse effects on the nearby SSSI. The SSSI is to the west of the street, beginning generally at the rear of residential boundaries, and to the north of the Staithe with its southern boundary in line with Thurne Mill. The site is towards the edge of the SSSI Impact Risk Zone, this requires consideration where proposals are outside or extending outside existing settlements, or are for residential developments of 10 units or more. Taking into account the proposed development the threshold is not exceeded here. The application site is considered to be of a sufficient distance from the SSSI and is of a scale and density which would not result in any adverse impact on the special interest of the SSSI taking into account the existing development within the village. The scheme is therefore considered acceptable with regard criteria (viii) of Policy THU1.

7 Conclusion

- 7.1 The proposed redevelopment of the Hedera House site has been outlined in the adopted Site Specifics Local Plan which allows for a proportionate amount of enabling development subject to a viability assessment. This has been assessed independently and is considered acceptable. The policy goes on to stipulate a number of provisions which the proposed scheme has been assessed against and is considered to meet. The approach to development in terms of division of the site between holiday accommodation and residential housing is considered to be acceptable, the layout, design, and scale of development would result in a form of development which would compare well to existing development in the village and would sit well in relation to surrounding sites. The proposal would improve the appearance of the whole site both in isolation and in relation to its surroundings and would not adversely impact on surrounding landscape character. In terms of impact on surrounding neighbours there would be no undue loss of amenity and privacy. Overall the proposed development would ensure the continued provision of holiday accommodation in this location and the scheme has struck a reasonable and acceptable balance between this provision and the necessity of enabling development. Whilst it is acknowledged that a number of objections have been received from local residents and the Parish Council, taking into account the above assessment the proposed scheme is considered to be policy compliant and any material concerns raised have been adequately addressed.

8 Recommendation

Approve subject to conditions

- i. Reserved matters submission time limit, and time limit on commencement following approval of reserved matters;
- ii. Reserved matters - landscape, design details, materials, boundary treatments, trees, hedge to street boundary, native hedgerow planting/gap filling;
- iii. Timing of works;
- iv. Occupation (holiday accommodation and residential);
- v. Length of stay (holiday accommodation);
- vi. Disabled accommodation up to required standards;
- vii. Details of type and siting of foul sewage treatment plant;
- viii. Surface water drainage;
- ix. Obscure glazing;
- x. Highways - width of access;
- xi. Highways - length of access;
- xii. Highways - visibility splay;
- xiii. Highways - access, parking, and turning;
- xiv. Ecology - timing of works to trees and hedgerows;
- xv. Ecology - external lighting;
- xvi. Ecology - length of grass prior to works commencing;
- xvii. Ecology - Further bat surveys if Trees (T1, T7, T8, T20) are proposed for removal/ tree works;
- xviii. Ecology - provision of two bird boxes;
- xix. Ecology - provision small wildlife pond in one corner of the site;
- xx. Works to be carried out in accordance with the submitted Arboricultural Implications and Method Statement;
- xxi. Details of type and siting of foul sewage treatment plant
- xxii. Demonstration of flood resilient construction in accordance with FRA
- xxiii. Flood evacuation plan
- xxiv. Sign up to flood warnings
- xxv. Remove permitted development rights

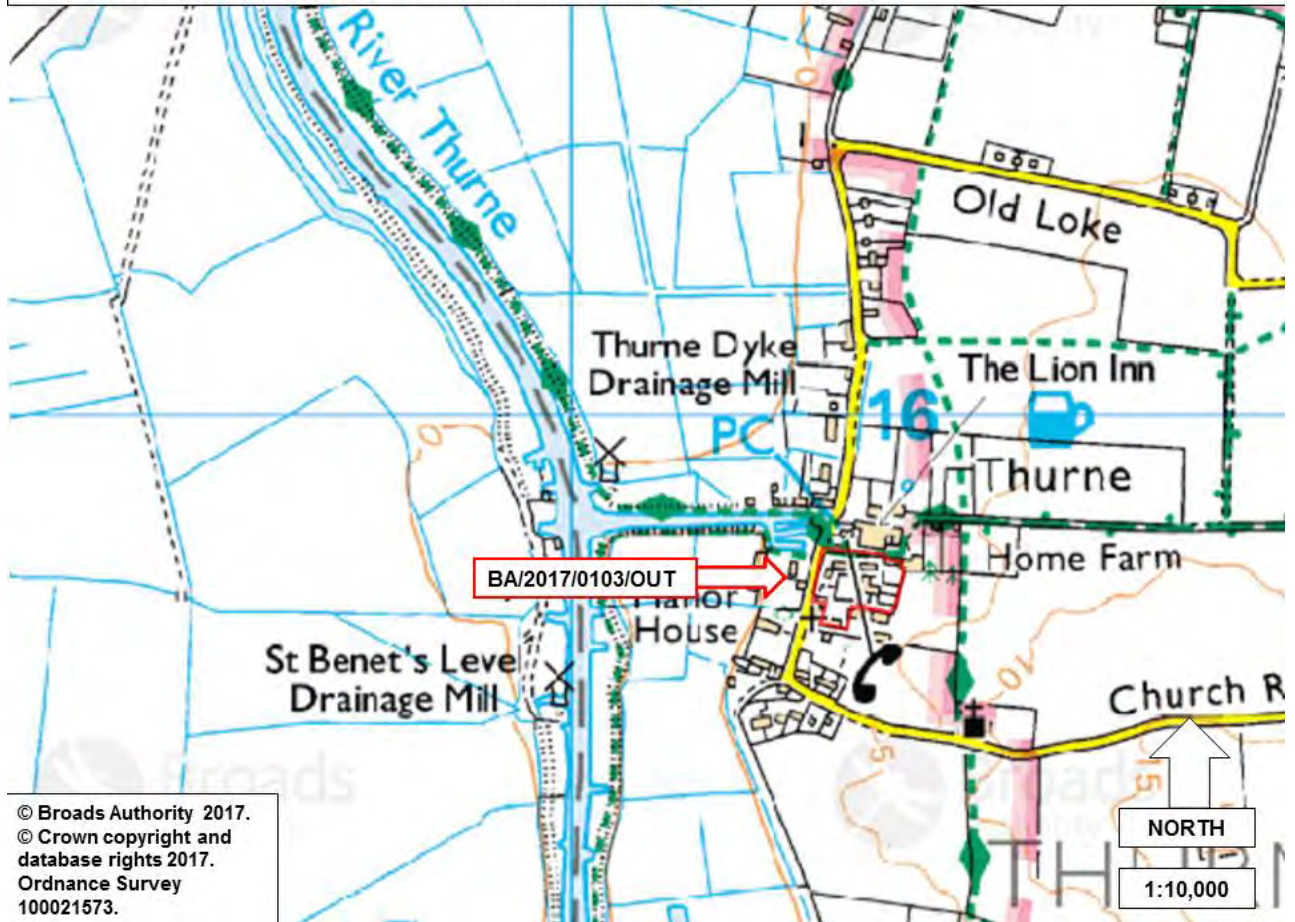
9 Reason for Recommendation

The proposal is considered to be in accordance with Policy THU1 of the Site Specific Policies Local Plan, Policies CS1, CS9, CS18 and CS20 of the Core Strategy (2007), Policies DP1, DP2, DP3, DP4, DP11, DP28, and DP29 of the Development Plan Document (2011), and the National Planning Policy Framework (2012) which is a material consideration in the determination of this application, along with National Planning Practice Guidance.

List of Appendices: Location Plan

Background papers: Application File BA/2017/0103/OUT

Author: Nigel Catherall
Date of Report: 07 July 2017

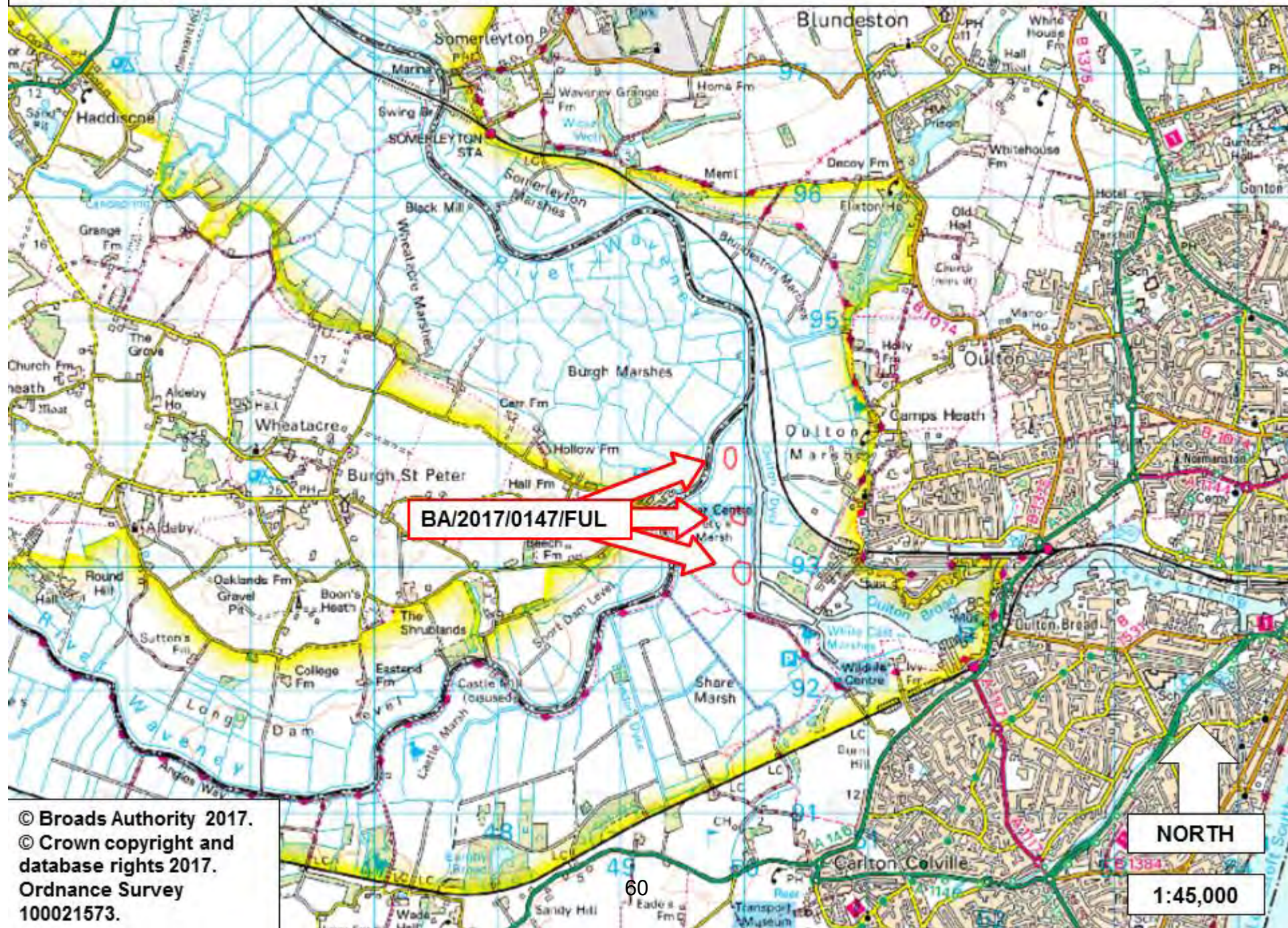


Reference:

BA/2017/0147/FUL

Location

Peto's Marsh (Compartment 28) Carlton Colville



Application for Determination

Parish	Carlton Colville		
Reference	BA/2017/0147/FUL	Target date	14.8.2017
Location	Peto's Marsh, Carlton Colville		
Proposal	The excavation of a series of ponds to provide material for adjacent flood defence improvements.		
Applicant	Environment Agency		
Recommendation	Approve subject to Conditions		
Reason for referral to Committee	Major Application		

1 Description of Site and Proposals

- 1.1 The site subject of this application covers an area of 33,900sqm of Peto's Marsh at Carlton Colville. Peto's Marsh is situated to the northwest of Oulton Broad. The northern extent of the marsh is defined by the junction between the River Waveney and Oulton Dyke. The western boundary of the site is defined by the River Waveney with Oulton Dyke running along the eastern boundary of the site. There is an existing flood defence bank running parallel to Oulton Dyke for the length of the site. Angles Way footpath runs along the southern boundary of the site.
- 1.2 The site itself is a flat area of marshland that was previously under arable cultivation but has now been allowed to revert to rough grassland. There are a number of foot drains running across the site. The land has recently been acquired for the Suffolk Wildlife Trust, who has a vision and plans for the future development and management of this area.
- 1.3 The closest built development is The Waveney River Centre, located approximately 0.5km away from the site, at the closest point, on the opposite bank (western bank) of the River Waveney.
- 1.4 The Sprat's Water and Marshes SSSI adjoins the site to the south east. The site is also adjacent to a Broadland Special Protection (SPA) and Ramsar site and a Broads Special Area of Conservation (SAC). Although not currently designated as a BAP Habitat the site has been identified as having high potential for future designation.

- 1.5 The site is situated in Flood Risk Zone 3 of the Environment Agency Flood Risk Maps.
- 1.6 The development for which planning permission is sought is for the creation of a series of ponds on the marshes to generate the material required by BESL to reshape and strengthen the existing floodbank that runs down the eastern boundary of the site. The works to the floodbank itself are not part of this application which is just concerned with the creation of the ponds.
- 1.7 There would be three ponds created close to the eastern boundary of the site and the floodbank. The northernmost pond would cover a maximum area of 128m by 148m and would have a maximum depth of 2m. The maximum volume of material excavated from this pond would be 20,300m³. The middle pond would cover a maximum area of 105m by 97m and would also have a maximum depth of 2m. The maximum volume of material that would be excavated from this pond would be 10,400m³. The southernmost pond would have a maximum width of 124m and a maximum length of 154m, again it would have a maximum depth of 2m. The maximum volume of material that would be excavated from this pond would be 24,850m³. The total maximum volume of material that would be generated by these excavations would be 55,550m³.
- 1.8 Suffolk Wildlife Trust have been fully engaged in the design process, with the aim being to return Peto's Marsh to a wetter reed bed environment with an extensive series of scrapes, ponds and dykes across the site. It is expected that the site would be dominated by tall reed vegetation interspersed with areas of open water, making it appealing for wildfowl.
- 1.9 The application states it is unlikely that the areas identified for excavation would be excavated to their full extent and it is likely that within the identified pond areas two or three discrete ponds would be dug rather than one large pond. The topsoil would be stripped from the excavation areas and stored. A layer of this would then be applied to the sloped edges of the ponds to help the establishment of marginal vegetation. The edges of the ponds would be of an irregular nature to give a more natural appearance. The pond edges would not be planted but would be allowed to re-establish through natural regeneration. There is likely to be a good seedbank within the topsoil that would be placed on the pond slopes that would help the revegetation to occur. Suffolk Wildlife Trust have identified this methodology as their preferred option.
- 1.10 Vehicular access to the site would be gained via the end of Burnt Hill Lane adjacent to the Suffolk Wildlife Centre then via an existing track across the marshes. A site compound for the works vehicles would be established in the south eastern corner of the site adjacent to the access track and Sutton's Dyke.

2 Site History

- 2.1 There is no planning history for this site.

3 Consultation

3.1 Broads Authority Ecologist

Supportive of the proposal subject to conditions requiring the submission of protected species mitigation and plans.

3.2 Broads Authority Landscape Consultant

Given the land-use history of Peto's Marsh and the future plans of Suffolk Wildlife Trust for the site, the proposals offer significant benefits for wildlife and visitors. Assuming the water bodies develop into naturally fringed/soft edged features, they should have a positive impact on the landscape.

3.3 Environment Agency

No objection.

A FRA prepared by BESL has been submitted. This shows that the development will be safe for its lifetime. The developers will register to receive flood warnings which we will issue and will contribute to the safety of the workers. We are satisfied that the development will not increase flooding elsewhere as the excavated material is being removed from the site and used to construct new flood defences.

3.4 Natural England

Based on the information provided in support of the application, Natural England's view is that the proposal is unlikely to have a significant effect on the adjacent Broadland Special Protection Area (SPA) and Ramsar site or the Broads Special Area of Conservation (SAC). We also consider that the proposal is unlikely to adversely affect Sprat's Water and Marshes, Carlton Colville Site of Special Scientific Interest (SSSI). We therefore have no objection to the proposal.

4 Representations

4.1 No Representations have been received on this application.

5 Policies

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

[NPPF](#)

Core Strategy

[Core Strategy Adopted September 2007 pdf](#)

CS1 Landscape Protection and Enhancement

CS2 Nature Conservation

CS4 Creation of New Resources

Development Management Policies

DEVELOPMENT PLAN DOCUMENT

DP1 Natural Environment

DP2 Landscape and Trees

DP11 Access on Land

DP29 Development on Sites with a High Probability of Flooding

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

Core Strategy

CS20 Rural Sustainability

5.3 **Neighbourhood Plans**

There are no Neighbourhood Plans relevant to this site.

6 Assessment

- 6.1 In terms of the assessment of this application the main issues that need to be considered are: the principle of the development; impact on ecology; landscape impact; and flood risk.
- 6.2 In terms of the principle of the development, the scheme is driven by the need to strengthen and reshape the flood bank that runs along the eastern boundary of the site. The creation of these ponds, close to the bank itself, would provide the material required, with minimum disturbance, avoiding the need for the material to be transported long distances. However, rather than just extracting the material required the scheme has been designed to maximise the biodiversity benefit that could be derived from these earthworks. As well as improving the structural integrity of the flood bank this scheme would help to deliver the Suffolk Wildlife Trust's medium to long term vision and plans for this area of marshland. It is therefore considered that the principle of this development is acceptable.
- 6.3 Considering ecology, Policy DP1 of the Development Management Policies DPD states that all development should: protect biodiversity value and minimise the fragmentation of habitats; maximise opportunities for restoration and enhancement of natural habitats; and incorporate beneficial biodiversity and geological conservation features where appropriate.
- 6.4 The creation of the ponds rather than the widening of the existing dykes on the site would have a major positive impact on water voles in the short term by avoiding disturbance to their habitat. In the longer term the ponds are likely to provide increased habitat for water voles. A 5m exclusion zone would be set up to ensure that potential water vole habitat is not directly or indirectly affected by working plant.

- 6.5 This area of marshland currently consists of rank vegetation that is dominated by grass species with some nettles, common reed and remnant arable species. It currently has limited value for most breeding birds, but there is the potential for ground nesting birds, such as skylark. The ponds have been carefully designed, in full consultation with the Suffolk Wildlife Trust, to maximise their appeal for wildfowl. The edges of the ponds would be irregular in nature to provide more complex edge habitats and would be allowed to revegetate naturally which would result in them being dominated by tall reed vegetation. The exact details of the area/areas, depth, profile and finishing of the ponds would be agreed with the Suffolk Wildlife Trust to be consistent with their overall masterplan for the site. Overall the scheme would see Peto's Marsh return to a wetter reed bed environment with an extensive series of ponds and dykes across the site. It is therefore considered that whilst this development is driven by the need to secure sufficient material to strengthen and improve the floodbank adjacent to the site, that the resultant pond scheme has been designed to maximise the biodiversity value of the area and create improved natural habitats. The scheme is therefore considered to be in full accordance with Policy DP1 of the Development Management Policies DPD.
- 6.6 Whilst the site is close to a Broadland Special Protection Area (SPA), Ramsar Site, Broads Special Area of Conservation (SAC) and the Sprat's Water and Marshes, Carlton Colville SSSI, Natural England has confirmed that the proposal is unlikely to adversely affect any of these designated sites. The proposal is therefore considered to be in accordance with the relevant sections of Policy DP1 of the Development Management Policies DPD and Policy CS2 of the Core Strategy.
- 6.7 In terms of landscape impact, Peto's Marsh is an area that was previously under arable cultivation but since a change in ownership has more recently been allowed to revert to rough grassland. The land is a very wet area of marsh with frequent standing water during wetter periods. The scheme is seeking to increase the area of open water present on the site and to increase the tall reed vegetation. The intention is for the waterbodies to develop into naturally fringed, soft edged features which would have a natural appearance and make a positive impact on the landscape of this site. These features are considered to be in keeping with the character of the surrounding landscape.
- 6.8 During construction there would be a temporary visual impact on the landscape from excavators and dumpers working within the marsh. There is also potential for the dumpers to form trackways of exposed earth through the marshes on the haulage routes used to transport the material to the floodbank. The application states that the effects of such trackways would be minimised firstly by working in drier weather conditions and secondly by harrowing and reseeding, as necessary, any bare earth left within the marsh at the completion of works. It is therefore considered that this proposal is in full accordance with Policy CS1 of the Core Strategy and Policy DP2 of the Development Management Policies DPD which seek to ensure that development would not have a detrimental effect on, or result in the loss of,

significant landscape heritage or a feature of landscape or ecological importance.

- 6.9 In respect of flood risk the site is located in Flood Risk Zone 3 of the Environment Agency's Flood Risk Maps. However the creation of the ponds and the improvements to the flood bank are considered to be water compatible in Table 2 of the Flood Risk Vulnerability Classification of the Planning Practice Guidance. In accordance with the requirements of the NPPF the Sequential Test has been applied to this application and the application has been accompanied by a brief Flood Risk Assessment. This Flood Risk Assessment shows that the development would be safe for its lifetime. The Environment Agency is satisfied that the development would not increase flooding elsewhere as the excavated material is being removed from the site and used to improve the flood defences. It is therefore considered that this application is in accordance with Policy CS 20 of the Core Strategy, Policy DP29 of the Development Management Policies DPD and the NPPF.

7 Conclusion

- 7.1 The purpose of this application is to generate sufficient material for the strengthening and re - profiling of the flood bank running along the eastern boundary of the site, which is part of the overall BESL flood defence programme. However it is acknowledged and welcomed that the opportunity has been taken to significantly improve both the biodiversity and habitat value of the land as well as make a positive contribution to the landscape. The scheme will assist the Suffolk Wildlife Trust in realising its long term plans and aspirations for this site.
- 7.2 The development proposed is considered to be in full accordance with the relevant Policies in the Core Strategy and the Development Management Policies DPD as well as the NPPF.

8 Recommendation

- 8.1 Approve subject to the following conditions:
1. Standard 3 year time limit for commencement
 2. In accordance with submitted plans an supporting documentation
 3. Survey, mitigation and enhancement of protected species
 4. Protected species checks
 5. Restoration of any areas of marsh damaged during construction

9 Reason for recommendation

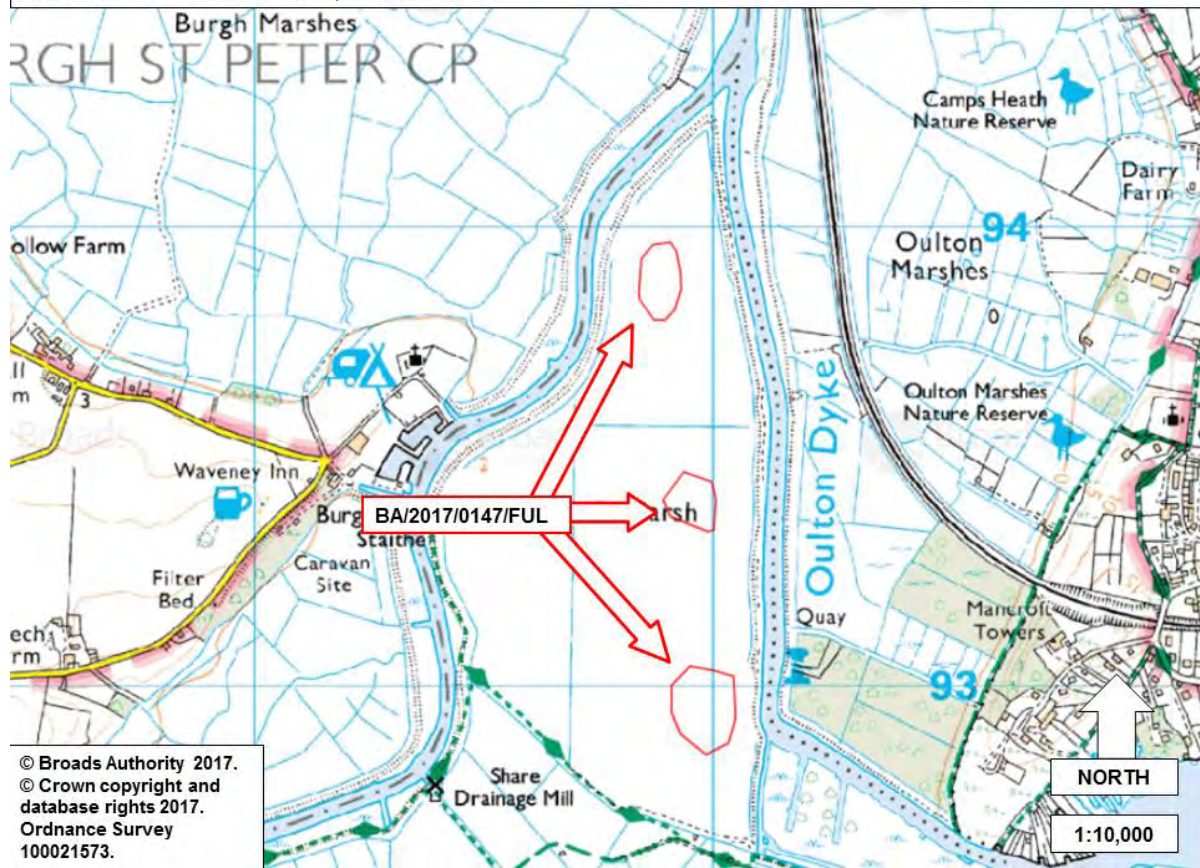
- 9.1 In the opinion of the Local Planning Authority the development is acceptable in respect of Planning Policy and in particular in accordance with policies CS1, CS2, CS4 and CS20 of the Core Strategy and policies DP1, DP2, DP11 and DP29 of the Development Management Policies DPD (2011), as the development is considered an appropriate form of development, with no detrimental impact on ecology and designated sites or the landscape.

List of Appendices: Location Plan

Background papers: Application File BA/2017/0147/FUL

Author: Alison Cornish

Date of Report: 5 July 2017

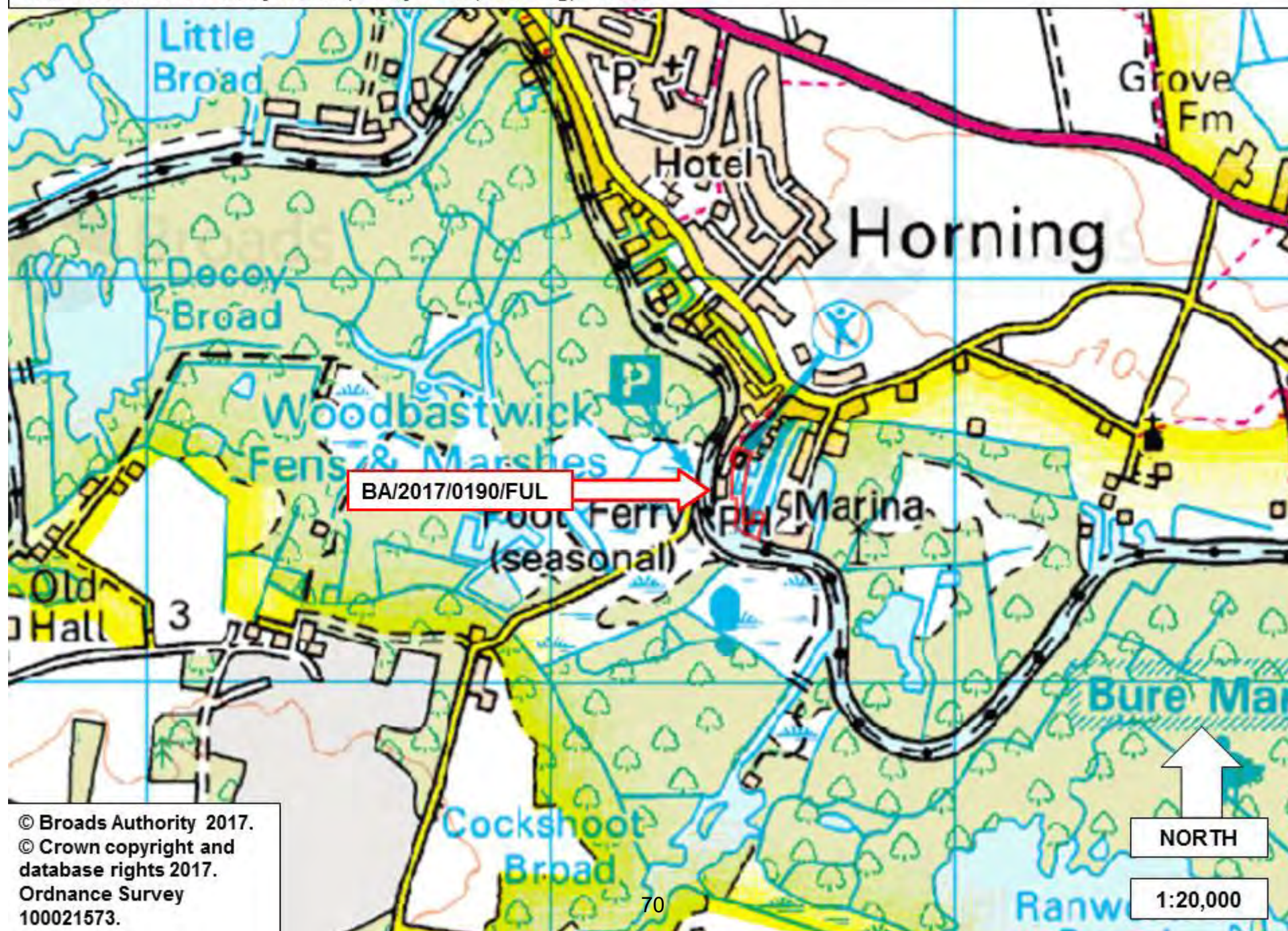


Reference:

BA/2017/0190/FUL

Location

Ferry Marina, Ferry Road, Horning



Application for Determination

Parish	Horning		
Reference	BA/2017/0190/FUL	Target date	3 August 2017
Location	Ferry Marina, Ferry Road, Horning		
Proposal	Extension to boatshed		
Applicant	Ferry Marina Ltd.		
Recommendation	Approve subject to conditions		
Reason for referral to Committee	A director of the company making the application is a Member of the Navigation Committee		

1 Description of Site and Proposals

- 1.1 The application site is a large boatyard at the eastern end of the village of Horning on the Rive Bure. The yard extends from the riverside northwards along the eastern side of Ferry Road towards School Road. A large boatshed for repairs and maintenance exists at the southern end of the site, nearest the river, and this building also houses the site reception and offices. North of this there are extensive mooring basins, with terraces of holiday dwellings around further basins nearest School Road. The site is outside the Horning development boundary and Conservation Area and in flood risk zone 3.
- 1.2 It is the large boatshed which is the subject of this application. It stands on an approximate north-south axis set back 15 metres from the river and with a large mooring dyke to the east and parking and moorings to the west. Boats also moor on the river frontage immediately south of the building. The dyke to the east gives access into the yard's basins and a parallel dyke accesses a number of holiday and other properties and moorings on Ferry View Road.
- 1.3 The boatshed measures approximately 16 metres by 29 metres in footprint, with single storey lean-tos at each end of the double height space at the centre which have a wet dock within. These lean-tos were an integral part of the original design. The lower parts of the walls have vertical green timber boarding, with horizontal black boarding above. The roof has a grey profile metal covering and the windows are white painted timber.
- 1.4 It is proposed to extend the boatshed on the northern side, furthest from the river. This would extend off the existing lean-to with a gabled roof at 90 degrees. In footprint, the extension would measure 10 metres by 13 metres and it would be

constructed in matching materials. Each elevation would have two high level windows and the north elevation would have two personnel doors. On the west elevation of the existing building, a new roller shutter door opening would be created to the double height space. The extension would occupy an area which is currently open grass used for informal storage and is surrounded by moorings on each of the three sides.

- 1.5 The extension would be used as additional workshop space and ancillary facilities to the boatyard.

2 Site History

- 2.1 In 2007 planning permission was granted for the conversion of an existing boatshed to four units of holiday accommodation and erection of replacement boatshed (BA/2007/0318/FUL). The replacement boatshed is the one subject of this application. This permission was subsequently amended to reduce the amount of land removed from the site (BA/2007/0210/COND).
- 2.2 In 2009 a small extension to the southern lean-to was permitted to enlarge the reception space (BA/2009/0303/FUL).

3 Consultation

Parish Council – Supports this application.

District Member – Can be determined by the Head of Planning (delegated decision).

Representations

Two neighbour representations have been received from owners/occupants of properties on Ferry View Road. One objects on the grounds it would affect their holiday let business by increasing noise and impairing the view. They consider the existing boatshed to be an eyesore out of keeping with the beauty and serenity of the River Bure and extending it would exacerbate this. They note there would be no increase in employment. The second notes the existing boatshed mars the marshland views and extending it would increase this. They consider removing the existing lean to roof and extending with one consistent roof would be preferable and hope that the Marina can be encouraged to plant some new trees on site.

4 Policies

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

[NPPF](#)

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

CS1 – Landscape protection and enhancement
CS9 – Sustainable Tourism
DP2 – Landscape and Trees
DP4 – Design
DP29 – Development on Sites with a High Probability of Flooding
HOR7 – Horning – Boatyards, etc. at Ferry Road and Ferry View Road

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

DP20 – Development on Waterside Sites in Commercial Use, including boatyards
DP28 – Amenity

Neighbourhood plans

- 4.3 There is no Neighbourhood Plan for this area.

5 Assessment

- 5.1 In terms of principle, this is an existing boatshed at a large, established boatyard and Policy DP20 allows for new development at such sites to meet operational requirements. The main considerations are therefore design, amenity and compliance with Site Specific Policy HOR7.
- 5.2 In design terms an extension to the existing building is also acceptable in principle and the scale and siting of the proposed extension would appear subservient to the existing building. It would be preferable for the extension to be delineated in some way so as to appear as a later extension to the existing building, particularly as the original design incorporated the lower lean-tos at each end to break up the bulk and minimise the visual impact of what is a large building in a prominent riverfront location. However the applicant and architect would prefer for it to match the existing building and appear as if it were always part of it and this is not unacceptable.
- 5.3 It is noted a neighbour would prefer to see one consistent roof form over the extension and existing lean-to. This would result in a single gable form on the north elevation, rather than a gable coming off a lean-to, thus reducing the mass of roof seen from this aspect. The rationale for this is understood, however it is not considered it would significantly reduce the mass of the extended building nor increase any views beyond the building.
- 5.4 Overall the scale, form and materials as proposed are considered acceptable and whilst some delineation in the detailed design would be preferable, the cohesive design and its visual mass are not unacceptable. The addition of a roller shutter to match the existing on this substantial commercial boatshed is also considered appropriate. On balance, the proposal is acceptable in accordance with Policy DP4.

- 5.5 With regards amenity, the nearest dwellings are those on Ferry View Road approximately 65 metres to the east. The proposal, and the resultant additional space, would not change the processes carried out in the building and it is not considered it would generate any significant or unacceptable additional noise or activity. There would be no overlooking or loss of privacy from the extension and with the distance to the neighbouring dwellings, it is not considered it would have any overbearing impact. It is appreciated the erection of the original building resulted in a different outlook to these dwellings and some loss of the view across to the marshes south of the river, however this is a private view and therefore not a material consideration, but in any case it is not considered the proposal would significantly affect this outlook or the visual amenity of the area. The proposal is therefore considered acceptable in accordance with Policy DP28.
- 5.6 With regards new development in this area, Site Specific Policy HOR7 states it should include appropriate measures to manage the risk of water pollution. It is also identified there is a high flood risk here and that there should be no new connections to the public foul drainage system. In accordance with the policy new development should incorporate significant landscape planting to help soften the appearance of the area, integrate it into the wider landscape and support wildlife and biodiversity.
- 5.7 The extension would not accommodate any new processes and existing systems would be used to manage water pollution risks. No extra toilets are to be provided and no new connection to the public sewer would be required. The existing floor level would be carried through to the extension and measures are proposed to manage flood risk to electrical wiring. This is in accordance with Environment Agency standing advice and the proposal is acceptable in respect of flood risk.
- 5.8 No landscaping is proposed in the application. The architect notes there would be very little space around the extended building to accommodate any planting, that any available space is used extensively for servicing boats and manoeuvring vehicles and equipment and that new planting has recently been carried out around the marina. The new planting is ornamental planting in pots and whilst this softening addition is welcomed, it is temporary and does not make a landscape contribution. It is appreciated there would be little space around the extension and that open external space is required for operational reasons. Having visited the site it is, however, considered that there is some space on the river frontage where new landscaping could be provided without adversely impacting on the site's operations and this would achieve the Policy's objective of softening the appearance of the wider area. It should also be noted an objector would welcome this. A condition requiring a landscaping scheme is therefore considered necessary in accordance with Policies HOR7 and DP2. Subject to this, the proposal is acceptable in accordance with Policy HOR7.

6 Conclusion

- 6.1 It is proposed to add a subservient extension to an existing substantial commercial boatshed. On balance, the extension is considered acceptable in design and it is

not considered it would result in any unacceptable impacts on amenity. Subject to a condition requiring a landscaping scheme, the proposal would comply with the objectives for the area set out in Policy HOR7.

7 Recommendation

Approve subject to conditions

- (i) Standard time limit
- (ii) In accordance with approved plans
- (iii) Matching materials
- (iv) Landscaping scheme

8 Reason for recommendation

The proposal is considered acceptable in accordance with Policies CS1 and CS9 of the adopted Core Strategy (2007), Policies DP2, DP4, DP20, DP28 and DP29 of the adopted Development Management Policies (2011), Policy HOR7 of the adopted Site Specific Policies (2014) and also the National Planning Policy Framework (2012) which is a material consideration in the determination of this application.

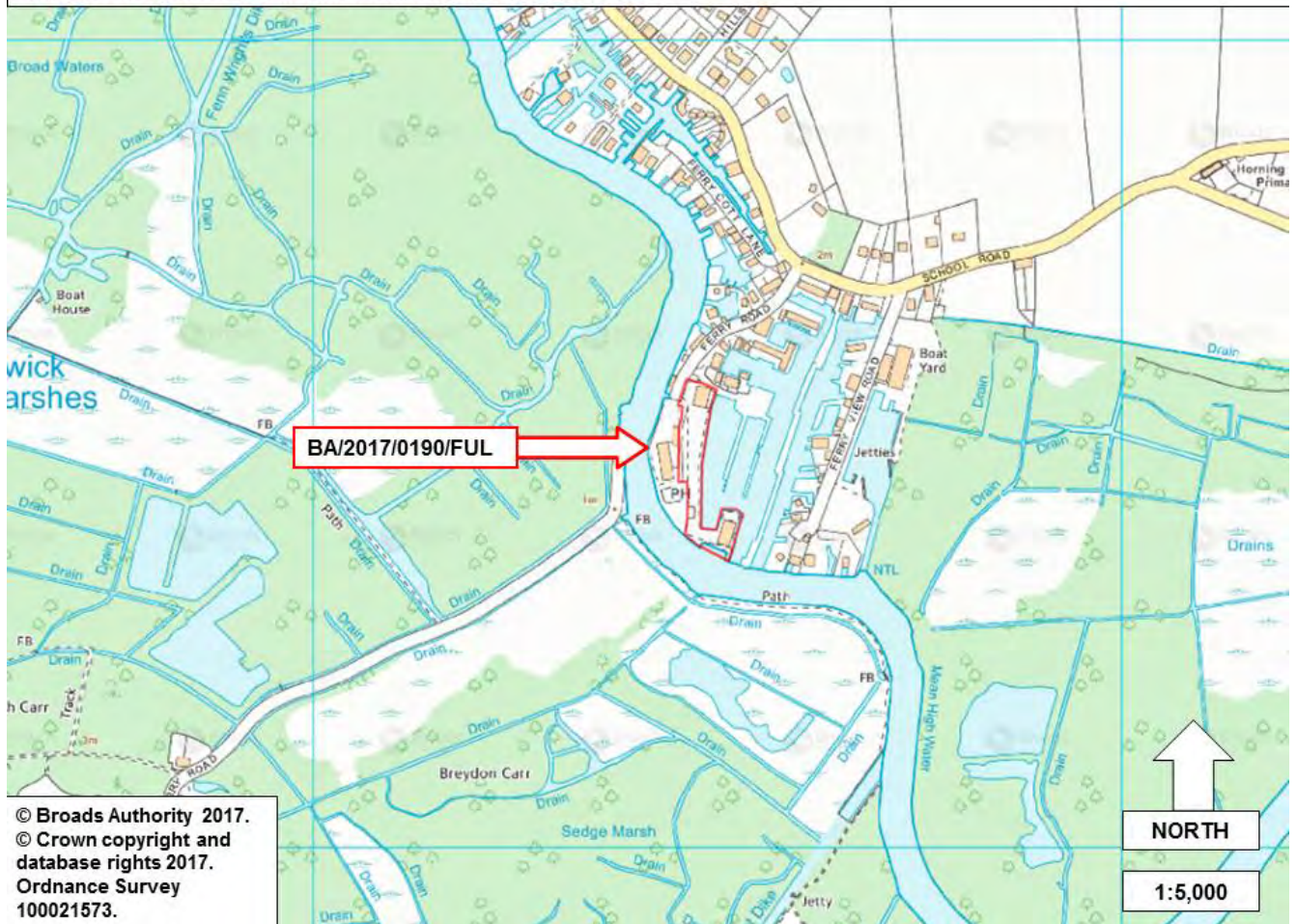
9 Note by Solicitor and Monitoring Officer

In accordance with the procedures set out in paragraph 2 of the Code of Conduct for Members on Planning Committee and Officers, I have been informed of this application. I have read the file and this draft report on 5th July 2017. I confirm that I consider that this matter has been dealt with in accordance with normal processes and procedures and the recommendation appears uncoloured by the relationship noted in this report. I have asked that this paragraph be inserted into the report.

List of Appendices: Location Map

Background papers: Application File BA/2017/0190/FUL

Author: Maria Hammond
Date of Report: 5 July 2017



Reference:

BA/2017/0164/FUL

Location

Fineway Cruisers, Fineway Boatyard, The Rhond,
Hoveton



Application for Determination

Parish	Hoveton Parish Council		
Reference	BA/2017/00164/FUL	Target date	31.07.2017
Location	Fineway Boatyard, The Rhond, Hoveton, NR12 8UG		
Proposal	Replacement quayheading		
Applicant	Richardsons Leisure Ltd		
Recommendation	Approve subject to conditions		
Reason for referral to Committee	The Managing Director of the company making the application is a member of the Broads Authority		

1. Description of Site and Proposals

- 1.1 The application site is Fineway Boatyard, a commercial boatyard with a day boat hire fleet. The yard is located at the end of a large mooring basin off the River Bure and accessed by road off The Rhond, Hoveton. The site lies outside of the Wroxham Conservation Area and is within the development boundary.
- 1.2 The applicant seeks part retrospective permission to replace approximately 112 metres of quayheading at the boatyard. The proposed development would see the existing timber quayheading replaced with steel piling with timber capping and waling. The alignment and height of the quayheading would be maintained as existing.
- 1.3 The works commenced in April 2017 but have not been completed.

2. Site History

No planning history

3. Consultation

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

Parish Council – no objections

Environment Agency – holding objection, pending additional information

Representations

None received

4. Policies

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

[DEVELOPMENT PLAN DOCUMENT](#)

Development Management Plan DPD (2011)

DP4 – Design

DP29 – Development on Sites with a High Probability of Flooding

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

Development Management Plan DPD (2011)

DP13 – Bank Protection

5. Assessment

- 5.1 In principle the replacement of the existing quayheading is considered acceptable in accordance with Policy DP13. The main consideration is the proposed change of material.
- 5.2 The surrounding area is a mix of commercial boatyards and residential properties with a mix of timber quayheading and steel piling. Steel has a hard, engineered appearance and does not weather like timber thus does not integrate into the Broads Landscape as well as timber, or other soft engineering options and therefore its use at any location must be considered carefully as it has the potential to change the character of the area.
- 5.3 In this case, the location is urban in character, surrounded by built development and engineered banks, with the application site a working commercial boatyard. If this site wasn't a commercial operation (and/or had a less developed character), steel may not be considered appropriate. However, as the steel piling would be entirely within mooring basins off the main river it is considered an acceptable material at this particular location. The limited tidal range means that the majority of the steel would be screened from view, and the timber capping and waling would soften the appearance of the piling.

- 5.4 As the alignment would be maintained it is not considered there would be any adverse impacts on navigation and there is no proposal to change how the moorings are used, so no additional impacts on amenity are considered to result.

6. Conclusion

- 6.1 In the opinion of the Local Planning Authority the development is acceptable in respect of Planning Policy and in particular in accordance with the National Planning Policy Framework and Policies DP4, DP13 and DP29, as the development is considered an appropriate form of development with no adverse impact on the landscape or flood risk.

7. Recommendation

Approve subject to the following conditions;

- (i) Time limit
- (ii) In accordance with submitted plans

8 Reason for recommendation

In the opinion of the Local Planning Authority the development is acceptable in respect of Planning Policy and in particular in accordance with policies DP4, DP13 and DP29.

9 Note by Solicitor and Monitoring Officer

In accordance with the procedures set out in paragraph 2 of the Code of Conduct for Members on Planning Committee and Officers, I have been informed of this application. I have read the file and this draft report on 5th July 2017, including the Flood Risk report. I confirm that I consider that this matter has been dealt with in accordance with normal processes and procedures and the recommendation appears uncoloured by the relationship noted in this report. I have asked that this paragraph be inserted into the report.

List of Appendices: Location Plan

Background papers: BA/2017/0164/FUL

Author: George Papworth
Date of Report: 6 July 2017

BA/2017/0164/FUL- Fineway Boatyard, The Rhond, Hoveton, NR12 8UG



Enforcement Update
Report by Head of Planning

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

Recommendation: That the report be noted.

1 Introduction

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

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

Committee Date	Location	Infringement	Action taken and current situation
			<ul style="list-style-type: none"> • Planning Application received 10 May 2016 and under consideration • Scheme for whole site in preparation, with implementation planned for 2016/17. Further applications required
9 December 2016	Eagle's Nest, Ferry Road, Horning	Non-compliance with conditions 3 and 6 of BA/2010/0012/ FUL relating to materials and unauthorised use of boathouse for holiday and residential accommodation.	<ul style="list-style-type: none"> • Authority given for breach of condition notices to be issued requiring <ul style="list-style-type: none"> (i) the replacement of the black composite boarding with black feather board finish in timber with a compliance period of 6 months; and (ii) requiring the removal of all fittings facilitating the holiday and/or residential use of the first floor and the cessation of any holiday and/or residential use of the first floor, with a compliance period of 3 months. And (iii) prosecution in consultation with the solicitor in the event that the Breach of Condition Notice is not complied with. • Invalid CLEUD application for materials received; subsequently validated • Application to remove materials condition received • Planning Contravention Notice served 30 December 2016. • Breach of Condition Notice served 19 January 2017. Compliance date 19 April 2017. • Retrospective application for retention of manager's flat submitted 20 February 2017. Application under consideration. • CLEUD for materials issued • Retrospective application for retention of manager's flat refused planning permission.

Committee Date	Location	Infringement	Action taken and current situation
			<ul style="list-style-type: none"> Correspondence with landowner over compliance Appeal received (See Appeals schedule)
3 March 2017	Burghwood Barns Burghwood Road, Ormesby St Michael	Unauthorised development of agricultural land as residential curtilage	<ul style="list-style-type: none"> Authority given to serve an Enforcement Notice requiring the reinstatement to agriculture within 3 months of the land not covered by permission (for BA/2016/0444/FUL; if a scheme is not forthcoming and compliance has not been achieved, authority given to proceed to prosecution. Enforcement Notice served on 8 March 2017 with compliance date 19 July 2017. Appeal against Enforcement Notice submitted 13 April 2017, start date 22 May 2017 (See Appeals Schedule) Planning application received on 30 May 2017 for retention of works as built.
31 March 2017 26 May 2017	Former Marina Keys, Great Yarmouth	Untidy land and buildings	<ul style="list-style-type: none"> Authority granted to serve Section 215 Notices First warning letter sent 13 April 2017 with compliance date of 9 May. Some improvements made, but further works required by 15 June 2017. Regular monitoring of the site to be continued. Monitoring

2 Financial Implications

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

Background papers: BA Enforcement files
Author: Cally Smith
Date of report 5 July 2017

Appendices: Nil

Code of Conduct for Members on Planning Committee and Officers
(Revised draft for Comment)
Report by Director of Planning & Resources

Summary: This report presents a revised draft of the Code of Conduct for Members on Planning Committee and Officers.

Recommendation: Members' views are requested.

1 Introduction

- 1.1 Members will be aware that the Authority has been reviewing its governance documentation including the Member Code of Conduct. A separate Code of Conduct for Members on Planning Committee and Officers is also in place and this requires updating to ensure consistency with the Code of Conduct for Members and the latest best practice.

2 Revised Document

- 2.1 The Code of Conduct for Members on Planning Committee and Officers has been revised to ensure consistency with other governance documentation that the Authority has recently adopted. The existing code had been in place for some time and required considerable updating. In addition to Authority governance documentation the Broads Authority has a Protocol on Member and Officer Relations which sets out the respective roles of Members and Officers and what they can expect from each other. Regard has been had in revising this document to "Openness and transparency on personal interests" published by the Department for Communities and Local Government and "Probity in Planning" issued by the Local Government Association.
- 2.2 The revised Code is shown in tracked changes at Appendix A. Members views on the revised document are requested. It is anticipated that following receipt of Members comments at this meeting, further changes will be made to the document and it will be presented to the Broads Authority meeting in July.

Background papers: "Openness and transparency on personal interests" - Department for Communities and Local Government
"Probity in Planning" issued by the Local Government Association.

Author: Andrea Long, Director of Planning and Resources

Date of report: 22 June 2017

Appendices: Appendix A - Code of Conduct for Members on Planning Committee and Officers

Broads Authority

Code of Conduct for Members on Planning Committee and Officers

The Status of The Code

The aim of the Code of Conduct is to give clear guidance to Broads Authority Members and Officers who become involved in operating the planning system and to ensure the public have confidence that decision-making is open and fair.

The successful operation of the planning system by the Broads Authority relies on mutual trust and an understanding of Members' and Officers' respective roles. It also relies on each ensuring that they act in a way which is not only fair and impartial but is also clearly seen to be so. Members should follow the Seven Principles of Public Life (the "Nolan Principles") at all times.

This code is supplementary to the Authority's "Code of Conduct for Members" and the rules on the Declaration of Disclosable Pecuniary and Other Interests. (*Other interests relate to membership of lobby groups, clubs and societies, gifts and hospitality and to toll paying. Once declared the member may still speak and vote on the matter. A Disclosable Pecuniary Interest in a matter requires the member to leave the room while it is discussed.)

Members should also refer to the guide on "Openness and transparency on personal interests" published by the Department for Communities and Local Government. For further guidance Members should refer to "Probity in Planning" issued by the Local Government Association.

The code covers:

Part A Members and Officers

- 1 The role and conduct of Members and Officers
- 2 Development proposals submitted by Members and Officers
- 3 Broads Authority's own development
- 4 Predetermination
5. Pre and post application discussions
- 6 Decisions contrary to officer recommendations and/or the development plan

Part B Members

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- 7 Training
- 8 Declaration and registration of interests
- 9 Delegated decisions
- 10 Lobbying of and by Members
- 11 Public speaking at Planning Committee
- 12 Committee site visits
- 13 Regular review of decisions
14. Predetermination and bias
15. Gifts and Hospitality

Part C Officers

- 16 Officer reports to committee
- 17 Complaints and record keeping
18. Gifts and Hospitality

Failure to follow recommendations contained in this [Code](#) could be taken into account in investigations into allegations of maladministration and might also indicate a breach of the Members' Code of Conduct.

Part A Members and Officers

1 The Role and Conduct of Members and Officers

Members and Officers have different, but complementary, roles. [The Broads Authority has a Protocol on Member and Officer Relations which sets out the respective roles of Members and Officers and what they can expect from each other. In the context of planning:](#)

- All [Officers](#) and advisors acting on behalf of the Authority are expected to follow their appropriate code of professional conduct.
- Members are expected to follow the Authority's [Code of Conduct for Members](#)
- Members will take due note of [Officers'](#) recommendations but it is Members of the Authority who take decisions. Members must represent the interests of the Broads as a whole taking decisions based firmly on policies of the development plan unless other material considerations indicate otherwise.

2 Development Proposals Submitted by Members and Officers

The Broads Authority recognises that proposals by serving and former Members and [Officers](#) and their close friends and relations could easily give rise to suspicion of impropriety. [It is important](#) to ensure that applications are handled in a way which gives no grounds for accusations of favouritism:

- The Authority's Solicitor [and Monitoring Officer](#) will be informed of such proposals.
- Such proposals will be reported to the Planning Committee and not be dealt with under delegated powers.

- As part of the report, the Solicitor will confirm whether the proposal has been processed [in accordance with the usual practice](#).
- Serving Members of the Authority who act as paid agents for people pursuing a planning matter or who submit planning proposals in their own right must play no part in the decision-making process for that proposal.
- A [Member](#) has a Disclosable Pecuniary Interest in their own application (and those made by a spouse, civil partner or partner or another local authority of which they are a [Member](#) and from whom they receive an allowance) and must withdraw from the meeting. The [Members' Code](#) also provides that they shall not improperly influence the decision, although this does not prevent them from explaining or justifying the proposal to Officers.
- [Members and Officers who have submitted their own planning applications should refrain from contact or correspondence with Members of the Planning Committee in respect of that application from the submission of the application until the decision notice has been issued.](#)
- Members of the Planning Committee who serve on bodies which make or initiate or who are otherwise closely associated with applications to the Planning Committee (or who have family members who do so) must declare that fact and withdraw from the meeting.
- (For the avoidance of doubt a [Member](#) does not have a Disclosable Pecuniary Interest in an application submitted by a third party just because an authority of which they are a Member has commented on it. Similarly a Member does not have a Disclosable Pecuniary Interest in a matter on which the other authority is seeking the Broads Authority's comments.)

3 Broads Authority's Own Development

Proposals for the Broads Authority's own development will be treated in the same way as those of a private developer. In the interests of openness and taking into consideration the environmental sensitivity of the Broads, there is no provision for delegated approval.

4 Consideration by another Committee of the Authority

- 4.1 Members sitting on another Committee of the Authority at which a planning application is under discussion should avoid unqualified expressions of support or opposition which might lead a fair minded and informed member of the public to think that the Member has already made up their mind before the application comes to the Planning Committee. If Members do wish to participate and vote at full Authority or the Navigation Committee and at Planning Committee, [Members must](#) declare at full Authority and the Navigation Committee:

- (a) That they understand that they are considering the proposals within the remit of the full Authority or the Navigation Committee and not coming to a decision on all, nor even necessarily any, of the matters which are material to a planning application.

- (b) Notwithstanding participation in debate or voting at full Authority or the Navigation Committee they will when the matter comes before the Planning Committee consider any planning application afresh and take into account any representations for and against the proposal in the light of up to date circumstances.

4.2 Any Member who is unable to consider the proposal afresh at the Planning Committee should withdraw ~~when from~~ the item is considered at the Planning Committee.

4.3 More general advice on predetermination and bias is contained in paragraph 14.

5 Pre and Post Application Discussions

5.1 Discussions between developers and the Authority can be of considerable benefit and are encouraged by government. Applicants may also organise their own form of consultation to which Members may be invited. The following guidelines should be followed:

5.2 Where an application has not been submitted:

- (i) Members should refer those who approach them for planning, procedural or technical advice to Officers.

(ii) Exceptionally, and generally only in the case of major applications raising significant issues, it may be appropriate for Members to be involved in an application prior to its submission. Any meeting with a member should be minuted and the minutes attached for committee. Such involvement will, however, be limited to:

- (a) ~~Public exhibitions or public meetings.~~ Members should however not attend a planning presentation without requesting an Officer to be present.
- (b) Committee site visits as part of the pre-application process.
- (c) (Very exceptionally) private meetings between the applicant and the Authority or third parties. However, Members should be accompanied by the relevant Officer and not attend such meetings alone.

(ii) In the case of all such meetings:

- (a) The remit of Members and the purpose of their involvement to identify issues and understand local concerns should be made clear.

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- (b) Members must maintain an impartial listening role and avoid expressing an opinion or giving advice beyond outlining adopted planning policies.
- (c) Any discussion should not develop into negotiations and it must be made clear that they are not part of the determination process.
- (d) Discussions should not touch on commercially sensitive or confidential information, bearing in mind the need for transparency and the requirements of the Freedom of Information Act.
- (e) Officers of appropriate seniority should attend and written notes of the proceedings should be kept on file; and
- (f) Members' involvement should, wherever possible, be authorised by the Planning Committee and their involvement recorded in any subsequent committee report.

5.3 Where an application has been submitted:

- (i) Following the submission of a planning application, Members' involvement prior to consideration at Committee will be limited to public meetings and [Committee](#) site visits referred to in paragraph 5.2 i) (a) and (b) above.
- (ii) If approached, Members should advise applicants to contact the Planning Officer for further guidance.
- (iii) In the case of meetings between the developer and Planning Officer:
 - (a) Officers should clarify at the outset that discussions will not bind the Authority to making a particular decision.
 - (b) No views will be expressed on the outcome of the application since not all information will be to hand, neither will consultation have taken place.
 - (c) Advice should be consistent and based on the development plan and material considerations.
 - (d) Advice should be, and be seen to be, impartial.
 - (e) A written note should be made of all meetings and telephone discussions.
 - (f) Applicants should be met on Authority premises except in exceptional cases and other than for site familiarisation purposes.

- 5.4 Members should not seek to influence or put pressure on [Officers](#) to support a particular form of action.
- 5.5 These guidelines apply also to meetings to discuss planning applications or development proposals called by third parties, including attendance at parish council or other public meetings.
- 5.6 Generally, Members should not say anything which gives the appearance that they have made up their mind on an application and they should not accept any hospitality offered by the applicant or other interested party at a public meeting or public exhibition unless it is also offered to the public at large.
- 6 Decisions Contrary to Officer Recommendations and/or the Development Plan**
- 6.1 The law requires that where the development plan is relevant, decisions should be taken in accordance with it unless material considerations indicate otherwise.
- 6.2 All applications which are not in accordance with the [development](#) plan must be advertised [as a Departure](#) in accordance with statutory procedures. If it is intended to approve such an application:
- material considerations must be clearly identified;
 - reasons for overriding the development plan clearly demonstrated in the committee report;
 - [referral to the Secretary of State](#) considered.
 - [referral to the Secretary of State](#) considered.
 - [referral to the Secretary of State](#) considered.
- 6.3 If the planning committee makes a decision contrary to the [Officers'](#) recommendation:
- a detailed minute of the reasons [for the contrary decision](#) should be made and kept on the application file;
 - the officer should have the opportunity to explain the implications of the contrary decision;
 - ~~appropriate conditions or the~~ reasons for refusal should be [set out by the Planning Committee and](#) agreed at that committee meeting;
 - [appropriate conditions should be agreed at the committee meeting](#);
 - the Solicitor or their representative should ensure that procedures have been properly followed.
- 6.4 In the case of applications where there are adverse policy implications, when new issues are raised on the day of the committee, or if Members are under undue pressure the application [may will](#) be deferred at the discretion of the Chair of the committee. This will allow additional advice to Members to be compiled.

Part B Members

7 Training

- 7.1 All Members of the Authority's Planning Committee are required to participate in training ~~in the planning system as it applies in the Broads as soon as possible after their appointment and it applies in the Broads either~~ before serving on the committee.
- 7.2 Regular update briefings will be provided as appropriate.

8 Declaration and Registration of Interests

- 8.1 The provisions of the Members Code of Conduct including those relating to Disclosable Pecuniary and Other Interests are [Here](#).
- ~~8.2 The Local Government Association publication "Probity in Planning for councillors and officers" has detailed further guidance on the registration and disclosure of interests, including a Flowchart to assist members on what to disclose and on the extent of any further involvement once they have made such a declaration.~~
- 8.2 All matters required to be recorded in the Register of Members Interests relating to an agenda item before the Planning Committee must be disclosed to the meeting. There will be an opportunity to declare interests at the start of each meeting.
- 8.3 A member who has a Disclosable Pecuniary Interest must: -
- (a) Withdraw from the room whenever it becomes apparent that the matter is being considered at that meeting unless the member has obtained a dispensation from the Monitoring Officer.
 - (b) Not seek improperly to influence a decision about that matter.
- 8.4 A member who has a disclosable Pecuniary Interest in a matter may, provided that it is in accordance with the public speaking arrangements and provided that there is no discussion of the matter, make a statement before withdrawing from the room.

9 Delegated Decisions

- 9.1 Members may request within 7 days of the publication of the Authority's weekly list of planning applications that any application with a wider public interest be placed before the committee for decision.

10 Lobbying of and by Members

- 10.1 Lobbying of Members is a normal and perfectly proper part of the political process. However, lobbying can lead to the impartiality and integrity of a

Member being called into question. If a Member is approached by applicants, objectors or supporters they should:

- listen but not express views or opinions on any application nor negotiate;
- refer the lobbyist to a professional Officer or meet the lobbyist in the presence of an Officer;
- notify an Officer of the lobbying approach and the summary of any discussions;
- If Members receive any correspondence on an application, between the Agenda having being published and consideration of the item at Committee they should forward this to the relevant Officers, in case the Officers have not been made aware of the content of the correspondence
- confirm they will only be able to make a decision after having heard all the relevant evidence and arguments at committee;
- in any reply to a letter either supporting or opposing an application, explain their neutral position and pass any relevant written information to Officers for the file;
- before speaking at Planning Committee, declare any lobbying approaches, attendance at an informal site visit or a meeting on an application or other planning issue in the company of an applicant or consultee;
- if a Member has gone public in support of a particular outcome or campaigned actively for it they may well have pre-determined the issue and should withdraw from discussion of the item. (See para 14).

10.2 In addition, Members shall not put pressure on Officers for a particular recommendation.

10.3 Members should not themselves become a member of, lead or represent an organisation whose primary purpose is to lobby to promote or oppose planning proposals unless it is the Member's intention openly to campaign on the matter and to step away from consideration of the matter at Planning Committee. This does not prevent Members joining general interest groups which reflect their area of interest and which concentrate on issues beyond particular planning proposals (e.g. a Wildlife Trust, CPRE, or a local civic society) but Members should seek to disclose that interest on the grounds of transparency where the organisation has made representations on a particular proposal.

11 Public Speaking at Planning Committee

11.1 Public speaking will be allowed in accordance with the agreed protocol (As set out in Appendix 1. *Public Speaking at Planning Committee does not apply to Enforcement matters, applications dealt with under delegated powers or policy matters or consultations*.)

- 11.2 At the beginning of each meeting the Chair should reiterate the procedures and guidelines to be applied for public speaking.

11.3 Members should not allow members of the public to communicate with them during the Committee's proceedings, other than through the agreed protocol, as this may give the appearance of bias. This includes the use of mobile or other electronic devices for communicating during meetings.

12 Committee Site Visits

- 12.1 Committee site visits will be held where the expected benefit is substantial. Reasons could include: the impact of the proposed development being difficult to visualise, comments of the applicant and objectors cannot be expressed adequately in writing and a site visit would demonstrate to the public or the applicant that Members have listened to their argument, or the proposal is particularly contentious. The reason for holding a site visit will be minuted.

- 12.2 Site visits will be held in accordance with the agreed protocol.

13 Regular Review of Decisions

The Planning Committee will regularly review decisions to ensure quality and consistency of decision-making across a range of categories of applications. The committee will subsequently decide whether there is a need to review any policies or practices.

14 Predetermination, predisposition and Bias

- 14.1 It is not a problem for councillors to be predisposed (as opposed to predetermined) in respect of a particular— planning matter. Predisposition is where a Member holds a preliminary view in favour of or against an issue, such as an application for planning permission, but they have an open mind to the merits of the argument before they make the final decision at the committee meeting.
- 14.2 This includes having formed a preliminary view about how they are likely will to vote before they attend the meeting, and/or expressing that preliminary view publicly. They may even have been elected specifically because of their views on this particular issue.
- 14.3 On the other hand, predetermination or bias can lead to problems. It occurs where a Member is closed to the merits of any arguments relating to a particular issue, such as an application for planning permission, and makes a decision on the issue without taking them into account. This could lead to a challenge to the decision made through a judicial review application to the courts.
- 14.4 Members must not even appear to have already decided how they will vote at the meeting, so that nothing will change their mind. This impression can be created in a number of different ways such as quotes given in the press,

[comments to Officers](#) and what they have said at meetings or written in correspondence.

- 14.5 Rarely will membership of an organisation, such as a national charity, amount to predetermination or bias on its own unless it has a particular vested interest in the outcome of a specific decision that a Member is involved in making.
- 14.6 There is an important difference between those Members who are involved in making a decision and those [Members](#) who are seeking to influence it. This is because [Members](#) who are not involved with making a decision are generally free to speak about how they want that decision to go.
- 14.7 When considering whether there is an appearance of predetermination or bias, [Members](#) who are responsible for making the decision should apply the following test: Would a fair-minded and informed observer, having considered the facts, decide there is a real possibility that the [Member](#) had predetermined the issue or was biased?
- 14.8 However, when applying this test, they should remember that it is legitimate for a [Member](#) to be predisposed towards a particular outcome on the basis of their support of a general policy, even giving a view. This is as long as they are prepared to be open-minded and consider the arguments and points made about the specific issue under consideration and have not committed themselves to voting a particular way. [Members should be aware that there can be a fine line between predisposition and predetermination and should exercise caution and be clear in expressing themselves where they are predisposed.](#)
- 14.9 Appendix 3 sets out [the examples of the](#) different circumstances in which predetermination and bias can arise.
- 14.10 In conclusion, [Members](#) are entitled to have and express their own views, as long as they are prepared to reconsider their position in the light of all the evidence and arguments, [giving what they feel is the right weight to those material considerations](#)– They must not give the impression that their mind is closed.

15 Gifts and Hospitality (Members)

- 15.1 The Members of Code of Conduct requires any Member receiving any gift or hospitality over the value of £25 in their capacity as Members to register the details within 28 days [with the Monitoring Officer](#).
- 15.2 A Member should treat with extreme caution any offer or gift, favour or hospitality which is made to a Member personally. In this respect the person or organisation making the offer may be doing, or seeking to do, business with the Authority, or may be applying to the Authority for planning permission or some other kind of decision. Gifts or hospitality includes any opportunity to acquire goods or services at a price or on terms at which they are not readily available to the general public. [Members and Officers should avoid placing](#)

themselves in situations where the impression could be gained that this is taking place.

Part C Officers

16 Officer Reports to Committee

- 16.1 To ensure adequate consideration of the issues, consistency of decision-making, clarity of reasoning behind the recommendation and public confidence, the following information should be contained in reports:
- accurate information with representations by consultees adequately summarised;
 - a clear explanation of the development plan, site or related history and other material considerations;
 - a technical appraisal which clearly justifies the recommendation;
 - a full justification of material considerations if the recommendation is contrary to the development plan;
 - a written recommendation of action.
- 16.2 Oral reporting (except to update a report) should be extremely rare and carefully minuted when it does occur.

17 Complaints and Record Keeping

- 17.1 Every planning application file must contain an accurate account of events throughout its life. Particular care needs to be taken with applications determined under Officers' delegated powers. The principles of complete and accurate record keeping apply equally to enforcement and development plan matters.
- 17.2 Complaints will be fully investigated in accordance with the Authority's adopted protocol.

18 Gifts and Hospitality (Officers)

- 18.1 Officers must refuse offers of hospitality from people with an interest in a planning proposal. The only exception is in respect of offers of token hospitality (ie non-alcoholic beverages with or without biscuits) which are part of usual social courtesy. Any offers shall be recorded within 28 days in accordance with arrangements made by the monitoring officer.
- 18.2 An Officer must refuse any offer or gift, favour or hospitality which is made to an Officer personally. In this respect the person or organisation making the offer may be doing, or seeking to do, business with the Authority, or may be applying to the Authority for planning permission or some other kind of decision. Gifts or hospitality includes any opportunity to acquire goods or services at a price or on terms at which they are not readily available to the general public. Officers should avoid placing themselves in situations where the impression could be gained that this is taking place.

APPENDIX 1

The Broads Authority Public Speaking at Planning Committee (as amended on 16 March 2012)

The Public Speaking Scheme

1 Introduction

The scheme relates to matters where the Broads Authority is the decision maker and not where it is asked to respond as a consultee to a proposal.

The public speaking scheme does **not** apply to enforcement matters (because these do not involve any public consultation as such) nor to applications where the proposal is dealt with under delegated powers or if the proposal is refused under delegated powers. The scheme also does not apply to policy matters or consultations ~~eg: Local Development Framework (LDF). Thee the~~ Local Plan Development Plan

2 Making an Objection

Objectors to applications are encouraged to follow the procedure of making written submissions which can be referred to in reports submitted to the Planning Committee. In addition, the opportunity also to speak in front of the Committee is available if a formal objection has previously been made.

It is important to stress that there will be no disadvantage to objectors who prefer not to, or are unable to, present their objection in person. Planning officers will ensure that objections received are fairly reported and Members will take the matters raised fully into consideration when making a decision.

3 Other Authorities

The views of County and District Councils, Parish Councils and the Highway Authority will be reported to the Planning Committee when received in time for the agenda.

Objectors include individuals and interest groups and organisations. Parish Councils and Ward or Division members of District Councils and the County Council are also able to address the Planning Committee as part of the public speaking procedure.

4 Supporting an Application

The applicant or agent and supporters, will have the opportunity at the meeting to speak. Applicants are however encouraged to work with the Planning Officer to ensure sufficient information has been submitted in advance to enable Planning Committee to make a fully informed decision.

5 Making a Presentation

It is the responsibility of objectors and the applicant to contact the Planning Case Officer to follow the progress of the application and arrange to attend the relevant meeting. Progress on applications, together with the agendas and reports to the Authority's Committees can be viewed on the Authority's website at www.broads-authority.gov.uk

It is helpful if a request to speak is made to the Committee Secretary as soon as possible prior to the commencement of the meeting, (Preferably at the latest by 3.00pm the day before the meeting). The Committee Secretary will convey the wish to notify the Chairman and the Case Officer.

Any additional comments or material on any applications **or Enforcement Matters** ~~should~~ **must** be received a minimum of three days before the meeting otherwise they ~~may~~ **will not** be taken into account. This is to give Members sufficient time to consider all relevant information. This does not preclude those who have registered to speak from making the points (~~made in their correspondence~~) within the allotted time for public speaking. **Any** correspondence for Members concerning an application before the Committee **must also** be addressed to the Planning Officer **in order that professional advice can be provided to Members**. A failure to follow this procedure may result in items in the future either being deferred or for late information to be discounted.

A table will be set aside within the room to enable speakers to address the meeting. At the beginning of the consideration of the planning applications, the Chairman will ask members of the public who wish to speak to come up to the public speaking desk at the beginning of the presentation of the relevant application. Consideration can be given to changing the order of the agenda items if this is helpful in cases of exceptional public interest.

Any person exercising the right to speak under the scheme will have the opportunity to speak immediately **after** full presentation of the relevant planning application by the Planning Officer. Representations will be heard in the following order:

Planning Officer provides description of application, responses received, full assessment with recommendation

Parish Councillor(s) (5 mins)

Objectors (5 mins)

Applicant/agent/Supporter (5 mins)

Ward or Division Councillor (s) (5mins)

Discussion and Consideration of Decision

Objectors and applicants addressing the Committee will be expected to make their presentations within a maximum of five minutes. Extensions of time will be agreed with the Chairman beforehand.

Facilities are available for persons exercising the right to speak to show slides or a presentation to the Planning Committee, however it is necessary to notify the Committee Secretary of this by 3.00pm on the previous day so that the arrangements can be made for the necessary equipment to be available. If the information is available in a form other than as a PowerPoint or a Word file it may not be possible to view it, so it is essential that contact is made with the Committee Secretary.

If there are several objectors they should agree beforehand on sharing or delegating their time. The Chairman will try to ensure that points are not repeated. If there are exceptional circumstances of public interest, the Chairman will have the discretion to increase the time allocated.

With the Chairman's permission, Members of the Committee or Officers will be allowed to ask questions of the objector and/or applicant to seek clarification about the points raised. This will be additional time to that allocated for public speaking and should only be used to seek clarification on the point being made, not for the purpose of facilitating speaking.

Speakers will not be allowed to question other speakers, Officers or Members. The Planning Officer will respond to comments and answer Members' questions where required.

6 Deferral

If new evidence is brought to the Committee which could significantly affect or influence a decision, it may be necessary to defer consideration of the application to a subsequent meeting for Members and Officers to make a full assessment of the case.

APPENDIX 2

Broads Authority – Planning Committee Site Visits

(as amended 6 December 2013)

1. Selection of Site Visits

Committee site visits are used as one means of ensuring that [Members](#) have sufficient information about the site and the surrounding area to reach a decision on a particular application. They are used selectively as fact-finding exercises (similar to Planning Inspector site visits) to supplement [Officers](#) reports and other information. They may not be appropriate where matters of fundamental planning policy are involved and there are no significant other material considerations to take into account. As information gathering exercises, they are not formal Committee meetings and no decisions or recommendations are made.

The decision to hold a site visit is at the Committee's discretion. Site visits may be appropriate where:

- Officers recommend a site visit because of specific aspects of the application;
- The issues are finely balanced and Member assessment and judgement can only be concluded by a site inspection;
- The details are complex or the impacts on neighbour amenity or the wider landscape are difficult to envisage other than by site assessment;
- It is expedient in the interests of local decision-making to demonstrate that all aspects of a proposal have been considered on site.

Determination of the great majority of applications does not involve the holding of a Committee site visit.

2. Member Attendance

All Planning Committee Members are invited to attend site visits and are urged to do so wherever possible. Members will be sent details of the visit in advance, including a site location map. Members who are able to attend the Site Visit but are unable to attend the subsequent Committee [meeting where the application will be considered](#) are invited to send any comments that they may have to the Administrative Officer prior to the Committee meeting.

3. Site Visit Dates

These are published in advance and are normally two weeks before a Planning Committee meeting. The first site visit is normally scheduled for 10.00 am.

4. Invitations to Site Visits

In addition to Committee Members, the following are invited to the site meeting in a consultative capacity:

- a representative from the Parish Council;
- the local District Council member;
- a representative from the Broads Society (as an observer).

The applicant's agent is notified of the proposed site visit date and permission is requested for access to the land, informing them of the fact finding nature of the visit.

5. Conduct of Site Visit

The site visit proceeds as follows:

- (i) Chairman welcomes those attending, stressing that the site visit is for fact finding, no decision will be made on site and the application will be considered for determination at a future Committee meeting. The aim is not to debate the issues, but to ensure that all participants are satisfied that Members have seen all the appropriate details of the site and its surroundings. He/she should remind Members of the issues in Notes section below.
- (ii) Apologies.
- (iii) Planning Officer describes the application giving details of the site, the development proposed and any updated information. He/she should show and explain any relevant drawings and should pay particular attention to the context of the site in the Broads area.
- (iv) Comments from other Officers, where appropriate, including:
 - County Council (Highways) Officer;
 - Other Broads Authority officers if present, e.g. Conservation Officer, or Waterways Officer.
- (v) Questions from Broads Authority Members.

Note At the Chairman's discretion, the applicants, other invitees or third parties may be asked to provide factual information concerning the application, but will not be invited to "put their case". Representation in support of or objection to the application should be made in writing to the Authority.
- (vi) Opportunity for Members and others to walk around the site as a

group, if considered necessary. At each stop, the Chairman should ask if everyone is satisfied that all appropriate factual matters have been seen:

- (vii) Chairman concludes and closes the meeting by reminding the group when the application will be heard by the Planning Committee (if known) when public speaking will be in operation:

The Chairman may wish to ask whether anyone (other than the applicant) wishes to refer to any points which require clarification before the Committee meeting;

A summary note of the site meeting is taken on the day and is included with the agenda papers for the relevant Committee meeting. The note of the site meeting is available on the public record of the application.

Notes for Members

1. In view of the fact-finding nature of the site visit Members should be as impartial as possible before, during and after the site visit.
2. When moving round a site, Members and other participants should keep together as a one group.
3. Members should avoid discussing the application with applicants, objectors etc. before, during or after a site visit. If Members wish to ask questions of any party this should take place when the whole group is present.
4. Members should politely deflect any attempts at lobbying, by suggesting that comments should be put in writing to the Authority or that the points should be made during public speaking at the Planning Committee.
5. Members are encouraged to attend official site visits, but where this is not possible and individuals wish to view a site at another time, they are advised to do so only from public vantage points and not to enter into discussions with applicants within the site.

Predetermination and Bias

Predetermination and bias can arise in a number of ways:

(i) **Connection with someone affected by a decision**

This sort of bias particularly concerns administrative decision-making, where the [Authority](#) must take a decision which involves balancing the interests of people with opposing views. It is based on the belief that the decision-making body cannot make an unbiased decision, or a decision which objectively looks impartial, if a member serving on it is closely connected with one of the parties involved.

(ii) **Improper involvement of someone with an interest in the outcome**

This sort of bias involves someone who has, or appears to have, inappropriate influence in the decision being made by someone else. It is inappropriate because they have a vested interest in the decision.

(iii) **Prior involvement**

This sort of bias arises because someone is being asked to make a decision about an issue [with](#) which they have previously been involved ~~with~~. This may be a problem if the second decision is a formal appeal from the first decision, so that someone is hearing an appeal from their own decision. However, if it is just a case of the person in question being required to reconsider a matter in the light of new evidence or representations, it is unlikely to be unlawful for them to participate.

(iv) **Commenting before a decision is made**

Once a lobby group or advisory body has commented on a matter or application, it is likely that a Member involved with that body will still be able to take part in making a decision about it. However, if the Member has made comments which suggest that they have already made up their mind, they may not take part in the decision. If the Member is merely seeking to lobby the meeting at which the decision is taking place, they are not prevented by the principles of predetermination or bias from doing so. There is no particular reason why the fact that Members can do this, in the same way as the public, should lead to successful legal challenges.

Broads Local Plan – July Bite Size Piece
Report by Planning Policy Officer

Summary: This report introduces the following topics for the Publication version of the Local Plan: Design, Central Norfolk SHMA and the housing topic paper.

Recommendation: Members' views are requested.

1 Introduction

- 1.1 This report introduces the following topics for the Publication version of the Local Plan: Design, Central Norfolk SHMA and the housing topic paper
- 1.2 Members' views are requested to inform the draft policy approach in the Publication version of the Local plan.
- 1.3 It is important to note that this is not necessarily the final text or approach, but is part of the development of the final text. There could be other considerations that come to light between now and the final version being presented to Planning Committee.

2 Topics covered in this report:

a) Design

This section has been amended following the comments received during the Preferred Options as well as discussions at Planning Committee. The changes are highlighted.

b) Central Norfolk SHMA

The Central Norfolk Strategic Housing Market Assessment (CNSHMA):

- Identifies the total amount of housing needed (Objectively Assessed Need or OAN) in the Housing Market Area (HMA). The Central Norfolk Housing Market Area covers Norwich, Broadland, South Norfolk, North Norfolk and Breckland Council areas.
- This study also calculates the OAN for the Waveney and Great Yarmouth Council parts of the Broads Executive Area.
- Covers the period from 2015 to 2036.

The process for developing OAN is now a demographic process to derive housing need from a consideration of population and household projections. To this, external market and macro-economic constraints

are applied ('Market Signals') in order to embed the need in the real world.

The first CN SHMA was produced in 2016. This 2017 CNSHMA takes into account the 2014 Government household projections and provides an up to date Objectively Assessed Housing need for the Broads Authority.

Figure 81: Projected Dwellings needed for the Broads by Local Authority: policy-off, excluding the City Deal (Note: Dwelling numbers derived based on proportion of dwellings without a usually resident household in the 2011 Census. Note: figures may not sum due to rounding)

	Breckland	Broadland	North Norfolk	Norwich	South Norfolk	Great Yarmouth	Waveney
ORS Model Using Long-term migration trends	0	50	70	3	40	66	57

c) Housing Topic Paper revision

The Housing Topic Paper has been revised to take into account the most recent SHMA. The Topic Paper discusses the findings of the SHMA and sets out how the Objectively Assessed Housing Need for the Broads will be met.

3 Financial Implications

- 3.1 Generally officer time in producing these policies and any associated guidance as well as in using the policies to determining planning applications.

Background papers:None

Author: Natalie Beal
Date of report: 5 July 2017

Appendices: Appendix A – Design
[Appendix B – Central Norfolk SHMA](#)
Appendix C – Housing Topic Paper

1. Design

Policy ~~P0~~**DM**PUBDM40: Design

All development will be expected to be of a high design quality. Development should integrate effectively with its surroundings, reinforce local distinctiveness and landscape character and preserve or enhance cultural heritage. Innovative designs will be encouraged where appropriate.

Proposals will be assessed to ensure they effectively address the following matters:

- a) **Siting and layout:** The siting and layout of a development must reflect the characteristics of the site in terms of its appearance and function and be an easy to navigate environment.
- b) **Relationship to surroundings and to other development:** Development proposals must complement the character of the local area and reinforce the distinctiveness of the wider Broads setting. In particular, development shall respond to surrounding buildings and the distinctive features or qualities that contribute to the landscape, streetscape and waterscape quality of the local area. Design shall also promote permeability and accessibility by ensuring ease of movement between homes, jobs and services and creating links to public transport services.
- c) **Mix of uses:** To create vitality and interest, proposals should incorporate a mix of uses where possible and appropriate.
- d) **Density, scale, form and massing:** The density, scale, form, massing and height of a development must be appropriate to the local context of the site and to the surrounding landscape/streetscape/waterscape character.
- e) **Appropriate facilities:** Development shall incorporate appropriate waste management and storage facilities, provision for the storage of bicycles and connection to communication networks.
- f) **Detailed design and materials:** The detailing and materials of a building must be of high quality and appropriate to its context. New development should employ sustainable materials, building techniques and technology where appropriate.
- g) **Crime prevention:** The design and layout of development should be safe and secure, with natural surveillance. Measures to reduce the risk of crime and antisocial behaviour must however not be at the expense of overall design quality.
- h) **Adaptability:** Developments shall be capable of adapting to changing circumstances, in terms of occupiers, use and climate change (including change in water level). In particular, dwelling houses should be able to adapt to changing family circumstances or ageing of the occupier in accordance with 'Lifetime Homes' standards and commercial premises should be able to respond to changes in industry or the economic base.
- i) **Flood Risk and Resilience:** Development shall be designed to reduce flood risk but still be of a scale and design appropriate to its Broads setting. Traditional or innovative approaches may be employed to reduce the risks and effects of flooding.
- j) **Biodiversity:** The design and layout of development shall aim to protect, provide for, restore and enhance biodiversity.
- k) **Accessibility:** Applicants are required to consider if it is appropriate for their proposed dwelling/some of the dwellings they propose to be built so they are accessible and adaptable and meet Building Regulation standard M4(2) and M4(3). If applicants do not

consider it appropriate, they need to justify this.

- I) **High quality landscaping.** All proposals shall be designed to respond to and integrate effectively with the landscape character of the area, making a positive contribution through a high quality landscaping scheme as appropriate. All proposals shall be designed are required to consider the A Landscaping Strategy is required to accompany applications for major development and for all other development where new floorspace is proposed which sets out the approach to landscaping which must be appropriate and relate to the location and setting.

Reasoned Justification

Good design is vital for protecting and enhancing the special character of the Broads. It is also essential for achieving truly sustainable development. The design principles set out in this policy provide a high-level design framework for new development that supports the diverse nature of good design. All development proposals should demonstrate compliance with the design principles in the policy. Where development proposals are required to be accompanied by a Design and Access Statement, it should be used to explain how the principles of good design, including the criteria set out in this policy, have been incorporated into the development. The following text elaborates on the criteria included within the policy.

Development proposals are not designed in isolation from their **context**. Although there is considerable variation in local architectural styles, buildings in the Broads are typically of simple construction, often from lightweight materials, and of a scale which blends with their natural surroundings. New development should take account of the characteristics of the site, as well as the distinctiveness of the wider Broads' setting, and make a positive contribution to the surrounding area. The density, scale and mix should be compatible with the character of the local area and avoid adverse impacts of development on views, vistas and skylines. In accordance with the NPPF and NPPG, the Authority considers design to be of great importance and development will not be acceptable if its design is inappropriate in its context, or fails to take opportunities available for improving the character and quality of an area and the way it functions. In the interests of sustainability and good design, it is also important to promote ease of movement, ensuring places are easy to move within and between, and to facilitate ease of movement between places where people live, work and use services and recreation.

Particular attention should be given to details in regard to the **appearance** of development in the Broads landscape. This should take into account the form, mass and scale of a building or structure, reference broads vernacular and local detailing and the texture, colour, pattern and durability of materials used. Materials should aim to conserve and enhance the local identity and distinctiveness of the built environment and landscape character. Non-traditional unsustainable materials will be resisted if they are not considered to be of a high quality material appropriate to their context or able to contribute to local distinctiveness. Many modern materials have a uniform and applied texture which do not weather or soften over time. Individually and cumulatively these materials are considered to erode the distinctive character of the Broads and will become increasingly incongruous in the area. However, it is acknowledged that there will be instances when modern construction methods and design solutions may necessitate the use of other sustainable materials.

Appropriate facilities for users of new development should be integrated effectively into its design and layout to ensure that they can be accessed in a safe and convenient manner and do not detract from the overall appearance of the development. The nature of the facilities will vary depending on the development proposed, but should include waste management and storage facilities to aid recycling, provision for the safe, secure and user friendly storage of bicycles in locations convenient to the cyclist, with good natural or CCTV surveillance to help reduce cycle theft and connection to communication networks (telephone and broadband).

The **safety and security** of the users of new development is an important consideration at an early stage in the design process. The attributes of good design include safer places; well-designed development will create safe, sustainable and attractive places to live and work. It is therefore important that new development is designed to minimise both the opportunity for crime and the perception or fear of crime, while ensuring that other planning and design objectives are not compromised.

With regards to **adaptable** dwellings, the Authority refers to the 16 criteria relating to Lifetime Homes¹. The Authority encourages new housing to be built to the Lifetime Homes standard, which makes it easier for people to remain in their own homes as their mobility needs change, through encouraging homes to be built in a way in which rooms can be used flexibly over time. The criteria in this policy also contribute towards the creation of safe, functional and well-designed communities as aspired to by the Government's Lifetime Neighbourhoods² ambitions.

Assessment of design quality for major applications for residential development will be made using the Building for Life 12³ criteria and applicants will be expected to demonstrate that the scheme positively addresses relevant categories. The Building for Life criteria (see [Appendix H](#)) are reflected in policy **PODMPUBDM40** design and therefore addressing the specific requirements of Building for Life will contribute towards meeting the requirements of this policy.

The Authority also encourages the provision of some dwellings, in appropriate locations, to be designed to be **accessible** and accommodate wheelchairs. The details are set out in the Building Regulations part M⁴. The Census 2011 shows that the Broads Authority Executive Area has an ageing population and older people could benefit from more accessible dwellings. The NPPG⁵ is clear, however, in saying that *'Local Plan policies should also take into account site specific factors such as vulnerability to flooding, site topography, and other circumstances which may make a specific site less suitable for M4(2) and M4(3) compliant dwellings, particularly where step free access cannot be achieved or is not viable. Where step-free access is not viable, neither of the*

¹ Lifetime Homes Standards Homes that are accessible to everybody and where the layout can be easily adapted to meet the needs of future occupants. <http://www.lifetimehomes.org.uk/>

² <https://www.gov.uk/government/publications/lifetime-neighbourhoods--2>

³ <http://www.designcouncil.org.uk/resources/guide/building-life-12-third-edition>

⁴

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/506503/BR_PDF_AD_M1_2015_with_2016_amendments_V3.pdf

⁵ <http://planningguidance.communities.gov.uk/blog/guidance/housing-optional-technical-standards/accessibility-and-wheelchair-housing-standards/>

Optional Requirements in Part M should be applied'. The Authority acknowledges that this standard may not be appropriate in some locations or for some schemes, but applicants are required to justify reasons for not including dwellings that are accessible and adaptable.

Easy to navigate environments can help disabled people, people with site loss and **people with dementia**. There are many guides that can help design better environments:

- BS 8300: 2009+A1:2010⁶ looks at the design of buildings and their ability to meet the requirements of disabled people.
- The RTPI have produced DEMENTIA AND TOWN PLANNING (2017)⁷
- **Neighbourhoods for Life Designing dementia-friendly outdoor environments**⁸

In relation to the layout of the development, it is important that proposals are able to accommodate access by **emergency service vehicles and waste disposal vehicles**. **Turning to considerations relating to the Fire Service in particular, sprinklers are encouraged in developments and the requirements to include fire hydrants and hard standings for firefighting are judged on a case by case basis and may be a planning condition.**

Landscaping is part of the design response to mitigate and/or enhance a proposal. Some types and forms of hard surfaces and structures or soft landscaping (planting) can have biodiversity, amenity and recreation benefits and are more appropriate in the Broads Executive Area than others. What is suitable on a site would reflect the location and setting. The landscaping design proposals should reflect the key positive characteristics of the locality and its setting. **As a minimum, all proposals that are deemed to have a landscape impact will be accompanied by a Landscaping Strategy. The detailed landscaping scheme and management plan will be conditioned should permission be granted. It may be prudent for some schemes to provide the landscaping scheme and management plan as part of the application rather than using the two stage approach. The size of the scheme may determine this. See the **xxxxx** guide for more details**⁹.

~~Development proposals should normally be accompanied by:~~

- ~~• An ecological and topographical surveys as required by the nature and scale of the proposal;~~
- ~~• A landscaping scheme that details new planting and including, when appropriate, replacement trees of a value commensurate or greater to that which is lost, boundary treatments, external structures and proposals for ecological enhancement;~~
- ~~• An arboricultural assessment detailing the measures to be put in place to protect trees and hedgerows during construction works and providing justification for the removal of any trees or hedgerow;~~
- ~~• Details of landscaping management and maintenance arrangements; and~~

~~Landscaping proposals, both hard and soft, should normally form an integral part of development proposals. The Authority will, however, seek appropriate conditions and/or planning obligations to~~

⁶ Design of buildings and their approaches to meet the needs of disabled people. Code of practice <http://shop.bsigroup.com/ProductDetail/?pid=000000000030217421>

⁷ http://rtpi.org.uk/media/2210154/dementia_and_town_planning_final.pdf

⁸ http://www.idgo.ac.uk/about_idgo/docs/NfL-FL.pdf

⁹ **Please see landscaping guide xxxxxxxx**

~~secure the implementation of landscaping schemes and the replacement of trees, hedgerows or other natural features or their protection during the course of development. Payment for the maintenance and management of new landscaping may be sought and controlled via a planning obligation. On certain schemes the submission of a landscaping strategy would be acceptable with the detailed landscaping proposals conditioned.~~

~~Landscaping proposals, in particular those involving hard landscaping, should ensure that they do not damage geodiversity and geological conservation interests. Proposals should aim to maintain, and enhance, restore or add to geodiversity and wherever possible incorporate geological features within the design.~~

When designing new development, consideration should also be given to the design implications set out in **other policies in this plan**. Of particular relevance are the policies on: Landscape and Trees; Water Quality and Resources; Historic Environment; Energy Generation and Efficiency; Accessibility on Land; Accessibility to Water; Amenity and Development on Sites with a High Probability of Flooding; land raising; disposal of excavated material. Regard should also be had to the Biodiversity Enhancements Guide and the Planning for Waterside Properties Guide.

Evidence used to inform this section

- The policy is rolled forward from the Development Management DPD.
- Amendments reflect officer experience.
- Lifetime Homes
- Building for Life

Monitoring Indicators

- Schemes permitted contrary to design expert advice.



Broads Local Plan 2036

Housing topic paper

~~August 2016~~ Revised July 2017

1. Introduction

In accordance with the NPPF requirements, the Broads Authority has worked with neighbouring Councils and has calculated the Objectively Assessed Housing Need (OAN) for the Broads Authority Executive Area. This Topic Paper discusses the OAN and how the Broads Authority will ensure the need is met.

2. About the Broads Authority Executive Area

The boundary of the Broads Authority's Executive Area is drawn tightly to the river valleys of the Rivers Ant, Bure, Chet, Thurne, Waveney and Yare and corresponds broadly to the flood plains of those rivers. It covers parts of the two counties of Norfolk and Suffolk and parts of four different district council areas – Broadland, North Norfolk, South Norfolk and Waveney and well as parts of the borough of Great Yarmouth and the city of Norwich. There is not one single parish which lies wholly within the Broads area and all are split with the relevant district or other council.

3. Central Norfolk Strategic Housing Market Assessment 2017

Opinion Research Services (ORS) was jointly commissioned by the Central Norfolk local authorities (Norwich City, Broadland, Breckland, North Norfolk and South Norfolk, together with the Broads Authority) in 2017 to identify the functional Housing Market Areas (HMAs) covered by the five local authorities, in particular to establish the extent of the Central Norfolk HMA.

The study adheres to the requirements of the National Planning Policy Framework published in 2012 and Planning Practice Guidance (March 2014). The methodology was also mindful of emerging good practice and outcomes from Examinations, as well as the Technical Advice Note about Objectively Assessed Need and Housing Targets that was published by the Planning Advisory Service (PAS) in June 2014. The methodology was based on secondary data, and sought to:

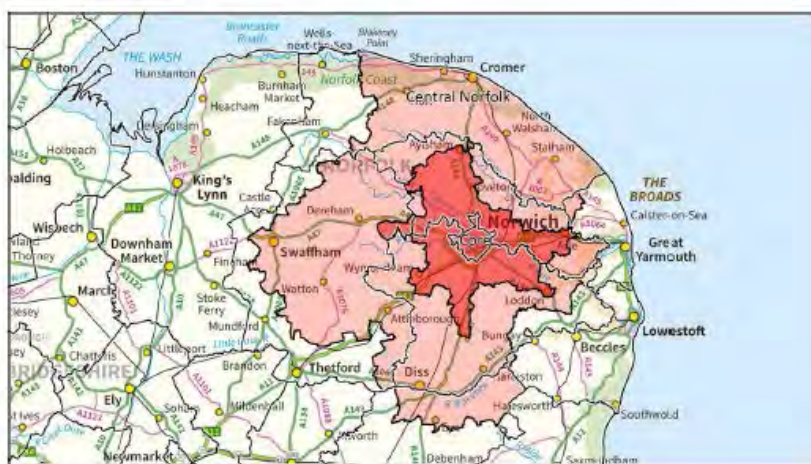
- Define the housing market area(s);
- Provide evidence of the need and demand for housing based on demographic projections;
- Consider market signals about the balance between demand for and supply of dwellings;
- Establish the Objectively Assessed Need for housing;
- Identify the appropriate balance between market and affordable housing; and
- Address the needs for all types of housing, including the private rented sector, people wishing to build their own home, family housing, housing for older people and households with specific needs.

The identification of the Housing Market Area (HMA) is the first relevant building block in the evidence for identifying OAN for the study. ~~A three-stage HMA~~ The following was identified for the Central Norfolk SHMA:

- Norwich Policy Area (NPA) – a longstanding policy construct previous used by the Greater Norwich authorities in the JCS and illustrated in Figure 2.
- Core Market Area – the area with the strongest functional connection to the Norwich Urban Area; illustrated in Figure 1. The Core Market Area has a strong similarity to the Norwich Policy Area (except the settlements of Acle, Aylsham and Loddon).

- Greater Norwich – All of Norwich, Broadland and South Norfolk and an area over which joint planning takes place; illustrated in Figure 1.
- Functional HMA – established as a result of the previous SHMA including all of Norwich City and Broadland administrative areas, most of South Norfolk, Breckland and North Norfolk, a part of Mid Suffolk and very small parts of Great Yarmouth BC and Waveney District.
- Central Norfolk HMA – The functional HMA best fit to District boundaries i.e. all of Norwich, Broadland, South Norfolk, Breckland and North Norfolk: illustrated in Figure 1.

Figure 1: Housing Market Area in and around Greater Norwich [Source: UK Census of Population 2001 combined with DEFRA Classifications]



Source: Central Norfolk Strategic Housing Market Assessment (ORS [2015/2017](#)).

The SHMA has identified a substantial need for additional affordable housing: a total of 17,450 dwellings across Central Norfolk over the 21-year period 2015-36.

The study concludes that providing that 31.85% of housing was delivered to meet affordable housing need then this would cover both current and future projected needs for affordable housing, so there would be no need to increase overall housing provision.

The following table shows the total OAN for the entire Central Norfolk SHMA.

It should be noted that data relevant to the calculations that produce the OAN is regularly updated. As such, the Authority will work with relevant Councils to ensure that the SHMA and OAN is updated. Indeed at the time of writing, discussions were ongoing with regards to updating the OAN before the end of 2016. Any update will inform the publication version of the Local Plan.

Figure 82: Projected Dwellings needed for Different Sub-Geographies (Note: Dwelling numbers derived based on proportion of dwellings without a usually resident household in the 2011 Census. Note: figures may not sum due to rounding)

	Core	NPA	Greater Norwich	The Broads	5 LA Total
Demographic starting point: CLG household projections 2015-36	25,660	25,380	32,823	-	51,707
Baseline household projections taking account of local circumstances	26,968	26,675	34,501	195	51,835
Allowance for transactional vacancies and second homes: based on dwellings without a usually resident household	1,144	1,137	1,396	66	3,019
Dwellings	28,112	27,812	35,897	261	54,854
Adjustment for suppressed household formation rates: concealed families and homeless households	355 + 14 = 370	344 + 14 = 358	439 + 17 = 456	9 + 3 = 12	895 + 58 = 953
Baseline housing need based on demographic projections	28,482	28,170	36,353	273	55,807
Further adjustments needed...	In response to balancing jobs and workers:	0	0	0	0
	In response to market signals	2,811 – 370 = 2,441	2781 – 358 = 2,423	3,589 – 456 = 3,133	26 – 12 = 14
Combined impact of the identified adjustments	2,441	2,423	3,133	14	4,532
Full Objectively Assessed Need for Housing 2015-36	30,923	30,593	39,486	287	60,339

1

4. The Broads OAN

The Central Norfolk SHMA says: 'The Broads are not included in any official population or household projections, but it was possible to estimate the indigenous change to the population and the net migration to the area to obtain population projections. Migration statistics have been calculated from the published data at a net 37 persons per year. The population projections can then be converted to household projections by using the weighted average headship rates for the Central Norfolk area'.

If the Broads had a typical age profile and migration patterns as the rest of Central Norfolk its OAN would be around 1.0% of its existing dwelling stock per annum, which would represent a figure of around 30 dwellings per annum. However the projected dwelling requirement for the Broads is 295 for the period 2012-36 using long-term migration trends and 320 using jobs growth forecasts. The key driver behind these low figures is that the population profile of the Broads is older which gives

¹ Please note that this table says 287, but the following table says 286. This is an error in the report. The Authority's figures are those set out in the table which states the OAN for each part of the Broads (Figure 81), so 286 dwellings.

more deaths and fewer household formations. Given the ageing population this will generate a net population growth of around 25 persons per annum who need around 13 dwellings per annum. They are very low numbers, but reflect the age profile of the population.

'If the Broads had a typical age profile and migration patterns as the rest of Central Norfolk we would expect its OAN to be around 1.0% of its existing dwelling stock per annum, which would represent a figure of around 30 dwelling per annum. However, as is shown in Figure 81 the projected dwelling requirement for the Broads is 287 for the period 2015-36 using long-term migration trends. This includes a very high second and holiday home rate of 25.4% to reflect the known high rates of vacant homes in the Broads Authority area. When dealing with low figures such as these, a small change will have a relatively large impact'.

'The key driver behind these low figures is that the population profile of the Broads is older which gives more deaths and fewer household formations. Given the ageing population this will generate a net population growth of around 25 people per annum who need around 12 dwellings per annum. They are very low numbers, but reflect the age profile of the population'.

Figure 81: Projected Dwellings needed for the Broads by Local Authority (Note: Dwelling numbers derived based on proportion of dwellings without a usually resident household in the 2011 Census. Note: figures may not sum due to rounding)

	Breckland	Broadland	North Norfolk	Norwich	South Norfolk	Great Yarmouth	Waveney
ORS Model Using Long-term migration trends	0	50	70	3	40	66	57

The detailed methodology for calculating the OAN for the Broads can be found at Appendix C.

5. Meeting the Objectively Assessed Housing Need

The table below shows completions, permissions and allocations since April ~~2012~~2015. It has been updated to reflect the 2015~~6~~167 monitoring data. It shows that ~~178~~55 dwellings have been completed, that 87 dwellings have been permitted but not delivered and there are allocations for ~~213~~146 units (excluding those that are both permitted and continue to be allocated).

Taking the entire Local Planning Authority Area as a whole, the table shows that as at June ~~2016~~2017, the Authority has over provided by ~~71~~2 dwellings with ~~20~~19 years left to go in the plan period.

Taking the three Housing Market Areas individually, the table shows that the housing need has been exceeded in Central Norfolk and Waveney Housing Market Areas but there is a residual need in the Great Yarmouth Housing Market Area of 44 dwellings.

Of interest is the Housing Trajectory which is included at Appendix B which shows when sites could be delivered.

Linked to this Topic Paper is the Broads Housing and Economic Land Availability Assessment which can be found at <http://www.broads-authority.gov.uk/planning/planning-policies/development/future-local-plan/evidence-base2> (to follow at the August Planning Committee).

Broadland	0	0	0	1	1	0	0	0	4	4	163	105	-		21	Claw back at Ditchingham plus any provided on the Utilities Site.
North Norfolk	0	0	0	0	0	0	0	0	0	0			-	Waterside Rooms, Hoveton - assume 6		
Norwich	0	0	0	0	0	0	0	0	0	0			Utilities site - assume 120	[Utilities Site]		
South Norfolk	52	0	0	0	52	0	0	0	1	1			-			
Great Yarmouth	1	0	0	0	1	1	0	0	0	1	66	64	Hedera House, Thurne - assume 16	[Thurne] Stokesby - assume 4	-44	None provided.
Waveney	1	0	0	0	1	80	0	0	1	81	57	-25	[Pegasus which is counted in the permissions section]	[Pegasus which is counted in the permissions section]	25	Claw back at Pegasus.
	54	0	0	1	55	81	0	0	6	87	286	144			2	
Note that the plan period is to 2036. This table reflects the situation as at April 2017.																
? - Broadland DC do not monitor completions on the Broads part of their district. The BA started monitoring this in 2015.																
* - as calculated in Central Norfolk SHMA 2017																
~ - as allocated in the Broads Authority Sites Specifics Local Plan 2014																
# - green means over provision and red means residual need																
\$ - Brackets show site rolled forward from 2014 Sites Specifics Local Plan. Stokesby and Waterside Room are additional sites allocated.																
In Central Norfolk HMA area - 12.9% over provision.																
In GY HMA area - 69% under provision																
In Waveney HMA area - 43.9% over provision																
Across Broads area - 0.7% over provision.																

6. About the Broads

The Local Plan lists the following special qualities of the Broads. This list is based on the qualities set out in the Broads Climate Change Adaptation Plan and Landscape Character Assessment. These special qualities are the reasons why the Broads is designated as an equivalent to a National Park. The following considerations which are assets to the Broads, tend to be constraints to development in the Broads.

- Rivers and open water bodies ('broads')
- Fens, reed beds and wet woodlands
- Grazing marshes and ditches
- Flood plains, estuary and coast
- Navigable, lock-free waterways
- Special wildlife
- Countryside access on land and water
- Views, remoteness, tranquillity, wildness and 'big skies'
- The people, the visitors, the activities
- History: geoheritage, cultural heritage, skills, archaeology, traditions, historic structures
- People's interactions with the landscape
- The settlements
- Variety of patterns and textures of the landscape.

Some aspects are discussed in more detail below.

The boundary of the designated Broads area generally follows the extent of the flood plain of the area's rivers, so most of it is at serious risk of **flooding**. Over 80% of the area is in flood risk zone 3 (according to both the Broads SFRA and the EA flood risk maps). National planning policy in relation to development and flood risk has tightened considerably in recent years. The following map shows flood risk in the Broads².



Water quality in the Broads is critical to the area's value for wildlife, and to its appeal for recreation and navigation. The NPPF and Broads Core Strategy emphasise the importance of enhancement of the natural environment and avoidance of water pollution.

The Broads is a **biodiversity** resource of international importance: a mosaic of shallow lakes (broads), reedbeds and fens, grazing marshes, heath and grassland, wet woodland, estuary and coast. These habitats support numerous

² Taken from the Environment Agency website: <http://www.environment-agency.gov.uk/homeandleisure/37793.aspx>

species of conservation, including fen orchid, holly-leaved naiad, water vole, brown hare and bittern. The maps below show the habitats in the Broads³ as well as International Designations.

The Norfolk and Suffolk Broads is renowned as the UK's premier wetland, a unique and globally important **landscape** shaped and nurtured by its inhabitants since at least Roman times. Encompassing an area of 303km², the Broads sits between the peripheral urban areas of Norwich, Great Yarmouth and Lowestoft, with a short coastal strip at Winterton and an estuary at Breydon Water. The low-lying, mainly open and undeveloped landscape of the Broads comprises an interconnected wetland mosaic of rivers, broads, fens, marshes and woodland rich in rare habitats and species, some of which are unique to the area.

7. National Policy

The NPPF says the following in relation to objectively assessed needs, housing market areas and the Broads:

14. Local Plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change, unless: – any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or – specific policies in this Framework indicate development should be restricted.⁹

Footnote 9: For example, those policies relating to sites protected under the Birds and Habitats Directives (see paragraph 119) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, Heritage Coast or within a National Park (or the Broads Authority); designated heritage assets; and locations at risk of flooding or coastal erosion.

47. To boost significantly the supply of housing, local planning authorities should:

- *use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area, as far as is consistent with the policies set out in this Framework, including identifying key sites which are critical to the delivery of the housing strategy over the plan period*

115: Great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty. The conservation of wildlife and cultural heritage are important considerations in all these areas, and should be given great weight in National Parks and the Broads.

The National Parks Circular (2010)⁴ refers to the need for National Park Authorities (including the Broads Authority) to meet local housing needs and in particular affordable housing, but states that the areas are not suitable for unrestrained housing.

8. Meeting the residual Housing Need of the Broads

The Broads Authority will not undertake a call for sites to seek to address the 44 dwelling residual need (2.2-3 per year to 2036) in the Great Yarmouth Housing Market Area. Instead, through the Duty to Cooperate, Great Yarmouth Borough Council has ~~offered~~ **agreed** to meet the 44 dwelling residual need within their area of the Borough. The Broads Authority accepts this offer from Great Yarmouth Borough Council. Any dwellings completed in the Broads part of the Borough will be counted by the Borough Council towards their need/target.

There are three key reasons for not undertaking a call for sites and not seeking to meet the 44 dwelling residual need in the Great Yarmouth Housing Market Area:

- a) **We have over provided in the delivery of dwellings in the entire Broads Authority Executive Area ~~by 71 dwellings~~ as at 2016⁷ with 20-19 years left in the plan period.**

The previous table shows the completions and allocations to date and how this relates to the different Housing Market Areas and overall need. Whilst the need may not be met in each of the three Housing Market Areas, the

³ Taken from the Broads Authority Biodiversity Action Plan Framework Document 2009.

⁴ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/221086/pb13387-vision-circular2010.pdf

Authority considers that the completions, permissions and allocations provide significant housing in an extremely constrained area.

b) The part of the Broads within the Borough of Great Yarmouth is particularly constrained.

The Great Yarmouth Borough area of the Broads Authority is constrained from flood risk and European designated sites. Furthermore there are more sustainable locations, subject to fewer constraints, outside of the Broads Authority Executive Area where it is more prudent to develop land for residential dwellings.

b)c) Great Yarmouth Borough Council has ~~offered~~ agreed to meet the housing need for the entire Borough outside of the Broads to protect the special qualities of the Broads.

GYBC, in their representations to the Issues and Options consultation, stated that they do not consider it appropriate for the Broads to be obliged to meet the housing need in the Great Yarmouth area because of the special qualities of the Broads. They have already included the whole of GY Borough, including that part within the Broads, in their assessment of the Borough's housing needs. They are keen for the Memorandum of Understanding that has been signed to stay in place, and continue the arrangement that while the Borough will endeavour to meet the whole of its needs outside the Broads, any housing development coming forward in the Broads part of the Borough is counted towards delivery against the Borough's needs.

It is important to note also that ~~We~~ we are considering development proposals through the planning application process for brownfield sites in three areas of the Borough of Great Yarmouth. Whilst there is no guarantee that there will be dwellings permitted on this site, there could be up to 25 dwellings provided through this route, in advance of the Local Plan, but delivered in an acceptable way for the protected landscape of the Broads. ~~The figure of 25 includes a potential Gypsy and Traveller site which could help GYBC meet their identified need of 10 pitches.~~

9. Opinions of our constituent districts

This approach was shared with our six constituent districts in summer 2016. Four authorities considered the approach was fair and reasonable. Two districts however raised some comments.

Norwich City Council queried the delivery of affordable housing and Broadland Council queried if GYBC taking the Authority's residual need, without the Broads Authority undertaking a call for sites was sound and expressed concern that GYBC might in turn not be able to meet its own housing need and thus seek to pass it on to Broadland Council.

With regard to affordable housing, it is anticipated that some affordable housing will come forward through the Utilities Site allocation. ~~Indeed the planning application that is being determined as at August 2016 included 40 affordable dwellings (33% affordable housing).~~ The Pegasus scheme has planning permission, but will be rolled forward is an allocation in the new Local Plan (but not double counted) as it has not been built out yet. That scheme does not have any affordable housing on site as the promoters' assessment concluded that it is not viable, but there is a clawback provision in place – this could deliver some affordable housing.

Going forward however delivery of affordable housing is looking extremely unlikely in the Broads. For planning purposes, the Broads is not a National Park and therefore the threshold as set by Government, above which development needs to provide affordable housing is more than ten.

According to the Planning Application software used by the Broads Authority, over the last ten years a total of 142 planning applications for dwellings have been received. Some have been withdrawn, some approved and some refused. But 142 applications have been received. These applications amount to 585 dwellings in total. If all applications are included (including the large scale allocations at Hedera House, Pegasus, Ditchingham Maltings and the Utilities Site) the average number of dwellings per application is: 4.12 dwellings. If the large applications are removed and we focus on windfall (unallocated sites) then the average number of dwellings per application is: 1.94 dwellings.

If we presume that this trend will continue, the size of a typical housing application in the Broads that could come forward as windfall will not meet the threshold for affordable housing.

Looking at land owned by the Broads Authority, the size and location of the land as well as its current land use does not lend itself to being appropriately developed for affordable housing. So the Authority is not in a position to build affordable houses itself.

There is scope for the Authority to increase its housing target above the Objectively Assessed Housing Need to seek further affordable housing delivery. However the sites would need to be able to accommodate over 10 dwellings and have no unexpected costs in able order to require affordable housing successfully and not be at risk as a result of viability of the scheme. Furthermore the Authority has already over provided in relation to its entire housing target ~~by 22%~~ with ~~20-19~~ years left in the plan period. There is also the special qualities of the nationally important and designated landscape that restrains development.

In relation to the issue of not completing a call for sites to seek to meet the residual need in GYBC the reasons for this are set out in section 8 and the Authority considers these reasons to be reasonable.

~~On the issue of GYBC potentially passing on the need that they cannot meet to Broadland Council, it should be noted that as at June 2016 the Broads Authority had over delivered on its housing need in the Central Norfolk Housing Market Area (which includes Broadland Council) by 89 dwellings so in theory the 89 dwellings could be subtracted from the Central Norfolk SHMA OAN which could effectively mean that GYBC could ask the Central Norfolk Authorities to take up to 89 of their dwellings with no impact on the current housing targets or OAN of the Central Norfolk Authorities. So if GYBC did then pass on the 44 dwellings that they offered to deliver for the Broads Authority to the Central Norfolk Authorities, the Broads Authority has already delivered these. If more than 44 dwellings are 'passed on' then the extra number of dwellings have not come about as a result of the Broads.~~

10. Conclusion

The Broads Authority will not undertake a call for sites to seek to address the 44 dwelling residual need (2.2-3 per year to 2036) in the Great Yarmouth Housing Market Area for the following reasons:

- i) We have over provided in the delivery of dwellings in the entire Broads Authority Executive Area ~~by 71 dwellings~~ as at 2016~~7~~ with ~~1920~~ years left in the plan period.
- ii) There are less constrained sites elsewhere in the Borough where it is more prudent to deliver residential dwellings.
- iii) Great Yarmouth Borough Council has offered agreed to meet the housing need for the entire Borough outside of the Broads to protect the special qualities of the Broads.

Of note, W~~w~~e are considering development proposals through the planning application process for brownfield sites in three areas of the Borough of Great Yarmouth.

Instead, through the Duty to Cooperate, Great Yarmouth Borough Council has offered agreed to meet the 44 dwelling residual need within their area of the Borough. The Broads Authority accepts this offer from Great Yarmouth Borough Council. Any dwellings completed in the Broads part of the Borough will be counted by the Borough Council towards their need/target.

Appendix A: Applications for dwellings ~~over last ten years~~for the ten years leading up to June 2016

The following table shows the number of applications for dwellings over the last ten years. These are all the applications received, whether they are approved, withdrawn or refused. It may also be the case that the same scheme appears a number of times. The aim is to show the average size of application received at the Broads Authority.

If all applications are included (including the large scale allocations at Hedera House, Pegasus, Ditchingham Maltings and the Utilities Site) the average number of dwellings per application is: 4.12 dwellings.

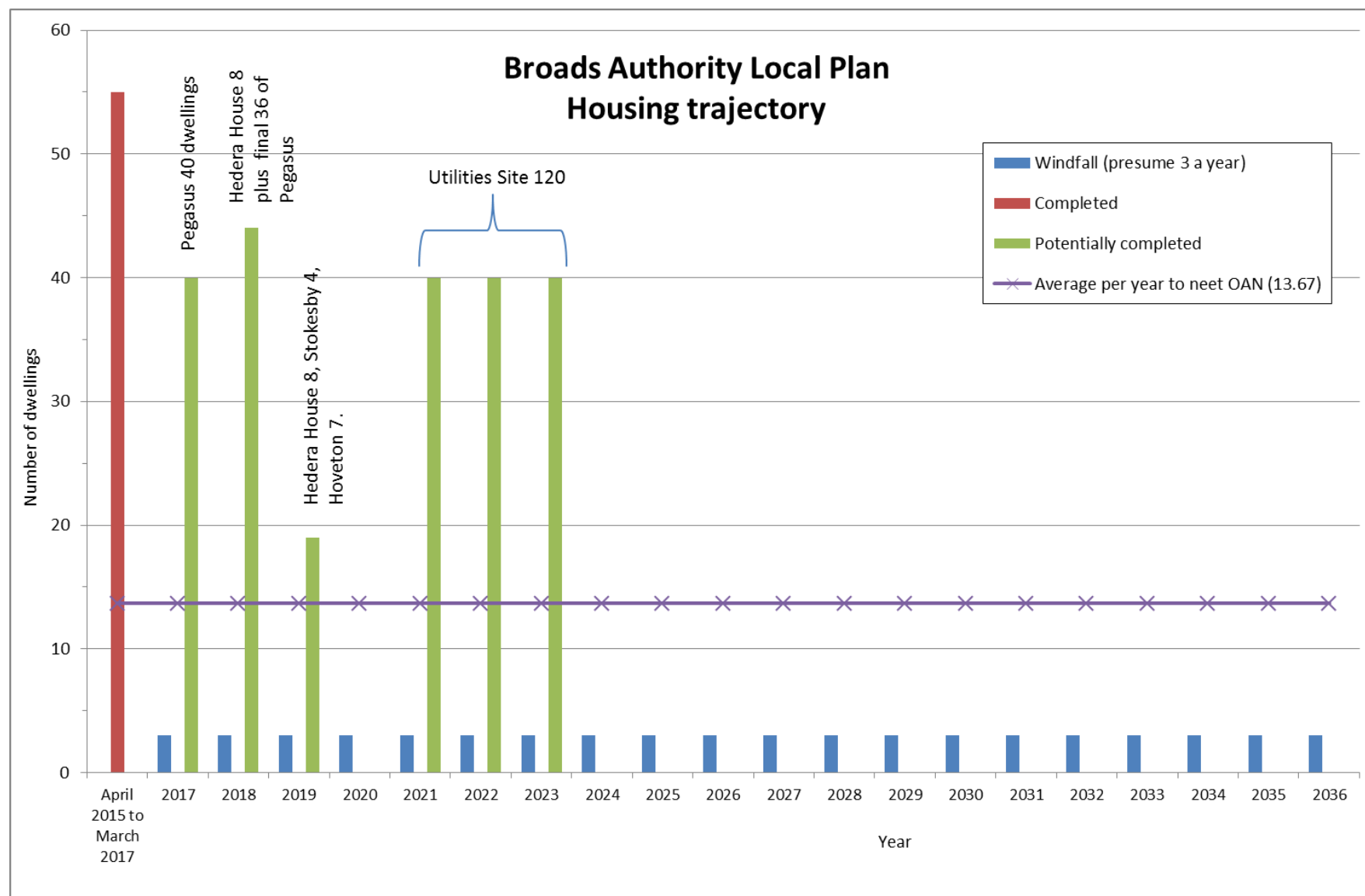
If the large applications are removed and we focus on windfall (unallocated sites) then the average number of dwellings per application is: 1.94 dwellings.

Application Number	Settlement	Decision	District	Number of dwellings
BA/2013/0132/OUT	Irstead	APCON	North Norfolk District Council	1
BA/2016/0200/OUT	Irstead	APCON	North Norfolk District Council	1
BA/2007/0311/FUL	St Olaves	WDN	Great Yarmouth	1
BA/2008/0015/FUL	St Olaves	REF	South Norfolk District Council	1
BA/2008/0064/FUL	Lowestoft	REF	Waveney District Council	1
BA/2008/0092/FUL	Bramerton	APCON	South Norfolk District Council	1
BA/2008/0107/FUL	Haddiscoe	REF	South Norfolk District Council	1
BA/2008/0124/FUL	Irstead	APCON	North Norfolk District Council	1
BA/2008/0155/FUL	Horning	APCON	North Norfolk District Council	1
BA/2008/0174/OUT	West Somerton	REF	Great Yarmouth Borough Council	1
BA/2008/0272/FUL	Lowestoft	WDN	Waveney District Council	1
BA/2008/0277/FUL	Wroxham	APCON	Broadland District Council	1
BA/2008/0284/FUL	Horning	APCON	North Norfolk District Council	1
BA/2008/0304/FUL	Lowestoft	APCON	Waveney District Council	1
BA/2008/0320/FUL	Brundall	WDN	Broadland District Council	1
BA/2008/0339/FUL	Lowestoft	WDN	Waveney District Council	1
BA/2008/0375/FUL	Burgh Castle	REF	Great Yarmouth Borough Council	1
BA/2008/0386/FUL	Lowestoft	REF	Waveney District Council	1
BA/2009/0050/FUL	Horning	REF	North Norfolk District Council	1
BA/2009/0062/FUL	Lowestoft	APCON	Waveney District Council	1
BA/2009/0081/FUL	Horning	APCON	North Norfolk District Council	1
BA/2009/0139/FUL	Acle	APCON	Broadland District Council	1
BA/2009/0147/FUL	Brundall	APCON	Broadland District Council	1
BA/2009/0158/FUL	Horning	WDN	North Norfolk District Council	1
BA/2009/0196/FUL	Hardley	REF	South Norfolk District Council	1
BA/2009/0200/FUL	Ludham	APCON	North Norfolk District Council	1
BA/2009/0206/FUL	Thorpe St Andrew	APCON	Broadland District Council	1
BA/2009/0215/FUL	Burgh Castle	REF	Great Yarmouth Borough Council	1
BA/2009/0234/FUL	Horning	APCON	North Norfolk District Council	1
BA/2009/0245/FUL	Thurne	APCON	Great Yarmouth Borough Council	1
BA/2009/0258/FUL	Lowestoft	WDN	Waveney District Council	1
BA/2009/0259/FUL	Ashby With Oby	APCON	Great Yarmouth Borough Council	1
BA/2009/0295/EXT8W	Oulton Broad	APCON	Waveney District Council	1
BA/2009/0330/FUL	Hoveton	APCON	North Norfolk District Council	1
BA/2010/0081/FUL	Brundall	APCON	Broadland District Council	1

Application Number	Settlement	Decision	District	Number of dwellings
BA/2010/0113/FUL	Repps With Bastwick	REF	Great Yarmouth Borough Council	1
BA/2010/0122/FUL	Brundall	REF	Broadland District Council	1
BA/2010/0151/FUL	Horning	APCON	North Norfolk District Council	1
BA/2010/0198/FUL	Hoveton	REF	North Norfolk District Council	1
BA/2010/0257/FUL	Horning	WDN	North Norfolk District Council	1
BA/2010/0268/FUL	West Somerton	APCON	Great Yarmouth Borough Council	1
BA/2010/0306/FUL	Hoveton	APCON	North Norfolk District Council	1
BA/2010/0307/FUL	Horning	APS106	North Norfolk District Council	1
BA/2010/0390/FUL	Horning	WDN	North Norfolk District Council	1
BA/2010/0412/COND	Irstead	APCON	North Norfolk District Council	1
BA/2010/0424/FUL	Burgh Castle	APCON	Great Yarmouth Borough Council	1
BA/2010/0431/FUL	Stokesby With Herringby	APCON	Great Yarmouth Borough Council	1
BA/2010/0432/LBC	Stokesby With Herringby	APCON	Great Yarmouth Borough Council	1
BA/2010/0433/OUT	Mettingham	REF	Waveney District Council	1
BA/2011/0005/FUL	Acle	APCON	Broadland District Council	1
BA/2011/0065/FUL	Wroxham	APCON	Broadland District Council	1
BA/2011/0080/FUL	Aldeby	APCON	South Norfolk District Council	1
BA/2011/0087/FUL	Horning	WDN	North Norfolk District Council	1
BA/2011/0095/FUL	South Walsham	APCON	Broadland District Council	1
BA/2011/0172/FUL	Repps With Bastwick	APS106	Great Yarmouth Borough Council	1
BA/2011/0199/FUL	Thorpe St Andrew	WDN	Broadland District Council	1
BA/2011/0205/FUL	Cantley	APCON	Broadland District Council	1
BA/2011/0232/FUL	Limpenhoe	WDN	Broadland District Council	1
BA/2011/0240/FUL	Burgh Castle	APCON	Great Yarmouth Borough Council	1
BA/2011/0256/FUL	Horning	APCON	North Norfolk District Council	1
BA/2011/0263/COND	Horning	APS106	North Norfolk District Council	1
BA/2011/0273/COND	Hoveton	APCON	North Norfolk District Council	1
BA/2011/0275/FUL	Haddiscoe	REF	South Norfolk District Council	1
BA/2011/0295/COND	Irstead	APCON	North Norfolk District Council	1
BA/2011/0296/FUL	Thorpe St Andrew	APCON	Broadland District Council	1
BA/2011/0306/FUL	Haddiscoe	REF	South Norfolk District Council	1
BA/2011/0358/CLUED	Repps With Bastwick	NONAPP	Great Yarmouth Borough Council	1
BA/2011/0378/COND	Dilham	APCON	North Norfolk District Council	1
BA/2011/0382/FUL	Lowestoft	APCON	Waveney District Council	1
BA/2011/0409/OUT	Mettingham	APS106	Waveney District Council	1
BA/2012/0050/FUL	Thorpe St Andrew	APCON	Broadland District Council	1
BA/2012/0083/FUL	Hoveton	APCON	North Norfolk District Council	1
BA/2012/0090/FUL	Cantley	APCON	Broadland District Council	1
BA/2012/0125/FUL	Acle	APCON	Broadland District Council	1
BA/2012/0164/FUL	Horning	REF	North Norfolk District Council	1
BA/2012/0235/FUL	Stalham	APCON	North Norfolk District Council	1
BA/2012/0239/FUL	Wayford Bridge	APCON	North Norfolk District Council	1
BA/2012/0281/FUL	Filby	WDN	Great Yarmouth Borough Council	1
BA/2012/0327/FUL	Filby	REF	Great Yarmouth Borough Council	1
BA/2012/0330/CLUED	Thorpe St Andrew	CLUEDN	Broadland District Council	1
BA/2012/0331/FUL	Acle	APCON	Broadland District Council	1
BA/2012/0333/FUL	Stalham	WDN	North Norfolk District Council	1

Application Number	Settlement	Decision	District	Number of dwellings
BA/2012/0394/FUL	Brundall	APCON	Broadland District Council	1
BA/2013/0105/COND	Burgh Castle	APCON	Great Yarmouth Borough Council	1
BA/2013/0135/FUL	Wroxham	APCON	Broadland District Council	1
BA/2013/0153/FUL	Filby	WDN	Great Yarmouth Borough Council	1
BA/2013/0156/FUL	Horning	APCON	North Norfolk District Council	1
BA/2013/0227/FUL	Horning	REF	North Norfolk District Council	1
BA/2013/0266/FUL	Filby	REF	Great Yarmouth Borough Council	1
BA/2013/0322/FUL	Horning	APCON	North Norfolk District Council	1
BA/2013/0402/OUT	Reedham	APCON	Broadland District Council	1
BA/2013/0404/FUL	Oulton	APCON	Waveney District Council	1
BA/2014/0041/CLUED	Thorpe St Andrew	CLUEDI	Broadland District Council	1
BA/2014/0108/FUL	Norton Subcourse	WDN	South Norfolk District Council	1
BA/2014/0154/FUL	Norton Subcourse	REF	: South Norfolk District Council	1
BA/2014/0343/OUT	Potter Heigham	REF	North Norfolk District Council	1
BA/2015/0148/FUL	Ludham	APCON	North Norfolk District Council	1
BA/2015/0170/FUL	Burgh Castle		Great Yarmouth Borough Council	1
BA/2015/0183/COND	Horning	APCON	North Norfolk District Council	1
BA/2015/0290/FUL	Mettingham	WDN	Waveney District Council	1
BA/2015/0352/FUL	Cantley	REF	Broadland District Council	1
BA/2015/0368/FUL	Burgh Castle	REF	Great Yarmouth Borough Council	1
BA/2016/0001/FUL	South Walsham	RET	Broadland District Council	1
BA/2016/0026/COND	Brundall	REF	Broadland District Council	1
BA/2016/0065/FUL	Runham	APCON	Great Yarmouth Borough Council	1
BA/2016/0069/COND	Hoveton	WDN	North Norfolk District Council	1
BA/2016/0080/FUL	Rockland St Mary	WDN	South Norfolk District Council	1
BA/2016/0184/FUL	Hoveton		North Norfolk District Council	1
BA/2016/0265/FUL	Rockland St Mary		South Norfolk District Council	1
BA/2016/0276/FUL	Lowestoft		Waveney District Council	1
BA/2016/0298/FUL	Kirby Bedon	RET	South Norfolk District Council	1
BA/2008/0158/FUL	Beccles	APCON	Waveney District Council	2
BA/2009/0252/FUL	Chedgrave	WDN	South Norfolk District Council	2
BA/2010/0124/FUL	Gillingham	APCON	South Norfolk District Council	2
BA/2010/0295/FUL	Ormesby St Michael	APCON	Great Yarmouth Borough Council	2
BA/2011/0161/FUL	Horning	APCON	North Norfolk District Council	2
BA/2012/0344/FUL	Loddon	APCON	South Norfolk District Council	2
BA/2015/0246/FUL	Claxton	APCON	South Norfolk District Council	2
BA/2008/0172/FUL	Stokesby	APCON	Great Yarmouth Borough Council	3
BA/2008/0345/FUL	Cantley	APCON	Broadland District Council	3
BA/2009/0257/OUT	Filby	APCON	Great Yarmouth Borough Council	3
BA/2012/0006/REM	Filby	WDN	Great Yarmouth Borough Council	3
BA/2012/0213/REM	Filby	APCON	Great Yarmouth Borough Council	3
BA/2013/0019/FUL	Wroxham	APCON	Broadland District Council	3
BA/2015/0123/FUL	Chedgrave	WDN	South Norfolk District Council	3
BA/2015/0381/FUL	Wroxham	APCON	Broadland District Council	3
BA/2008/0016/FUL	St Olaves	REF	South Norfolk District Council	4
BA/2008/0342/OUT	Filby	REF	Great Yarmouth Borough Council	4
BA/2013/0078/FUL	Stalham	APCON	North Norfolk District Council	4

Application Number	Settlement	Decision	District	Number of dwellings
BA/2014/0195/FUL	Lowestoft	REF	Waveney District Council	4
BA/2015/0277/FUL	Lowestoft	APCON	Waveney District Council	4
BA/2008/0077/FUL	Wroxham	REF	Broadland District Council	6
BA/2013/0217/OUT	Claxton	APCON	South Norfolk District Council	7
BA/2008/0197/FUL	Hoveton	APCON	North Norfolk District Council	8
BA/2011/0279/FUL	Norwich	WDN	Norwich City Council	10
BA/2009/0137/FUL	Stalham	WDN	North Norfolk District Council	14
BA/2009/0251/FUL	Stalham	APCON	North Norfolk District Council	14
BA/2016/0009/OUT	Thurne	<u>WDN</u>	Great Yarmouth	16
Cremorne Lane	Norwich	APCON	Norwich City Council	40
BA/2012/0271/FUL	Lowestoft	APCON	Waveney District Council	76
BA/2012/0005/FUL	Ditchingham	APS106	South Norfolk District Council	105
Generation Park	Norwich	<u>WDN</u>	Norwich City Council	120
				585



Appendix 3: Broads Executive Authority Area 2015 and 2017

Comparison of OAN 2015 and 2017

8. The Central Norfolk OAN produced in 2015 included an uplift for the dwellings required for the City Deal. The updated OAN produced in 2017 excluded the City Deal to ensure that the OAN was 'policy-off'. Housing projections including the 'policy-on' City Deal were also produced in 2017 for information only. The two sets of figures for 2015 and 2017 are reproduced below, with the OAN figure for each assessment highlighted in green.
9. The figures by local authority area from the ORS Model and jobs led growth in the 2017 assessment are shown below:

Figure 103: Projected Dwellings needed for the Broads 2017 by Local Authority (Note: Dwelling numbers derived based on proportion of dwellings without a usually resident household in the 2011 Census. Note: figures may not sum due to rounding)

	Breckland	Broadland	North Norfolk	Norwich	South Norfolk	Great Yarmouth	Waveney
ORS Model Using Long-term migration trends	0	50	70	3	40	66	57
Jobs led growth	0	55	76	4	43	66	57

10. The figures by local authority area from the ORS Model and jobs led growth in the 2015 assessment are shown below:

Figure 104: Projected Dwellings needed for the Broads 2015 by Local Authority (Note: Dwelling numbers derived based on proportion of dwellings without a usually resident household in the 2011 Census. Note: figures may not sum due to rounding)

	Breckland	Broadland	North Norfolk	Norwich	South Norfolk	Great Yarmouth	Waveney
ORS Model Using Long-term migration trends	0	53	95	3	34	63	47
Jobs led growth	0	57	103	3	37	69	51

11. The total OAN in was 286 in 2017 over the 21 year period 2015-36 based on the ORS model. In 2015, the OAN was 320 over the 24 year period 2012-36 based on the jobs-led growth in 2015. This averages as:
 - » 2017 OAN (21 years): 13.6 dwellings per year
 - » 2015 OAN (24 years): 13.3 dwellings per year

The process of assessing housing need in the Broads Executive Authority Area

12. Assessing the housing needs of the Broads Executive Authority Area has several particular difficulties, with the most difficult being working with the small numbers involved. In demography, which is the basis of producing an OAN, it is common to round to the nearest 100. In the case of the Broads, this would make no sense as each of the six local authority segments within the Broads would then be shown as either 0 or 100. Yet even small changes in the number of dwellings to be delivered in the Broads can be a challenge given the nature of the area. Also, the Broads Executive Authority has to work with the six Local Planning Authorities (LPA) to provide the dwellings. Therefore it is important for the OAN process to identify the need by six local authority areas within the Broads. Another fundamental problem is that most data sources, such as population and dwellings forecasts are published at a local authority level and not solely at a Broads Authority Executive Area level.
13. Following the Census 2011, the Broads Executive Authority carried out work to identify the dwelling numbers and population within the part of each output area that lay within the boundary of the Broads. From this, the output areas were combined to give the part of each local authority that lay within the boundary of the Broads. The starting point to produce the OAN was to take these population figures provided by the Broads Authority and to apply the age profile from the Census 2011³⁷ to each local authority area within the Broads. The population was then updated by apportioning 2015 mid-year estimates for local authorities between two areas; 'Central Norfolk within the Broads' (the four local authorities in Central Norfolk) and 'Great Yarmouth and Waveney within the Broads'. The two areas were used so as to give the largest possible areas to make the data as robust as possible and minimising the problem of small numbers.
14. The data was aged year by year, by age band and gender. Natural change from births and deaths, and cross-border migration were applied, with migration based on the 6 local authority rates as smaller area migration data was not available. Headship rates were applied and the number of households was apportioned by the local authorities, again based on the Broads Authority work. The vacancy and second home rate of 25.4% was based on second home and holiday home work by the Broads Executive Authority which involved a detailed assessment of Council Tax records. This rate was used as it is based on Broads local area data and therefore preferential to using district vacancy rates, which would be too low for the Broads, for consistency with the previous SHMA, and because the vacancy and second home rate figures in the previous SHMA were agreed.
15. For the jobs-led forecasts including the City Deal, the proportional uplift for each relevant local authority was applied to the number of dwellings in each local authority area within the Broads. The jobs-led forecast is not the OAN, but was included for information.
16. There are some small differences between 2015 and 2017 figures. The main reasons for these differences were:
 - » Migration rates and other population changes shown in the data between 2014 and 2015 MYE

³⁷

<https://www.ons.gov.uk/peoplepopulationandcommunity/populationandmigration/populationestimates/datasets/2011censuskeys/tatisticsforationalparksinenglandandwales>

» Changes to headship rates

17. The differences in total number of dwellings, comparing like with like are shown below. As might be expected, the ORS Model assessment using long-term migration trends for each of the two years should be compared against each other, and the jobs led growth for each of the two years should be compared against each other.

Figure 105: Comparison of Projected Dwellings for the Broads from the ORS Model and Jobs Led Growth for 2015 and 2017 Assessments (Note: Dwelling numbers derived based on proportion of dwellings without a usually resident household in the 2011 Census)

	Assessment year	Total dwellings	Period (years)	Average dwellings per year
ORS Model Using Long-term migration trends	2015	295	24	12.3
	2017 (OAH)	286	21	13.6
Jobs led growth	2015 (OAH)	320	24	13.3
	2017	301	21	14.3

Landscape and Landscaping Guide for adoption

Report by Planning Policy Officer

Summary:	An Information guide has been produced to help applicants address landscape and landscaping in relation to their schemes. This has been the subject of public consultation.
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Recommendation:	To note the responses and amendments and to recommend to the Broads Authority that they adopt the guides.
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1. Introduction

- 1.1 The Broads is a nationally designated landscape and development should seek to protect and enhance the landscape of the Broads. The purpose of this draft guide is to help applicants understand and address landscape impacts of their schemes and design and deliver high quality landscaping schemes.

2. About the guides and work completed to date.

- 2.1 The Broads Authority's landscape consultant has produced the draft Landscape and Landscaping Guide with support from the communications and planning teams. The Guide seeks to provide information, images and further links to help potential applicants understand and address the landscape impacts of their development proposals. There is also guidance on processes set out in relation to landscaping schemes.
- 2.2 The draft Guide was subject to public consultation between 28 April 2017 to 4pm on Friday 9 June 2017. The comments received and the proposed responses from the Authority are included at Appendix A.
- 2.3 The final Guide is included at Appendix B.

3 Recommendation

- 3.1 It is recommended that the responses and amendments to the Guide are noted and that Planning Committee recommend to the Broads Authority that they adopt the guide as shown at Appendix B.

4 Financial Implications

- 4.1 It is intended that the Guide will be hosted on the Broads Authority website and produced in paper format only on request.

5 Conclusion

- 5.1 The Guide addresses landscape impacts and landscaping of development proposals.
- 5.2 To give the Guide more weight in the planning system, the guide has been the subject of consultation and it is proposed that it is adopted by the Full Authority.
- 5.3 Having up to date Guides like this will provide developers and landowners with useful guidance on what is deemed useful and acceptable in the Broads.

Background papers: None

Author: Natalie Beal

Date of report: 30 June 2017

Appendices: APPENDIX A – Draft Broads Landscape and Landscaping Guide – Consultation Responses
APPENDIX B – Final Landscape and Landscaping Guide

Draft Broads Landscape and Landscaping Guide – Consultation Responses

General Comment

Norfolk Constabulary – Broadland and North Norfolk

As ‘crime’ has a potentially adverse economic, social and environmental impact upon any development, the National Planning Policy Framework reinforces the need and importance of a safe and secure external environment. Stating planning policies and decisions should ensure “safe and accessible developments, containing clear and legible pedestrian routes, and high quality public space, which encourage the active and continual use of public areas”. (England NPPF and NPPG, Section 8, paragraph 69). Crime and anti-social behaviour are more likely to occur if the following attributes of sustainable communities are not incorporated:

- Access and movement: places with well-defined and well used routes with spaces and entrances that provide for convenient movement without compromising security
- Structure: places that are structured so that different uses do not cause conflict
- Surveillance: places where all publicly accessible spaces are overlooked
- Ownership: places that promote a sense of ownership, respect, territorial responsibility and community
- Physical protection: places that include necessary, well-designed security features
- Activity: places where the level of human activity is appropriate to the location and creates a reduced risk of crime and a sense of safety at all times
- Management and maintenance: places that are designed with management and maintenance in mind, to discourage crime in the present and the future. Clarity in defining the use of space can help to achieve a feeling of wellbeing and limit opportunities for crime.

It is stated that ‘Landsaped Spaces will need to increase biodiversity and wildlife enhancement and provide accessible routes and networks to facilitate connections (for people, plants and animals) to surrounding areas’.

SBD* Principles associated with Landscaping Strategy are:

Access & movement:

- Access to the countryside and local amenity areas must be balanced by the potential for the criminal to use the same highways & byways to commit crime and escape detection, therefore unnecessary pedestrian and vehicular permeability should be reconsidered or removed
- Location and adjoining land use: Security may be affected by the type of land use or property immediately adjoining the site. For example: Wooded areas or open fields can make the grounds easier to access by trespassers and in contrast, dwellings adjoining the boundary can generate natural surveillance increasing the likelihood of crime or anti-social behaviour being observed and reported.
- Surveillance: Ongoing vigilance, effective natural surveillance and speedy reporting of emergency, urgent or suspicious activity will benefit all who live, work and visit the Broads National Park.
- Improperly placed landscaping can give a potential criminal a place to hide. Planting around dwellings or other structures should not impede the opportunity for natural surveillance and must avoid the creation of potential hiding places. Although plant growth above 1m and below 2m should

be absent to provide a window of surveillance, this does not preclude the use of hedging plants and feature shrubs and trees, providing surveillance opportunity is maintained. For example: Plant growth below 500mm will be required in respect to car parks to deter vehicle interference.

Ownership: (Territorial Reinforcement)

- Trees and shrubs, planters, walkways, fences and walls, and other landscape features help define a space into public, semi-public, and private areas. The landscape design should be created with this in mind.

Physical Protection:

- Secure boundary treatments should be considered proportionate to criminal statistics and not solely aesthetic considerations

Activity:

- The provision of public open amenity space should make a valuable contribution towards the quality of the development and the character of the neighbourhood. In order to do this it must be carefully located and designed to suit its intended purpose.
- The open space should be designed with due regard for natural surveillance, and be assessed to prevent the occurrence of anti-social behaviour.

Management: Landscaping in new developments to create attractive environments is supported and is encouraged providing:

- Future maintenance requirements are adequately considered at the design stage and management programmes are put in place to ensure that the maintenance will be properly carried out.
- The planting design takes full account of opportunities for crime.

SBD* Principles associated with Landscape Scheme and Management are:

Access and movement:

- Planting next to footpaths: Planting immediately abutting the path should generally be avoided as the plants could have a tendency to grow over the path creating pinch points, places of concealment, reduction of visibility and unnecessary maintenance.

Structure:

- Landscaping used for screening purposes should be designed based upon the adjacent land uses and for what is being screened. For example, when screening parking lots from adjacent roadways, screening only needs to be high enough to shield vehicle headlights.

Surveillance:

- Footpath Design: Isolated footpaths should be straight, wide, and avoid potential hiding places. It is important that the pedestrian has good visibility along the route of the footpath.

- Where necessary and where space permits, segregated footpaths should be at least 3 metres wide (to allow people to pass without infringing each other's personal space).
- Lighting of roads and segregated footpaths: Suitable security lighting provides safety for occupiers and visitors, reduces the fear of crime and is a significant deterrent for the criminal, who seeks to avoid being seen.
- Roads and segregated footpaths for adopted highways and footpaths, private estate roads and car parks must comply with BS 5489-1:2013. However it is recognised that some local authorities have 'dark sky' policies and deliberately light some of their rural, low crime areas to very low levels of illumination.

Physical protection: Where required places & structures should include necessary, well-designed security features e.g. the securing of bicycles left unattended must be considered within the design of any new design.

- External and preferably roofed bicycle stores with individual stands for securing bicycles are best located close to supervised areas.
- The cycle stand should facilitate the locking of both wheels and the crossbar.

The promotion of 'crime prevention through environmental design' principles and practices will greatly assist towards protecting the Broads National Park for future generations to use and enjoy.

Broads Authority summary of response: General comments on the relationship between landscape, landscaping and crime.

Broads Authority comment: Will add a paragraph relating to secured by design principles with some further links.

General Comment

Waveney District Council

The intention of the document to provide guidance about how to identify landscape sensitivity and how this should be approached in the context of a planning application should assist prospective applicants during their preparations. Landscape areas in locations administered by neighbouring local authorities can contribute towards and affect the Broads landscape and its setting. The document could acknowledge that neighbouring authorities may have their own landscape character assessments which could be used to help identify landscape sensitivities support the preparation of a landscape strategy. If the proposed document is to be formally adopted by the Broads Authority then this could provide additional weight to these documents if required. It may worth considering being more specific when discussing different stages of the planning process so the reader so it is clear to the reader if the text is referring to an outline application or reserved matters application. The document ends quite abruptly. It could be useful to provide some context about how such an assessment/strategy will be considered as part of the planning process and what the next steps may be. The document in its current format does not come across as being very user friendly. Improved formatting of the document and simplifying some of the sentences could make the document more accessible to potential applicants.

Broads Authority summary of response:

1: Neighbouring authorities may have their own landscape character assessments which could be used to help identify landscape sensitivities support the preparation of a landscape strategy.

- 2: It may worth considering being more specific when discussing different stages of the planning process so the reader so it is clear to the reader if the text is referring to an outline application or reserved matters application.
- 3: The document ends quite abruptly. It could be useful to provide some context about how such an assessment/strategy will be considered as part of the planning process and what the next steps may be.
- 4: mproved formatting of the document and simplifying some of the sentences could make the document more accessible to potential applicants.

Broads Authority comment:

- 1: Will add text along these lines.
- 2: Noted although the processes as identified can be applied to full, outline or reserved matters applications. No change.
- 3: Will add text along these lines.
- 4: Document will be formatted and read again following end of consultation.

General Comment

Forestry Commission

Thank you for asking the Forestry Commission for comment on this consultation. We have looked at the guide and it appears to be very comprehensive, we would like to suggest a couple of things that you may like to consider including in some way.

Firstly: We have particular concerns over unlicensed tree/woodland removal in preparation for submission of a planning application, this is on the increase. Therefore you may like to add something about:

No tree removal prior to application, removal may be allowed with a felling licence or be exempt depending on circumstance, but check with the Forestry Commission first otherwise a restock notice may be issued which will then be a material consideration in determining an application for permission.

Secondly: We are particularly concerned about the import of plants and trees for developments which may come from nurseries outside the UK from areas where particular diseases/pests are endemic. So you might like to include something like this:

When landscaping with new plantings consider the issues of bio-security especially if using imported stock and ensure records are kept in order for traceability to occur should there be a plant/tree disease outbreak in planted stock.

Broads Authority summary of response:

- 1: No tree removal prior to application, removal may be allowed with a felling licence or be exempt depending on circumstance, but check with the Forestry Commission first otherwise a restock notice may be issued which will then be a material consideration in determining an application for permission.
- 2: When landscaping with new plantings consider the issues of bio-security especially if using imported stock and ensure records are kept in order for traceability to occur should there be a plant/tree disease outbreak in planted stock.

Broads Authority comment:

1: The scale and type of development in the Broads does not tend to meet the threshold that would require involvement of the Forestry Commission. The guide is aimed at landscape and landscaping in general. By incorporating such detail about trees it might be prudent to include more about trees and the various scenarios that could arise. There could be merits in a tree and development in the Broads guide and we will consider this. However, we consider the

implications of removal of trees as well as generally monitor trees and the impacts of development throughout the area. Other than considering the need for a tree guide, no change.

2: Noted and we will add something along these lines.

General Comment

Great Yarmouth Borough Council

The Borough Council commends the Broads Authority on a well written document which should be of practical help in ensuring new development is well integrated into the nationally important landscape of the Broads.

Broads Authority summary of response: General support.

Broads Authority comment: Support noted.

General comment

Beccles Society

Thank you for consulting Beccles Society on the above document which we considered at length at our recent meeting. The draft guide sets out in clear detail very much what currently happens (or is supposed to happen) in practice, and therefore we could find very little to add to what you have described. We look forward to seeing the final Guide when it is published.

Broads Authority summary of response: General support.

Broads Authority comment: Support noted.

General comment

Broads Reed and Sedge Cutters Association

The need to have some guidance to avoid development having an adverse impact on the landscape should be welcome by those participating in the planning process and also by those who reside near any planned development or building change. This could, in the main, be achieved now by having simple discussions with planning officers prior to completing an actual planning application. During the planning process, each application is subject to public comment and in particular local or neighbour scrutiny at the Parish Council consultation stage. This is another opportunity to have local input regarding any landscape implications or concerns and also to make any suggestions for improvements. The proposals should not apply to simple alterations or minor works but only to new or large size developments. This would avoid applicants having to incur further costs to carry out what could be minor works or improvements. Conservation area status would or should prevent any impact on the landscape by development and many parts of The Broads also have habitat protection regulation which again prevents major landscape changes. It is therefore reasonable to question just why there is a need to implement these proposals and perhaps it would help if more details were stipulated as when and when not the proposals would apply.

Broads Authority summary of response:

1: The need to have some guidance to avoid development having an adverse impact on the landscape should be welcome by those participating in the planning process and also by those who reside near any planned development or building change.

- 2: This could, in the main, be achieved now by having simple discussions with planning officers prior to completing an actual planning application.
- 3: During the planning process, each application is subject to public comment and in particular local or neighbour scrutiny at the Parish Council consultation stage. This is another opportunity to have local input regarding any landscape implications or concerns and also to make any suggestions for improvements.
- 4: The proposals should not apply to simple alterations or minor works but only to new or large size developments. This would avoid applicants having to incur further costs to carry out what could be minor works or improvements.
- 5: Conservation area status would or should prevent any impact on the landscape by development and many parts of The Broads also have habitat protection regulation which again prevents major landscape changes.
- 6: It is therefore reasonable to question just why there is a need to implement these proposals and perhaps it would help if more details were stipulated as when and when not the proposals would apply.

Broads Authority comment:

- 1: Noted.
- 2: The Authority does offer free pre-application advice.
- 3: Noted.
- 4: The guidance expands on adopted policy, rather than setting policy. This guide seeks to provide assistance once it is deemed that landscaping is required and that impact on landscape could be an issue that can be mitigated. It is the policy itself (in the Local Plan) that will set criteria relating to landscape impact. BRASCA are recommended to look at that policy when the next version of the Local Plan is out for consultation. Turning to the detail of the comment, this seems to be saying that the requirement to consider landscape impacts and landscaping of a scheme depends on size only. This is true for some schemes, but it also depends on what the proposal is and where it is and therefore the impact it will have on the landscape of the Broads - size is one consideration. Turning to costs, the guide promotes a method of addressing landscaping that requires the majority of the detailed work to be undertaken once permission is given and the scheme is certain to go ahead. This minimises cost of landscape work prior to an application being approved and when it is not certain if the money is going to be spent on something that will come to fruition. This approach saves money for the applicant until they know they need to undertake landscaping work.
- 5: Noted.
- 6: This seems to question the need for this guide. It also seems to suggest the need for explanation of threshold to which proposals are required. Please see answer to point 4.

General comment

Brundall Parish Council

Brundall Parish Council discussed the document in the consultation and has no comments to make other than to add it is a good guide for applicants.

Broads Authority summary of response: General support.

Broads Authority comment: Support noted.

General comment (Environment)**Norfolk County Council**

In general the Natural Environment Team (NET) consider the content of the Guide as good.

Broads Authority summary of response: General support.

Broads Authority comment: Support noted.

General comment (Flood and water management)**Norfolk County Council**

There is not much in the Guide regarding flood and water management, but what there is it seems fine. It is noted, however, that there is no mention of Compensatory storage – i.e. if there is an existing area of surface flooding this could be resolved by creating a hollow feature (adjustment to the localised ground levels / ground re-profiling) to accommodate it to ensure that flood risk is not increased elsewhere. As such it is felt that there should be regard to this in the emerging Guide.

Broads Authority summary of response: There is no mention of Compensatory storage – i.e. if there is an existing area of surface flooding this could be resolved by creating a hollow feature (adjustment to the localised ground levels / ground re-profiling) to accommodate it to ensure that flood risk is not increased elsewhere.

Broads Authority comment: Noted. Will add something to questions listed at section A4 to reflect that existing features could be surface water and if existing features could provide flood water storage.

General comment (Public health)**Norfolk County Council**

Access to the natural environment is an important factor to support good physical and mental health and can support objectives around, for example, weight management, physical activity and good mental health. This is referenced for example in lines 35 and 127.

As a starting point Public Health would wish to highlight some recommendations within NICE guidance on physical activity and the built environment from 2008 (Public health guidance PH8). While these are general suggestions, some are worthy of note:

Recommendation 1 includes: “Ensure planning applications for new developments always prioritise the need for people (including those whose mobility is impaired) to be physically active as a routine part of their daily life. Ensure local facilities and services are easily accessible on foot, by bicycle and by other modes of transport involving physical activity. Ensure children can participate in physically active play.” However, as well as active modes of transport it is important to recognise other barriers to reaching the Broads due to physical impairment, lower levels of cycling amongst certain income groups and geographic distance. Consequently, without compromising commitments to active travel and low carbon access, guidance which recognises and encourages access by other means such as bus or promotes car share or engages community transport options for example would be welcome. This is echoed within Recommendation 4: Ensure public open spaces and public paths can be reached on foot, by bicycle and using other modes of transport involving physical activity. They should also be accessible by public transport; Ensure public open spaces and public paths are maintained to a high standard. They should be

safe, attractive and welcoming to everyone. Public Health are therefore particularly interested in how the aspirations at lines 68 and 69 to assess how a proposal “affects specific individuals or groups of people”. The draft considers the need for accessibility in terms of footpaths at lines 122 and 123. However this needs to be explicit beyond, for example, level access, use of stiles and gates and include the needs of residents with a learning disability or visual impairment for example and therefore related changes around signage, language, travel and toilet facilities. For example, data on the number of people known to GPs with a learning disability puts Norfolk as highest in the region and above the England average, at 0.60% in 2013/14. With an estimated total population of over 540,000 across the five districts mentioned above that could represent a large number of people requiring consideration of their needs to access the Broads. Traditionally access to open spaces, especially away from the local area, has been worse amongst income deprived households. Both Great Yarmouth and Norwich as district authorities have approximately 1 in 4 children living in income deprived households. Some parts of Great Yarmouth have estimated poverty levels running at over 1 in 3 households. At the same time an estimated 1 in 4 adults in Great Yarmouth are inactive. Physical, cultural and financial access to the Broads should be considered within any landscape and design changes. Consequently I would welcome guidance which supports or enhances accessibility across a range of users generally less likely to use the Broads as part of any landscape changes. We are also keen to be able to utilise our information to work with the Authority to identify potential areas at risk of exclusion from revision to landscapes.

Broads Authority summary of response:

- 1: Access to the natural environment is an important factor to support good physical and mental health and can support objectives around, for example, weight management, physical activity and good mental health. This is referenced for example in lines 35 and 127. As a starting point Public Health would wish to highlight some recommendations within NICE guidance on physical activity and the built environment from 2008 (Public health guidance PH8). While these are general suggestions, some are worthy of note.
- 2: Recommendation 1 includes: “Ensure planning applications for new developments always prioritise the need for people (including those whose mobility is impaired) to be physically active as a routine part of their daily life. Ensure local facilities and services are easily accessible on foot, by bicycle and by other modes of transport involving physical activity. Ensure children can participate in physically active play.” However, as well as active modes of transport it is important to recognise other barriers to reaching the Broads due to physical impairment, lower levels of cycling amongst certain income groups and geographic distance. Consequently, without compromising commitments to active travel and low carbon access, guidance which recognises and encourages access by other means such as bus or promotes car share or engages community transport options for example would be welcome. This is echoed within Recommendation 4: Ensure public open spaces and public paths can be reached on foot, by bicycle and using other modes of transport involving physical activity. They should also be accessible by public transport; Ensure public open spaces and public paths are maintained to a high standard. They should be safe, attractive and welcoming to everyone. Public Health are therefore particularly interested in how the aspirations at lines 68 and 69 to assess how a proposal “affects specific individuals or groups of people”.
- 3: The draft considers the need for accessibility in terms of footpaths at lines 122 and 123. However this needs to be explicit beyond, for example, level access, use of stiles and gates and include the needs of residents with a learning disability or visual impairment for example and therefore related changes around signage, language, travel and toilet facilities. For example, data on the number of people known to GPs with a learning disability puts Norfolk as highest in the region and above the England average, at 0.60% in 2013/14. With an estimated total population of over 540,000 across the five districts mentioned above that could represent a large number of people requiring consideration of their needs to access the Broads. Traditionally access to open spaces, especially away from the local area, has been worse amongst income deprived households. Both Great Yarmouth and Norwich as district authorities

have approximately 1 in 4 children living in income deprived households. Some parts of Great Yarmouth have estimated poverty levels running at over 1 in 3 households . At the same time an estimated 1 in 4 adults in Great Yarmouth are inactive.

4: Physical, cultural and financial access to the Broads should be considered within any landscape and design changes. Consequently I would welcome guidance which supports or enhances accessibility across a range of users generally less likely to use the Broads as part of any landscape changes. We are also keen to be able to utilise our information to work with the Authority to identify potential areas at risk of exclusion from revision to landscapes.

Broads Authority comment: Clarity asked for. Concerned that accessible is taken to focus primarily on physical and sensory barriers (level access, well lit etc.) and not to other barriers so anything which at least prompts people to think across a range of accessibility criteria would be welcomed. Line 68 and 69 is about the person or people who are the receptors of the visual impact rather than those groups who have specific access requirements. 122 and 123 mention accessible routes, so is it covered.

General comment

South Norfolk Council

Thank you for consulting South Norfolk Council on this document. In this instance we do not wish to comment further.

Broads Authority summary of response: No comment.

Broads Authority comment: Noted.

General Comment

Natural England

The Broads Landscape and Landscaping Guide will be a useful and helpful document for guiding the design of new development to provide a high quality environment in this protected landscape. However, we suggest that there is mention of the wider benefits that can be provided by landscape and landscaping, such as ecosystem services and natural capital enhancement opportunities. It would be helpful to include a map showing the boundary of the Broads National Park and a list of the 'special qualities' of the National Park. You may also like to include a reference to our document NE's National Character Area no 80: The Broads (see our website <http://publications.naturalengland.org.uk/publication/11549064>).

Broads Authority summary of response: General support for the document. Mention wider benefits. Include map of the Broads. List special qualities. Add link.

Broads Authority comment: Support noted. Link added. Will include the special qualities of the Broads. Regarding map, other guides do not include maps and maps are included in the various planning policy documents. No map to be added. In general the guide does refer to other benefits of landscape and landscaping.

General comment

SUSTRANS

It is encouraging that you are creating a Landscaping Guidance. It is important that both walking and cycling opportunities are included to enable residents of new developments to enjoy safe and attractive sustainable access through the beautiful landscapes of the Broads.

Broads Authority summary of response: General comment about guide. General support.

Broads Authority comment: Support noted.

A5 Environment and Green Infrastructure 119

SUSTRANS

Sustrans would ask that the following additions are included:

Green Infrastructure: There is comment about accessibility in the covering paragraph. Could emphasis be given to encourage sustainable access. Could an additional sentence 'Reference to the benefit of footpaths, cycle paths and shared use paths to enable people to enjoy access and connectivity, sustainably through landscaped areas' be added.

Broads Authority summary of response: Could an additional sentence 'Reference to the benefit of footpaths, cycle paths and shared use paths to enable people to enjoy access and connectivity, sustainably through landscaped areas' be added

Broads Authority comment: It is not clear how this could be worked into this paragraph which covers many aspects of GI. This wording is quite specific. However we understand the thrust of the comment. Whilst this is inferred in this section anyway, we will add 'provide accessible routes and networks to facilitate connections (for people walking and cycling, plants and animals)'.

A3 Integrating development into surroundings 83

SUSTRANS

Sustrans would ask that the following additions are included: Add 'What footpath and cyclepath links are possible to create safe and attractive links with the wider networks?'

Broads Authority summary of response: Add 'What footpath and cyclepath links are possible to create safe and attractive links with the wider networks?'

Broads Authority comment: Noted. We understand the thrust of the comment. Will amend to say 'ii) How is the site accessed? Are there any routes through the site? Is there potential for appropriate routes to be provided?'.

A3 Integrating development into surroundings 105

SUSTRANS

Sustrans would ask that the following additions are included: Add 'What footpath and cyclepath links are possible to create safe and attractive links with the wider networks?'

Broads Authority summary of response: What footpath and cyclepath links are possible to create safe and attractive links with the wider networks

Broads Authority comment: This is about the specific characteristics of that site and existing features. The thrust of the comment has been addresses through changes to section A3. No change to this section.

Part B: Guidance on the production of detailed design proposals for landscaping schemes 156

Norfolk County Council

The Natural Environment Team support the principle and general content of the draft guidance, although offer comments on the following:

Part B relates to additional information which may need to be submitted in order to discharge a condition. Lines 170 and 171 refer to Arboricultural Impact Assessment and Tree Protection Plans. BS5837: 2012 Trees in Relation to design, demolition and construction – Recommendations identifies that these details should be agreed prior to scheme approval. Whether trees are able to be retained and protected throughout the construction process is a material consideration and should therefore be agreed prior to approval, and alongside any Landscape Strategy (within Part A). Arboricultural Method Statements can, however, be subject of condition provided that there is reasonable certainty that a scheme is practicable.

Consideration should be given to off-site works, particularly Highway improvements and visibility. Any potential effects on landscape or trees which may result in undesirable landscape effects or requirement for mitigation should be considered prior to approval. The County Council in responding, as a statutory consultee (Highway Authority), will have regard to its own Planning Obligations Standards including the section on Green Infrastructure (Section 8 page19 – see attached). As such it is felt that it may be helpful to reference the above Standards in the emerging Guide.

Broads Authority summary of response:

1: The Natural Environment Team support the principle and general content of the draft guidance, although offer comments on the following

2: Part B relates to additional information which may need to be submitted in order to discharge a condition. Lines 170 and 171 refer to Arboricultural Impact Assessment and Tree Protection Plans. BS5837: 2012 Trees in Relation to design, demolition and construction – Recommendations identifies that these details should be agreed prior to scheme approval. Whether trees are able to be retained and protected throughout the construction process is a material consideration and should therefore be agreed prior to approval, and alongside any Landscape Strategy (within Part A). Arboricultural Method Statements can, however, be subject of condition provided that there is reasonable certainty that a scheme is practicable.

3: Consideration should be given to off-site works, particularly Highway improvements and visibility. *Clarity asked for: Often when development proposals come forward, site surveys and reports such as LVIAs, AIAs and Ecological surveys do not take account of visibility splays or areas where offsite highway works are required (the latter is sometimes not able to be pre-empted by the applicant). For example, we often see landscape assessments which perceive no adverse effects on landscape character, but in fact the site access requires removal of large numbers of trees / hedgerow in order to achieve visibility, something which hasn't been considered within the scope of the LVIA. We have also encountered similar with AIAs. Equally these works will often require landscape mitigation although often not enough space is left to implement a scheme due to lack of site space or poorly planned drainage and service runs etc. We just felt that it would be good to try and get prospective applicants to think about these types of issues early on in the process. We understand that the Broads does not receive such large scale growth due to the nature of the land However as the landscape character can be particularly sensitive in the Broads area, and these items generally appear to be rarely considered early on, we felt these considerations could be particularly pertinent.*

4: Any potential effects on landscape or trees which may result in undesirable landscape effects or requirement for mitigation should be considered prior to approval.

5: The County Council in responding, as a statutory consultee (Highway Authority), will have regard to its own Planning Obligations Standards including the section on Green Infrastructure (Section 8 page19 – see attached). As such it is felt that it may be helpful to reference the above Standards in the emerging Guide.

Broads Authority comment:

- 1: noted.
- 2: Agree a Method Statement could be subject of a condition but AIA needs to be upfront.
- 3: Agree. Will add some wording to the guide.
- 4: Noted. This is what a landscape strategy does as set out in Part A.
- 5: Reference to Standards could be added to Guide.

Line 6

Natural England

In addition to a high quality environment, the wider benefits that can also be provided by landscape and landscaping do not clearly come through the text. Consideration of the full range of ecosystem services and natural capital enhancement opportunities would be good to see.

Broads Authority summary of response: Consideration of the full range of ecosystem services and natural capital enhancement opportunities would be good to see.

Broads Authority comment: Noted. The suggested amendments introduces terms which would need further explanation adding to the length of the document. The overall thrust of ecosystem services is brought out through the guide in a subtle way rather than mentioning it explicitly. Therefore for simplicity and brevity it is not proposed to amend the document along these lines.

Line 11

Natural England

As above, landscaping should be delivering more than just attractiveness, such as a wide range of beneficial services; it would be good to encourage this recognition from the start. As noted in the paragraph above, it can help to achieve a higher environmental quality, so this should be explained further here.

Broads Authority summary of response: landscaping should be delivering more than just attractiveness, such as a wide range of beneficial services; it would be good to encourage this recognition from the start

Broads Authority comment: Later in the document, there are criteria and guiding questions relating to other benefits of landscaping schemes. As such this comment is generally covered in the document.

Line 35

Natural England

Suggested amendment: ...can have 'ecosystem service benefits that include' biodiversity...

Broads Authority summary of response: Suggested amendment: ...can have 'ecosystem service benefits that include' biodiversity...

Broads Authority comment: Noted. The suggested amendments introduces terms which would need further explanation adding to the length of the document. The overall thrust of ecosystem services is brought out through the guide in a subtle way rather than mentioning it explicitly. Therefore for simplicity and brevity it is not proposed to amend the document along these lines.

Line 36

Natural England

Suggested amendment: Add ... National Character Area Profile (NCA 80 The Broads) <https://www.gov.uk/government/publications/national-character-area-profiles-data-for-local-decision-making> ...

Broads Authority summary of response: Add National Character Area Profile (NCA 80 The Broads) to the list of links.

Broads Authority comment: Will add this link.

Line 57

Natural England

Natural processes could be added.

Broads Authority summary of response: Natural processes could be added.

Broads Authority comment: Later in the document, there are criteria and guiding questions relating to other benefits of landscaping schemes. As such this comment is generally covered in the document.

Line 66

Natural England

Re LVIA, (lines 66 – 70) we expect that every LVIA should clearly state:

- a) the level of sensitivity it has assigned to the protected landscape;
- b) the level of sensitivity assigned to the visual amenity of those enjoying its natural environment;
- c) the magnitude of change based on the likely effects of the proposal, and how it may change the protected landscape and its amenity (including views); and
- d) the significance that is attached in the assessment process to the effects of the proposed changes;
- e) the implications of these changes in respect of the special qualities, the natural beauty of the protected landscape and its visual amenity

Broads Authority summary of response: States expectations of a LVIA.

Broads Authority comment: Noted. Will add to the footnote.

Line 67

Waveney District Council

The diagram on page 4 could be more clear for the reader if a frame was paced around each respective option.

Broads Authority summary of response: Place a frame around the diagrams.

Broads Authority comment: The document will be formatted as it is finalised. The graphic designed will ensure the format is useful and clear.

Line 93

Natural England

Suggested addition: What ecosystem services are provided by the site?

Broads Authority summary of response: Suggested addition: What ecosystem services are provided by the site?

Broads Authority comment: This is generally covered through the various guidance criteria. No change.

Line 97**Natural England**

Suggested amendment: ... character and function of an area

Broads Authority summary of response: Suggested amendment: ... character and function of an area

Broads Authority comment: Will make amendment.

Line 110**Natural England**

We should be considering more than just wildlife habitats – include other services.

Suggested amendment: 'Do these provide habitat? What ecosystem services are provided?'

Broads Authority summary of response: Suggested amendment: 'Do these provide habitat? What ecosystem services are provided?'

Broads Authority comment: Noted. The suggested amendments introduces terms which would need further explanation adding to the length of the document. The overall thrust of ecosystem services is brought out through the guide in a subtle way rather than mentioning it explicitly. Therefore for simplicity and brevity it is not proposed to amend the document along these lines.

Line 121**Natural England**

Expand on sustainability?

Suggested addition: ... the principles of 'ecosystem service provision, natural capital enhancement and' sustainability. Wherever possible, landscaped spaces will need to increase 'ecosystem service provision including' biodiversity...

Broads Authority summary of response: Suggested addition: ... the principles of 'ecosystem service provision, natural capital enhancement and' sustainability. Wherever possible, landscaped spaces will need to increase 'ecosystem service provision including' biodiversity...

Broads Authority comment: Noted. The suggested amendments introduces terms which would need further explanation adding to the length of the document. The overall thrust of ecosystem services is brought out through the guide in a subtle way rather than mentioning it explicitly. Therefore for simplicity and brevity it is not proposed to amend the document along these lines.

Line 126**Natural England**

'By definition, green infrastructure can provide a variety of functions' This is good. Services?

Suggested addition: ...in addition to providing an attractive landscape 'and sense of place'.

Broads Authority summary of response: Suggested addition: ...in addition to providing an attractive landscape 'and sense of place'.

Broads Authority comment: Will make amendment.

Line 130

Natural England

Native? Might be better to describe these as 'characteristic landscape features'.

Broads Authority summary of response: Might be better to describe these as 'characteristic landscape features'.

Broads Authority comment: Will make amendment.

Line 133

Natural England

Should include 'native' otherwise you might just get a mixture of non-natives.

Suggested addition: ...mixed 'native' species...

Broads Authority summary of response: Suggested addition: ...mixed 'native' species...

Broads Authority comment: Will make amendment.

Line 144

Natural England

Could also include the ecosystem services?

Broads Authority summary of response: Could also include the ecosystem services?

Broads Authority comment: Noted. Landscape is an element of ecosystem services to some extent and therefore ecosystem services are addressed. This guide is about landscape and landscaping – by referring to ecosystem services in general, it would widen the impact of the guidance beyond that which is intended. Furthermore, the current policies and future local plan address ecosystem services. No change.

Line 168

Waveney District Council

In section B (B2) how (or at what stage) will it be established if an impact assessment will be required or not? Clarity could be provided if this is done through discussion with officers, is it decided as part of pre-application discussions, or is a screening assessment will be undertaken etc?

Broads Authority summary of response: In section B (B2) how (or at what stage) will it be established if an impact assessment will be required or not

Broads Authority comment: Noted. Will add some clarification, but it depends on the proposal and local characteristics.

Line 171

Natural England

Spelling correction: 'details'

Broads Authority summary of response: Spelling correction: 'details'

Broads Authority comment: Noted and changed

Page 7, Section A4, item xi). Historic England

Historic environment is not given specific mention, except on page 7, Section A4, item xi). I would suggest additional text: “Are there any registered parks and gardens or locally listed designed landscapes on or around the site?” Also, it may be useful to also add reference to undesignated heritage assets and/or HER entries.

Broads Authority summary of response: Are there any registered parks and gardens or locally listed designed landscapes on or around the site

Broads Authority comment: Agree. Will add reference to the Historic Environment.



A guide to integrating development into the Broads Landscape.

Adopted July 2017

Introduction

This guidance provides information and best practice for planning applicants on landscape and landscaping design principles and policy requirements.

This is to ensure early consideration is given to landscape matters so that your development will have a stronger sense of place and character and will help you to achieve a higher quality environment.

Alongside this guidance, you can find more detailed information on what you will need to submit with your planning application (including drawings and other supporting documents) in the Broads Authority's validation requirement checklist. The checklist tells you what details are needed for each type of document in line with the type, scale and size of your proposal.

Adherence to the Broads Local Plan policies is a material consideration in the assessment of all planning applications in the Broads, and you should therefore consider relevant policies when preparing your application.

The importance of landscape in the Broads

In this guidance, the term landscape refers to a zone or area whose visual features and character are the result of the action of natural and or cultural factors. Landscaping is the process of making a scheme more attractive, such as planting, changing the existing terrain, and building structures.

The Norfolk and Suffolk Broads is an internationally protected wetland and the UK's third largest inland waterway. It has an equivalent status to a National Park, and is a member of the UK National Parks family. As such, the landscape impact of all developments must be considered at the design stage, and most development proposals will need to be accompanied by landscaping proposals.

A well designed development with appropriate landscaping can minimise its impact on the immediate landscape and may even benefit the wider area. The right types and forms of hard surfaces and structures or soft landscaping (planting) can create biodiversity, amenity and recreation benefits appropriate to the Broads Executive Area. Development on a site needs to suit the location and setting, with landscaping design proposals that reflect the area's key positive characteristics.

The protection of landscape character and the importance of high quality design are key threads running through the Broads Local Plan.

Landscape character

The Broads area is divided into 31 Local Character Areas, with a unique set of characteristics that combine to give each area its distinct sense of place.

The Landscape Character Assessment¹ of the Broads (LCA) was developed to support decisions that might affect the area's condition or visual quality. It is supported by the Landscape Sensitivity Study², which assesses the impact of wind turbines and solar panels to provide criteria to planning applicants and policy makers. Its baseline is the LCA and it should be read in conjunction with that document.

It is important to note that neighbouring authorities (North Norfolk, South Norfolk, Great Yarmouth, Norwich, Broadland and Waveney Councils) may have their own landscape character assessments. These can be used to help identify landscape sensitivities when preparing a landscape strategy.

Trees

Where there are trees on site, these trees may be affected by the proposed development. An assessment of the

trees on site and how the development proposals will affect those trees will need to be submitted with the planning application. This information will include an Arboriculture Impact Assessment, Tree Protection Plan and Arboriculture Method Statement. Your landscaping strategy or scheme will need to take account of the findings and recommendations of these surveys and assessments.

Secured by design

Landscaping can have crime and security implications. For example, some planting can affect surveillance or provide places for criminals to hide, while the right types and locations of planting can provide additional security. For more information, visit the Secured by Design website www.securedbydesign.com/industry-advice-and-guides. The interactive design guide is particularly useful www.securedbydesign.com/industry-advice-and-guides/interactive-design-guide.

Native species

Throughout this guide, we refer to the value of native species planting. Non-native species can compete with native species, affecting the wildlife that relies on native species for shelter and food.

¹Broads Landscape Character Assessment <http://www.broads-authority.gov.uk/news-and-publications/publications-and-reports/planning-publications-and-reports/landscape-character-assessments> ²Landscape Sensitivity Study <http://www.broads-authority.gov.uk/news-and-publications/publications-and-reports/planning-publications-and-reports/landscape-sensitivity-studies>

The special qualities of the Broads

The following set of ‘special qualities’ was developed through several public consultation processes for the Broads Plan, the key management plan for the Broads. Together, the qualities represent the distinctiveness of the Broads landscape.

- Rivers and open water bodies (‘broads’)
- Fens, reed beds and wet woodlands
- Grazing marshes and dyke networks
- Flood plains, estuary and coast
- Navigable, lock-free waterways
- Special wildlife
- Countryside access on land and water
- Views, remoteness, tranquillity, wildness and ‘big skies’
- The people, the visitors, the activities
- History: Geo-heritage, heritage assets, archaeology , historic structures
- Cultural assets, skills and traditions.
- People’s interactions with the landscape
- The settlements
- Variety of patterns and textures of the landscape.

The structure of this guidance

This guidance is in two parts.

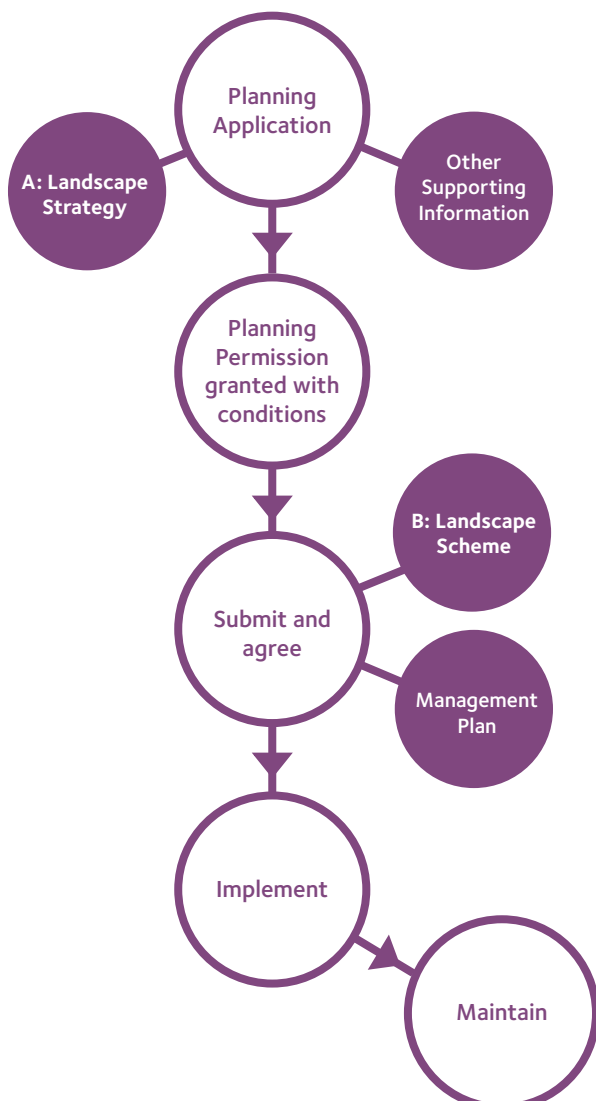
Part A gives advice on **producing a landscaping strategy** to accompany your planning application. This can be a high level plan that sets out broad principles for landscaping the scheme, such as the layout of the external areas including areas of hard and soft landscaping and boundary treatments like fences, walls, gates and hedges, etc. Doing this will save you the time, effort and cost of preparing a fully detailed scheme up front. If your application is successful, the finer details (as set out in Part B) can then, if required, be made a condition of planning permission.

Part B provides guidance on producing additional information about the detail of the landscaping strategy, including types of planting, surfacing and boundary treatments. This is called the **landscape scheme and management plan** and is usually required as a condition of a planning permission if it has not already been provided up front as a part of a comprehensive scheme.

The following diagram shows two potential routes for providing this information.

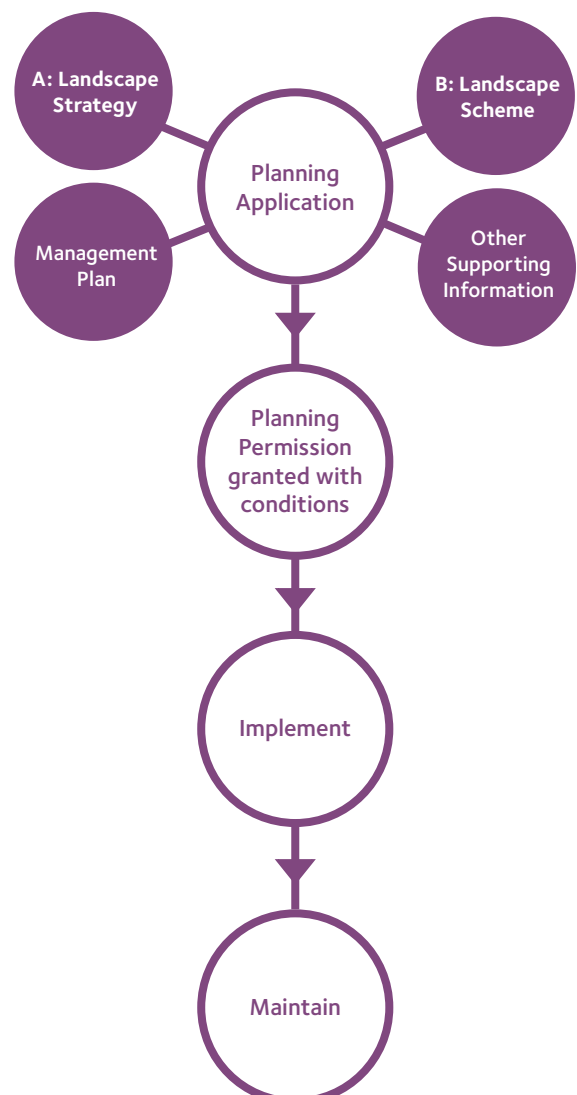
Option 1: Submit a Landscape Strategy with the planning application. If permission is granted you may then submit and agree B: Landscape Scheme and Management Plan.

The broad principles of a landscape strategy are provided as part of the planning application with the detail conditioned as part of the permission. This option can save the cost, time and effort and indeed negotiations relating the detail of the scheme until after permission is granted.



Option 2: Submit a Landscape Strategy, Landscape Scheme and Management Plan with the Planning Application

This option could be suitable for larger schemes or in response to a particular concern raised at the pre-application stage. Alternatively your planning agent may advise this route.



Further information and advice

We hope this guidance will give you the information you need to address landscape and landscaping as part of your application. If you would like further information or assistance, please contact the Broads Authority's planning team by emailing planning@broads-authority.gov.uk or calling 01603 610734.

You may find it necessary or helpful to employ a landscape consultant to help you prepare the information required to support your planning application. The Landscape Institute (<http://landscapeinstitute.org/about/>) can provide you with a list of registered landscape practices in your area.

Other sources of information

Landscape Visual Impact Assessment:

www.landscapeinstitute.org/technical/glvia3-panel/ (purchase only)

Broads Landscape Character Assessment:

www.broads-authority.gov.uk/news-and-publications/publications-and-reports/planning-publications-and-reports/landscape-character-assessments

Broads Landscape Sensitivity Study:

www.broads-authority.gov.uk/news-and-publications/publications-and-reports/planning-publications-and-reports/landscape-sensitivity-studies

Broads Development Management Development Plan Document:

www.broads-authority.gov.uk/__data/assets/pdf_file/0008/414368/Development-management-policies.pdf

Broads Core Strategy:

www.broads-authority.gov.uk/planning/planning-policies/development/current-documents/core-strategy-development-plan

Broads Authority Biodiversity Enhancements Guide:

www.broads-authority.gov.uk/__data/assets/pdf_file/0011/823583/Biodiversity-guide_18_11_2016.pdf

Broads Authority Riverbank Stabilisation Guide:

www.broads-authority.gov.uk/planning/Planning-permission/design-guides/river-bank-stabilisation

Broads Authority Moorings Guide:

www.broads-authority.gov.uk/planning/Planning-permission/design-guides/mooring-design-guide

The Landscape Institute:

www.landscapeinstitute.org/about/

National Planning Practice Guidance on design:

planningguidance.communities.gov.uk/blog/guidance/design/how-should-buildings-and-the-spaces-between-them-be-considered/

Guidelines for landscape and visual impact assessment, published by Routledge on behalf of the Landscape Institute & Institute of Environmental Management, 2013:

www.landscapeinstitute.org/technical/glvia3-panel/

The County Council in responding, as a statutory consultee (Highway Authority), will have regard to its own Planning Obligations Standards:

www.norfolk.gov.uk/rubbish-recycling-and-planning/planning-applications/planning-obligations and <https://www.suffolk.gov.uk/planning-waste-and-environment/planning-and-development-advice/section-106-planning-obligations/>

National Character Area Profile (NCA 80 The Broads):

<https://www.gov.uk/government/publications/national-character-area-profiles-data-for-local-decision-making>

Part A

Guidance on the production of a Landscaping Strategy

Introduction

For certain types of development, details for the landscaping proposals may be required as a planning condition as part of the planning permissions.

Where landscaping proposals are an important consideration, the

applicant may be required to submit a landscaping strategy alongside the planning application, prior to submitting more detailed landscaping proposals. By adopting this two stage approach, the Broads Authority (as the planning authority) can assess and comment on the general approach that the applicant is taking to landscaping to ensure it is appropriate, before the detailed design is drawn up.

The principles below provide guidance on basic design issues relevant to most sites. However, the landscaping strategy will need to be specific to each site. The principles also illustrate aspects considered by the Broads Authority's planning officers in assessing an application.

Landscape site assessment and analysis

This is the first step in producing the landscaping strategy. The aim is to assess and fully understand the site characteristics, the landscape character and the impact the proposals will have on the landscape. Landscape assessments should include the survey and analysis of both built and natural features and elements. If trees are present on or around the site, a tree survey and arboricultural impact assessment, together with details of how existing trees will be protected, will be needed.

National guidance can be found at:

www.gov.uk/guidance/design

The Broads Authority Landscape Character Assessment is an important source of information for this stage of the process.

The production of the assessment and analysis will be proportionate to the scale of the development proposals. It could be included in the design and access statement (if this is required), in a habitat management plan that includes landscape features, or in a standalone document. The level of information relating to landscape assessment and proposals submitted will also be dictated by the nature and type of the application.

Larger developments likely to have a significant impact may require a Landscape and Visual Impact Assessment. This looks at how changes in the landscape could alter the nature and extent of visual effects and qualities relating to locations and proposals, and how it affects specific individuals or groups of people. Guidance on the preparation of these assessments is in the 3rd edition of the Guidelines for Landscape and Visual Impact Assessment³.

The following principles should be

considered to develop an understanding of the site and how it fits into the wider landscape to help inform the landscaping strategy. This process will also help identify features that should be retained and areas for enhancement.

Integrating development into surroundings

All sites form part of a wider landscape. Any change has the potential to positively or negatively impact the surroundings. New developments should seek to enhance the local character and positively link to their surroundings.

Consideration and analysis of a site's context and setting will help identify the important factors beyond the site that have an influence on it. It will also help establish associated design opportunities and constraints for the site. To understand the relationship between the site and its surroundings, desktop studies of local environment and local plan context should be supported by on-site analysis of the local landscape character.

Some questions to help you:

- a) Where is the site? What is it currently used for?

³Guidelines for Landscape and Visual Impact Assessment published by Routledge on behalf of the Landscape Institute & Institute of Environmental Management, 2013. <https://www.landscapeinstitute.org/technical/glvia3-panel/> Please note that in their response to the consultation on this guide, Natural England stated that they expect that every LVIA should clearly state: **a)** the level of sensitivity it has assigned to the protected landscape; **b)** the level of sensitivity assigned to the visual amenity of those enjoying its natural environment; **c)** the magnitude of change based on the likely effects of the proposal, and how it may change the protected landscape and its amenity (including views); and **d)** the significance that is attached in the assessment process to the effects of the proposed changes; **e)** the implications of these changes in respect of the special qualities, the natural beauty of the protected landscape and its visual amenity.

- b) How is the site accessed? Are there any routes through the site? Is there potential for appropriate routes to be provided?
- c) How does it sit within the wider landscape?
- d) What is the landscape character of the area? Highlight any locally distinctive features of the built environment and natural environment. (See the Broads Landscape Character Assessment as well as that of the neighbouring Council).
- e) How enclosed or open is the site? What is the level of screening?
- f) Where can you see the site from? What can you see from inside the site and where can you see to?
- g) What do the policies of the Broads Local Plan seek to achieve regarding the landscape and landscaping on this site and for the proposed type of development?

Making good use of the site and existing features

When undertaking a site analysis, take account of characteristics and features within the site that could influence design. Existing features which provide a positive contribution to the character and function of an area should be identified, assessed and incorporated into designs where possible. These features could include wooded areas, mature

trees and hedgerows, watercourses, and other ecologically valuable features.

Developments should make efficient use of land and topography, and retain or enhance existing features of value. Developments should be designed to take advantage of the site itself and its location.

Analysis of site topography will also highlight constraints or opportunities for a development, especially in relation to the treatment of site boundaries.

Some questions to help you:

- a) What are the characteristics of the site? Such as the type, location, spread of existing trees, areas of woodland, shelter belts, hedgerows, ground cover, meadows, fen, water bodies or existing surface water, geological features, vegetation to be retained, links through the site, public or civic spaces including the river system?
- b) Are there any particular natural features on and surrounding the site? What are these? Do these provide habitat or potential for flood water compensatory storage? Could they be improved?
- c) What are levels like within the site? Do they vary? How do they relate to the surrounding area?
- d) Is the site covered by any habitat designations (e.g. SSSI)? Are there

are any trees subject to a Tree Preservation Order? Is the site in a Conservation Area? Are there any listed or locally listed buildings or non-designated heritage assets on or around the site? Are there any registered parks and gardens or locally listed designed landscapes on or around the site? Is there known to be any archaeological interest on or around the site?

e) How are the boundaries of the site formed?

Environment and Green Infrastructure⁴

Healthy green infrastructure provides a variety of services and benefits, including biodiversity enhancements, water and soil management, connectivity for people and wildlife, health and wellbeing, an attractive landscape and a sense of place.

Good planning can help create these benefits through landscaping designs that incorporate the principles of sustainability. Where possible, landscaped spaces will need to increase biodiversity and wildlife enhancement and provide accessible routes and networks to facilitate connections (for people walking and cycling, for plants and for animals) to surrounding areas. Developments should also aim to make

space for trees. Wherever possible, sites should link their boundaries to surrounding landscapes through green infrastructure.

Existing vegetation on sites can often provide important, established habitats. Developments should seek to retain characteristic landscape features and consider opportunities to extend similar or provide new types of habitats in key locations so that ecology is an integral part of the site proposals and wider ecological network. Consideration should be given to the selection of boundary treatments such as mixed native species hedges that have potential to improve biodiversity rather than prohibit wildlife. Sites that have boundaries with rivers or other water courses also present opportunities for habitat enhancement. For further information see our guide on Biodiversity Enhancements.

Landscaping Strategy

If a landscaping strategy is required it needs to provide comprehensive detail of the landscaping scheme, including information about all external areas in sufficient detail to show the quality of landscaping design and address key issues about the landscape in which the scheme is set.

⁴You can find more information about Green Infrastructure here: publications.naturalengland.org.uk/publication/35033 but a simple definition is a network of multi-functional green space, urban and rural, which is capable of delivering a wide range of environmental and quality of life benefits for local communities.

If a design and access statement is required, you could include the information within the landscaping strategy or in a standalone document.

This should include the following sections:

- a) The findings of landscape site assessment and analysis;
- b) The landscape features (natural and built) which are likely to be affected as a result of the development;
- c) Links to take account of any arboricultural assessment;
- d) The principles of the approach to the landscaping design of the areas external to the buildings;
- e) The layout of external areas and an outline of the landscaping strategy which should include both the soft (planting) and (hard) paving/ built external elements and show at least indicatively the treatment of different areas through hatching and simple notation. This should be submitted in plan and if relevant cross sectional format;
- f) Any basic details of proposed phasing should also be included if known;
- g) Indicatively highlight any significant level changes or areas of cut and fill, for example bunding, mounds, dyke construction; and
- h) A strategy relating to the landscaping

management and maintenance.

Part B

Guidance of the production of detailed design proposals for Landscaping Schemes

Introduction

You may need to submit the detail of the landscaping proposals so the Broads Authority can discharge a landscape/ landscaping condition on a planning application that has received approval. To be able to discharge conditions, the precise detail of the landscaping scheme is needed. This must include planting details, types of trees, boundary treatments, hard surfacing and external construction materials.

Examples of information that could be included or may be required are set out below. The types of information about the detailed landscape design proposals should be proportionate to the size and nature of the development.

Detailed Landscaping Proposals

The Broads Authority may require the following information depending on the scheme proposal and local characteristics.

If trees are present on or around the site you will need a tree survey and arboricultural impact assessment, together with details of how existing trees will be protected.

For planting proposals, we need to know which areas of the site will be planted and with what. You will need to think about how the ground will be prepared for planting and how it will be maintained in the longer term to ensure a successful scheme. You should also think about when the planting will take place relative to the progress of any building works. The level of information required will be proportionate to the scale of the landscaping scheme and development, but may include the following.

For soft landscaping:

- a) Detailed planting plans showing the location, species and numbers of proposed new trees, hedging, shrubs and other planting on the site;
- b) Planting schedules, noting the species planting sizes (at time of planting) and proposed numbers/densities where appropriate;
- c) Written specifications (including cultivation and other operations associated with plant and grass establishment) (see specification section below); and
- d) An implementation programme clearly indicating a timescale for the completion of all landscaping works

For hard landscaping:

- a) Detailed plans showing existing and proposed levels, contours and profiles and cross sections through changes in level (including water edge);
- b) Existing or proposed services, land drainage (including SUDS) and boundary treatments.
- c) Types of materials for surfaced areas, including manufacturer, product type and colour, layout (hard surfacing bond where applicable), build up;
- d) Drainage details for hard surfaced areas⁵;
- e) Information on any root protection measures proposed;
- f) Proposed and existing functional services above and below ground (e.g. power and communication cables, pipelines, indicating manholes, supports etc.);
- g) Details about new boundary treatments at the site, including the material and colour finish of any walls, fences or railings;
- h) Details of car parking layouts and cycle parking provision;
- i) Details of any furniture, play equipment, refuse or other storage units, signs etc; and

⁵ National Policy seeks to ensure that surface water run-off is discharged as high up the following hierarchy (as set out in the NPPG) as possible: into the ground (infiltration); to a surface water body; to a surface water sewer, highway drain, or another drainage system; to a combined sewer.

- j) Details of existing and proposed external lighting including supply runs⁶.

Importantly, the impact of requirements for safe visibility splays for access into and out of the site needs to be considered. For example, do trees or hedges need to be removed on site or off site to aid visibility and what effect on landscape and landscaping mitigation does this have?

B3 Specifications/details

Specifications/details are essential to ensure the appropriateness, quality and success of a scheme. Written specifications can be incorporated into a drawing where information is concise and brief; where there is more extensive information this could be a stand-alone document, or could be combined with the Landscaping Management Plan.

Specifications should include the following information as applicable to the scheme:

- Ground/soil preparation
- Quality of topsoil
- Methods of planting
- Weed control/mulching
- Quality of plant stock

- Grass seeding/turf
- Protection of existing trees, shrubs and hedges
- Remedial work to existing trees, shrubs and hedges
- Basic information on maintenance of the scheme
- Defects liability period
- Relevant British Standards

B4 Landscaping Management Plan

Maintenance and management for both hard (surfacing and built external features) and soft (planting) landscaped areas are necessary to maintain attractive and successful landscape settings, and this needs to be an integral part of the landscaping scheme/strategy. Consideration should be given at a design stage to who will take over the landscaping management responsibility for the site.

An initial defects liability period⁷ and short term maintenance plan⁸ will be required on all developments to ensure the establishment of planting. This should be referenced on the Detailed Landscaping Proposals plan. For more comprehensive schemes where a written document forms the Landscaping

⁶ Please note that there are areas of very dark skies in the Broads and the New Local Plan will seek to address light pollution. You can go here for more information: http://www.broads-authority.gov.uk/__data/assets/pdf_file/0007/757402/Broads-Authority-Dark-Skies-Study-March-20161.pdf ⁷an initial 12 months defects period to be applied to all landscape elements of developments – so if any feature fails, they will be replaced promptly by the developer. ⁸a 5 year management plan to ensure the establishment of schemes

Management Plan, this should include the following information as applicable:

a) General details

- i) Statement of overall design vision to explain the long-term vision of the developed landscape
- ii) Identification of sub-areas specific to the characteristics/ properties of each area
- iii) Highlight any specific or specialised areas/habitats
- iv) Suggested actions required in the maintenance/management of the areas identified (see list below)
- v) Frequency and timing of maintenance actions
- vi) Monitoring – a timed/programmed method for reviewing the quality/ success of planned operations
- vii) Plan review process to include a way in which the community can be involved

b) Specific maintenance/management actions

- i) Planting establishment period (should cover native and ornamental shrubs, hedges and mass planting, grass, trees), what operations should be carried out within that time and how often, replacement of failures and the length of the liability period.

- ii) Maintenance of hard landscaped areas (could include-cleaning, repainting, relaying, sweeping, re-levelling, litter removal, removal of temporary items)
- iii) Special design features (water features, public art, lighting, play facilities, specialist equipment)

Contact us:

For more information and advice please contact the Broads Authority on 01603 610734 or visit our website www.broads-authority.gov.uk/contact-us

The Salhouse Neighbourhood Plan for adoption

Report by Planning Policy Officer

Summary:

This report provides details of the referendum held in relation to the Salhouse Neighbourhood Plan.

Recommendation:

Dependent upon the outcome of the referendum, and if the result is one of support, the report recommends that Planning Committee recommend to the Full Authority that it adopts the Neighbourhood Plan as part of the Broads Authority's Development Plan.

1. Introduction

- 1.1 The Salhouse Neighbourhood Plan was begun in 2015 and submitted to Broadland District Council and the Broads Authority at the end of 2016. The Neighbourhood Plan was prepared by a steering group of volunteers which has been overseen by the parish council.
- 1.2 Part of Salhouse's neighbourhood area falls within the administrative boundary of the Broads Authority.
- 1.3 The Neighbourhood Plan has been developed in consultation with residents and businesses in the parish, as well as landowners, developers and other stakeholder organisations. The Plan seeks to guide the future development of each parish over the next few years. It includes a vision and a set of objectives for the parish, as well as a series of policies that look to shape development.
- 1.4 The table on the following page illustrates the date at which Broadland District Council and the Broads Authority approved the submitted documents, undertook the required six week publication of the Plan, and approved the subsequent recommendations of the appointed independent examiner (as detailed in their report).

	Approval of submitted Plan	Publication of Plan	Approval of examiners recommendations
Broadland Council	20/12/2016	09/01/2017 – 20/02/2017	11/05/2017
Broads Authority	6/01/2017	09/01/2017 – 20/02/2017	28/4/2017

- 1.5 Following approval of the examiners' recommendations and the necessary

revisions being made, details of the forthcoming referendums have been published on the Broadland District Council website. These details have also been made available at the Broadland District Council offices, at local libraries and village locations, and the Broads Authority offices.

- 1.6 The Electoral Services team have sent out polling cards to those on the electoral register and have made other statutory preparations for the referendum.
- 1.7 The Neighbourhood Plan referendum will be held on 19 July 2017. In order for the Neighbourhood Plan to be successful at referendum, greater than 50% of those that vote on the Plan need to vote in its favour.

2 The issues

- 2.1 Assuming the referendum results in a successful outcome, Broadland District Council and the Broads Authority will be able to formally adopt or 'make' the Neighbourhood Plan (included as Appendix A).
- 2.2 Following a successful referendum, the Plan will form part of the statutory development plan for Broadland District and the Broads Authority.
- 2.3 The Plan will therefore be used, alongside existing Local Plan documents, in the determination of planning applications that fall within the Neighbourhood Area (parish boundary).
- 2.4 If the referendum result is a failed outcome, then the Council and the Broads Authority will not be able to adopt the Neighbourhood Plan.

3 Discussion

- 3.1 Even if a referendum results in a successful outcome, Broadland District Council and the Broads Authority can refuse to adopt that Neighbourhood Plan if it considers that the Plan would breach, or would otherwise be incompatible with any EU obligation or any of the Convention Rights (within the meaning of the Human Rights Act 1998). In this instance the Neighbourhood Plan would cease to be part of the Development Plan.
- 3.2 However, it is not considered that the Neighbourhood Plan is in breach of this legislation. The examiner of the Salhouse Neighbourhood Plan stated that, subject to the modifications recommended, they are satisfied that the Neighbourhood Plan meets the basic conditions and other statutory requirements.

4 Recommendation

- 4.1 It is proposed that the Planning Committee recommend to the Broads Authority that it adopts the Salhouse Neighbourhood Plan, providing that a successful outcome at referendum has been achieved. Information on the outcome of the referendum will be tabled for the Planning Committee meeting of 21 July and the Full Authority meeting of 28 July 2017.

5 Financial implications

- 5.1 Adoption of the Neighbourhood Plans requires a small amount of officer time in order to publicise the fact that the Plans will now form part of the criteria for determining planning applications within the respective parish.
- 5.2 Planners will have to consider the adopted Neighbourhood Plans alongside existing Local Plan documents when determining planning applications within the two parishes. However, this will form part of the existing process in determining applications and should not require extra resources.
- 5.3 The costs of the referendums have been met by Broadland Council from the 'Neighbourhood Planning New Burdens funding' for local planning authorities, provided by DCLG (currently amounting to £20,000 for each Neighbourhood Plan that reaches the referendum stage) and therefore there is no direct cost to the Authority.

6 Legal implications

- 6.1 The steps outlined in this report comply with appropriate legislation within the Town and Country Planning Act 1990, the Planning and Compulsory Purchase Act 2004 and the Neighbourhood Planning (General) Regulations 2012. They also have regard to the Environmental Assessment of Plans and Programmes Regulations 2004 and The Conservation of Habitats and Species Regulations 2010. If adopted, the Neighbourhood Plan will become part of the Development Plan and, where relevant, a major consideration in the determination of applications within Salhouse Parish.

Background papers: None

Author: Natalie Beal

Date of report: 5 July 2017

Appendices: APPENDIX A – Salhouse Neighbourhood Plan

SALHOUSE 2020+

A vision for a thriving village

May 2017

[@Salhouse2020](#)

SALHOUSE NEIGHBOURHOOD PLAN

2016-2026 Referendum version



CONTENTS

- 4 Preface
- 6 Introduction
- 8 Salhouse 2016
- 12 Vision and Objectives
- 14 Policies
- 22 Implementation and Monitoring





Preface

The process of producing the Neighbourhood Plan is being undertaken by a working group which is accountable to the parish council.

The document is based on over 24 months of research, consultation with the community and a rolling process of drafting, review and refinement. This version of the Plan follows the Independent Examination and incorporates all the amendments recommended by the examiner.

The Neighbourhood Plan for Salhouse has been prepared over the course of 2013 to 2016. The working group comprises of a wide cross-section of residents from the local community, including a Parish Councillor and former Parish Councillors, the local CPRE Chairman, and former Salhouse 2000 committee members. The group covers a range of occupations, including surveyors, insurance broking, creative marketing and PR, and an environmental consultant. The group members are:

Nick Taylor	Ian Moulton	Linda Smith
Chris Dady	Nick Ball	Jeremy Bavistock
Peter Treglown	Sue Simpson	Lynn Fielder
Mike Harding	James Cleaver	Barbara Bye

Whilst the working group has led on the preparation of the Plan it is felt that the document accurately reflects the community's vision and aspirations for the future of Salhouse.

In order to create the Plan that reflects these visions and aspirations the working group has drawn upon several sources including the Parish Plan, several open days and feedback from numerous reports in the thrice yearly parish magazine. Meetings have also been held with various village groups and interested parties.





Introduction

The Salhouse Neighbourhood Plan provides a vision for the future of the Parish of Salhouse from 2016 to 2026. Fundamentally, the Plan also provides a number of policies that future development must take into account which will help to ensure that the vision is achieved.

The Salhouse Neighbourhood Plan provides policies that complements existing local, national and strategic planning policy. The policies in this Plan are intended to provide additional detail and subtlety that reflect the special characteristics of the village that cannot reasonably be addressed by higher level policies.

The Plan has been made possible by new powers contained within the Localism Act (2011) which seek to decentralise policy making and increase the extent to which local neighbourhoods and communities can determine their own future. The Salhouse Neighbourhood Plan has been strongly influenced by the views of the community expressed at a series of consultation events, discussions with local groups, and detailed research by the Neighbourhood Planning Working Party.

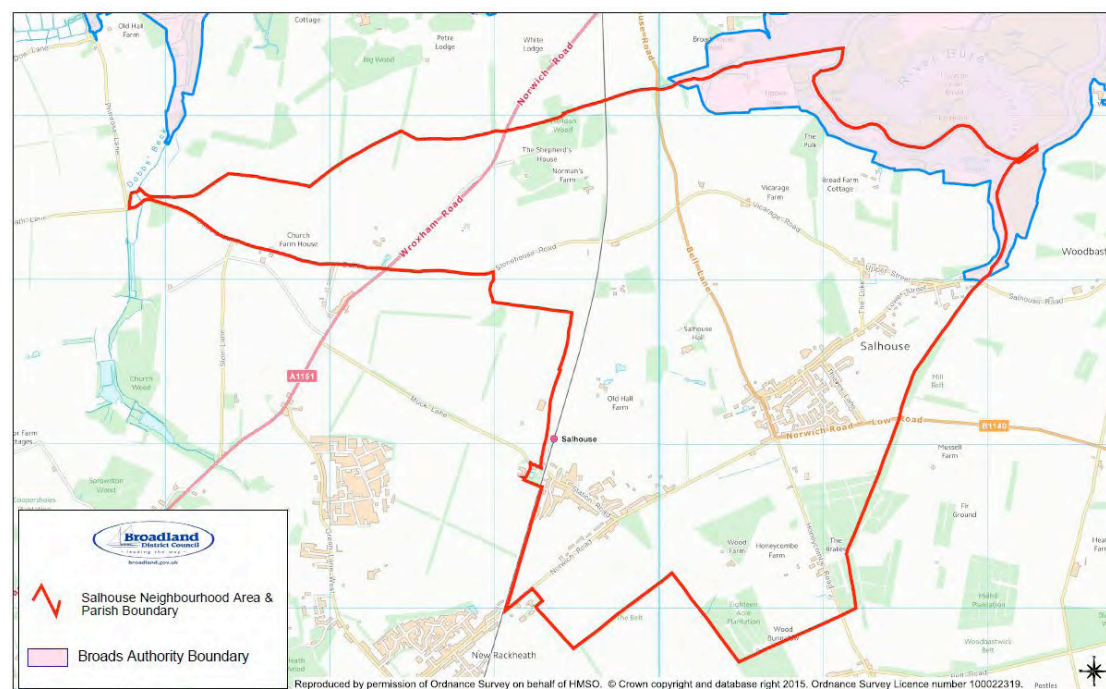
The remainder of this document is set out as follows:

Salhouse 2016 – providing a summary of the social, environmental and economic trends in Salhouse and helps to illustrate the basis for some of the policies.

Vision and Objectives – sets out the vision and objectives of the Plan

Policies – sets out a series of policies and the background to those policies under the broad headings of Environment, Employment and Housing

SALHOUSE NEIGHBOURHOOD AREA





Salhouse 2016

The parish of Salhouse is in the Norfolk District of Broadland and lies adjacent to the Broads which have the equivalent status to a National Park by virtue of Salhouse Broad. Part of the Broads Authority's Executive area overlaps the north-eastern part of the parish. Salhouse Parish is part of the Broadland District Council Wroxham Ward which also contains Belaugh, Wroxham and Rackheath and lies south of the River Bure. The Parish covers some 5.6 sq. miles.

SETTLEMENT PATTERN

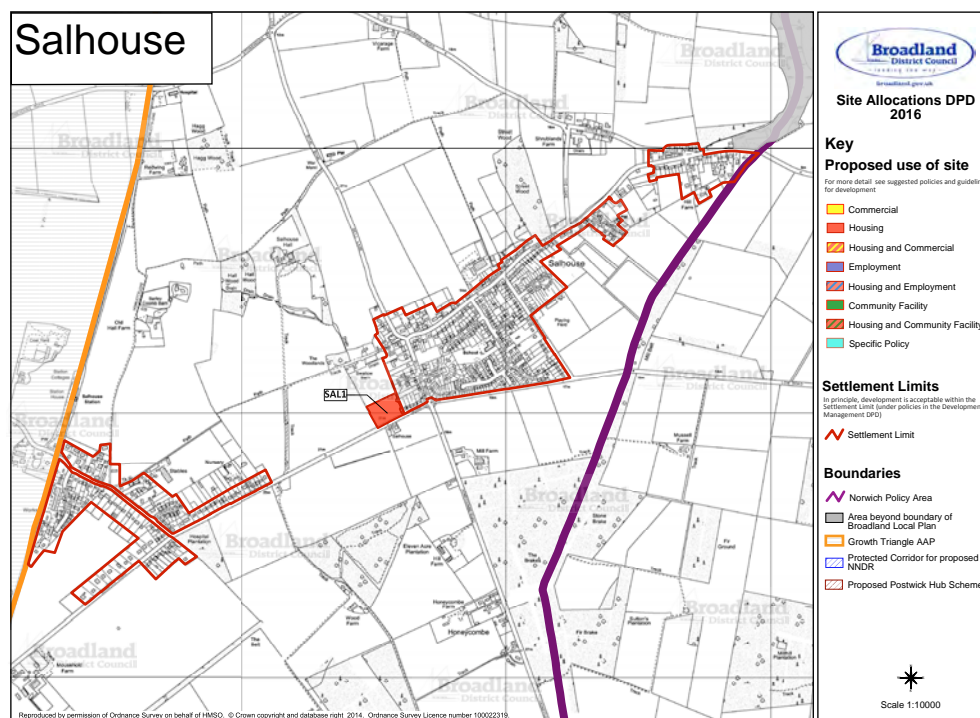
From early maps it can be seen that the village of Salhouse was formed from scattered development along the main roads of Upper and Lower Street running roughly in an east west orientation but particularly at the junction of the two main streets and around farms such as Shrublands Farm. The shape of the village changed little until the 20th Century when residential development consolidated the strong linear layout of the current village. The exception to this is the area between the main Norwich Road and Lower Street, including Farman Close, Cheyney Avenue and Thieves Lane, at the centre of which is the current school. The gaps in the modern developments are important in the street scene and help to maintain the feel of the original settlement that is important to the reading of the development of the modern village of Salhouse.

Situated in an agricultural area approximately 6 miles northeast of Norwich on the edge of the popular tourist area of the Norfolk Broads, the majority of the dwellings are located in the easterly part of the village around Mill Road and Lower Street although there is a sizeable community living about ½ mile away to the west at Station Road, linked only by the main Norwich Road, which lacks a pavement, or by a rural footpath through fields. This geographical separation has a significant impact on community cohesion.

BUILT ENVIRONMENT

The character of the village centres on its mix of housing, encompassing traditional with more modern property set in established gardens, tree lined roads and a generally open aspect revealing its rural setting. The nearby Salhouse Broad, owned by a local landowner, is a popular tourist attraction and wildlife conservation area.

The village is fortunate in that the emerging Broadland Local Plan has a settlement limit boundary which is currently tightly drawn around the existing village in order to protect it from disproportionate future development.



Salhouse has, for many years, seen a number of individual houses and relatively modest housing schemes constructed in the village. This has averaged out at around five new houses in the parish per year over the last 40 years.

In December 2003 the older parts of the village along Lower and Upper Streets, Vicarage Road and Salhouse Broad were designated a Conservation Area by Broadland District Council. This embraced all the older buildings including the Grade I listed All Saints Church, and 15 other Grade II Listed buildings, including Salhouse Hall and its outbuildings.

NATURAL ENVIRONMENT

Part of the parish lies within the Broads which have the equivalent status to a National Park. Hence part of the Executive area of the Broads Authority extends into part of the north east of the parish, encompassing the privately owned Salhouse Broad, one of the key natural assets to be found within the parish.



The Broadland District Council Local Development Framework Landscape Character Assessment Supplementary Planning Document (2013) identifies that the Salhouse NP area lies within 'Wooded Estate land E4: Rackheath and Salhouse'. The primary landscape planning guidelines of this area include 'seeking to conserve and enhance the landscape structure within the area, including blocks and belts of woodland, copses of mature trees, mature parkland trees and intact hedgerows alongside conserving the landscape setting of villages and where possible seek to screen harsh settlement edges and existing visual detractors.'

Part of Salhouse is also impacted by the Broads Landscape Character Assessment by virtue of partially being within the Broads Authority Executive area.

DEMOGRAPHY

There are 638 households within the parish and a population of 1,486. Of the population, 25.8% are aged over 65, 56.7% between 20 and 64 and 17.4% aged between 0 and 19. The largest age category within



the parish is 45-49, which equates to 26.2% of the population (2011 Census).

DEPRIVATION

77 households are in receipt of Housing benefit (BDC 2015). 61.6% of the population are in employment and 32.5% are retired. There are 13.2% of families with dependent children and 5.1% single parent families with dependent children. 1.8% of the population of Salhouse are unemployed (2011 Census).

Salhouse ranks extremely low in the Index of Multiple Deprivation 2015 (20,895) and is a relatively affluent Broadland parish.

HOUSING

50% of homes within the parish are owned outright and 32% owned with a mortgage. There is a social rental sector amounting to 6.4% and private rental sector of 10.7% of all households (2011 Census).



EMPLOYMENT AND QUALIFICATIONS

Some 62% of the population are in employment, 32% retired and 2% unemployed. The industries that the majority of the working population are employed in are wholesale/retail trade (15.6%), health/social work activities (12.8%) and manufacturing (10.9%). 28% of those employed are in professional or managerial positions (2011 Census).

21% of the population have no specific qualifications, 5% hold apprenticeships and the remainder hold qualifications ranging from level one to level four.



FACILITIES, SERVICES AND LOCAL BUSINESSES

The village church of All Saints is situated ¼ mile north of the village and there is also a Baptist Chapel just off Lower Street, and a Plymouth Brethren meeting house in Station Road. Salhouse has a thriving primary school, a small village shop/Post Office, a craft shop/ tea room, a hairdresser, dressage and riding schools, and two public houses. The busy village hall supports many local groups and activities.

Local businesses include a thatcher, potter, garden

centre, boarding kennels, cattery and bed and breakfast accommodation. There is also a small industrial estate off Station Road.

The nearest library is in Wroxham although a mobile library visits the village regularly.

The village has a playing field and children's play area and access to Salhouse Broad. Several clubs and activities take place at the village hall and school.

The village is served by a GP surgery 3 miles away in Hoveton and the nearest library is in Wroxham.



EDUCATION

Salhouse has a thriving Primary school and pre-school club. The 'local' secondary school is in Hoveton and there is a bus service provided to take children to and from school. A 6th form college exists in North Walsham accessible by train.

Some 4.9% of the population over age 16 are in full time education (2011 Census).

TRANSPORT AND ACCESS

A regular bus service links Salhouse to both Norwich and Wroxham and a train service runs between Norwich and the north Norfolk coast via Salhouse Station. Salhouse station is located to the west of the parish, off of Station Road.

Car ownership is high in the parish compared to the district, with 56.7% of households owning at least two cars or vans (2011 Census). Those households with just one car or van (38.9%) is below the district average.



VILLAGE COMMUNICATIONS

Communication within the village is through a well-established, comprehensive magazine, the Salhouse SAGA, the village website (www.salhousevillage.org.uk) and a number of notice boards. Recently fibre optic broadband has become available but mobile phone coverage is very poor with some parts of the village having virtually no signal at all. Over many years, as Norwich has expanded into the countryside, Salhouse has increasingly become a commuter village.



Vision and Objectives

The vision for the Salhouse Neighbourhood Plan, and the objectives within, have been developed by the Neighbourhood Plan Working Party and, importantly, informed and tested with the local community. The intended lifespan of the Salhouse Neighbourhood Plan, the vision and objectives is from 2016 to 2026. This reflects the lifespan of the Broadland District Council Joint Core Strategy.

NEIGHBOURHOOD PLAN - VISION

The vision for the Neighbourhood Plan is to ensure that Salhouse remains a thriving village with a clear village identity, enhanced links between the two parts of the village, and good opportunities for walking and cycling.

NEIGHBOURHOOD PLAN - OBJECTIVES

The objectives for the plan are designed to address issues identified as specific to Salhouse and issues identified by the local community. They provide a starting point for the development of policies and a framework for the future, which if fulfilled, can help to achieve the vision for Salhouse. The objectives are that:

1. The character of the Parish remains rural and agricultural and the predominant land uses reflect this, including Salhouse Broad as a key natural asset.
2. The shops and post office, places of worship, public houses, playing field, play equipment, school and Jubilee Hall are all retained and supported to provide a thriving village.
3. New development is appropriate to the character of Salhouse, reflecting its rural location.
4. Key buildings and features important to the village of Salhouse are retained.
5. Appropriate commercial development is allowed to provide jobs and services within Salhouse.
6. The village serves all generations with facilities including those for the younger and older residents.
7. Additional cycle/foot/bridle paths linking key parts of village are provided for the use of local people and tourists alike.
8. There is well connected mobile telecommunication with improved broadband speeds.



Policies

POLICIES FOR THE ENVIRONMENT

Conserving our natural heritage and improving village connections

CONTEXT AND JUSTIFICATION



Salhouse is a rural parish of high landscape and environmental value. There are important areas of semi-natural habitat, with the northern edge of the Parish lying within the Broads area which has the equivalent status of a National Park. Here, the Parish boundary is shared with the Bure Broads and Marshes Site of Special Scientific Interest. The SSSI is also protected by a range of international designations because of its importance for wildlife. Although Salhouse Broad itself is not designated, it is an important natural asset for the village and provides a safe and readily accessible means for people to engage with wildlife. Recent work by the Broads Authority has improved the value of the Broad margins, and the adjacent Hoveton Great Broad is currently undergoing a major restoration project which will benefit Salhouse. The River Bure forms the northern Parish boundary.

The farmed upland is an important environment, too, with a range of small woods, mixed hedges and ancient trees. In recent years, good agricultural practices have enhanced the farmed landscape with hedges and woodland planting, wide field margins and retention of small features. There are remnant areas of acid grassland, meadows and wood pasture, and wetland areas in the form of village ponds, ditches and wet hollows. Within the village itself, there are important old trees, grassland and woodland, and scattered fragments of habitats and open space. In addition to their importance for wildlife, these natural features are important in maintaining the visual quality of the character as recognised by the Salhouse Conservation Area Character Statement 2003.

As a village with little street lighting and few night lit buildings, Salhouse is a good place to enjoy the night sky. From our consultations on the Neighbourhood Plan it is clear that residents value our dark skies and wish to keep them. The Broads Authority survey shows Salhouse Broad area to be in one of the darkest categories, and the Campaign to Protect Rural England has determined that The North and East of Salhouse are in the second darkest category with the main village being in the third lowest category of light pollution. This plan supports the retention of dark skies at these levels.

Likewise, the plan supports Salhouse remaining in one of the most tranquil areas in the UK as measured by the Campaign to Protect Rural England.

In this document natural heritage includes wildlife populations, habitats, green infrastructure and our landscape, whether or not it has been previously recognised through designations.

Although the village has an abundance of natural environmental and buildings heritage, there are areas of concern. Many of these habitats are fragmented, or have lost some of their wildlife value through lack of management. More could be done to link up isolated areas of habitat and to develop a network of “green infrastructure” linked by accessible footpaths and bridleways. The condition of our habitats could be improved by changing the management. Our understanding of the current landscape and wildlife of the Parish is too general to effectively manage the resource. A comprehensive parish survey is needed. The special features of Salhouse including the ponds and the old waiting room at the railway station must be protected.

Salhouse Parish is large, oddly shaped and has a diverse range of village facilities and both built and natural assets which are often poorly connected and with limited access. The absence of footways or cycle tracks to many of the core village locations means users are forced into cars. Village roads become busier and less safe, and our living environment becomes less attractive. The carbon footprint of our village is also raised. Some car parking is up to or beyond capacity – the Broad car park, the pull-ins by the café, parking around the school and on-street parking – limiting further growth for these facilities.

Access can cause congestion and even unsafe road conditions at peak times. The popular bus route, which is an enormous benefit to the village, does create safety, noise and air quality problems for pedestrians, especially where there is no footpath. Getting to the village recreation ground and children's play area by foot means walking on the road which is also the main bus route. Parts of the village which are especially poorly served by foot and cycle path access are:

- Salhouse Garden Centre, and the cluster of houses nearby
- The Railway Station and the hamlet around the Station
- Salhouse Broad
- The recreation ground and children's playground
- The route to Woodbastwick village
- A wide variety of the natural assets of the village which exist in isolation of the access network
- The path along Lower Street is rather narrow in places, sometimes forcing users into the road. Some widening would help, as long as the valued grass verge is not sacrificed. A narrower road may help reduce traffic speeds

A series of walks around the village, linking village assets, wildlife sites and heritage features, and connecting to gateways into the village such as the Broad, the railway station, bus stops and the Church car park, could be a significant asset. These walks would be an amenity for the village itself and they could attract visitors to support village services. Overall, better connectedness would be better for local enterprises and village amenities, would help integrate the village and would make Salhouse a better place to live.

It is appreciated however that in many of these places, space to insert a new access route is limited. New paths could cause loss of valued green verges, hedges and other assets that contribute to the attractive rural village ambience. New paths would have to be carefully planned and designed.

The foregoing should be used as priorities for Policy OE6.

INTENT

The aim for this Plan is to ensure all development in the parish contributes to sustaining our natural heritage. The Plan seeks associated outcomes of development which include connecting isolated habitats, creation of new natural areas and improvements to the condition of existing green infrastructure, both in the village and the wider countryside. Included within nature is the dark night sky over Salhouse, which the Plan intends to preserve. Knowledge and understanding of our natural assets needs improvement in order to provide a better information base for all our planning work.

A particular concern is with Parish-level natural heritage which falls outside the protection of land and wildlife that has been designated by legislation and higher level planning policy.

The Plan aims to provide better and safer pedestrian and cycle connections between key focal points and assets within the village. New developments should contribute positively to better connectedness, either directly as part of the development design or through enhancements to independent access projects. Developments which reduce connectivity, promote unnecessary car use or make the village less safe for foot or cycle users will be resisted. In improving connectedness, the impacts on landscape or heritage

assets that any new access works will have will be considered carefully. The Salhouse Conservation Area Character Statement 2003 will be the benchmark against which proposals will be assessed.



POLICIES

OE1: Development, Natural Heritage and Countryside

Development that avoids significant harm to the landscape or biodiversity, or to green areas which are of value in terms of landscape, wildlife or quiet enjoyment, will be supported. Within the Conservation Area, the Salhouse Conservation Area Character Statement 2003, or any approved successor to it will be used to assess the extent of harm.

Proposals that have an impact on such sites will be supported if they meet the following criteria:

- The impact is temporary and can be restored back to the condition prior to development, or better, within 3 years of the completion of the development
- Mitigation measures are undertaken on or abutting the development site. For example by adding additional land to the green space or by undertaking capital restoration works on parts of the site that are not developed. Mitigation measures should maintain or improve the site in terms of size, quality and or public access. Such mitigation measures will be expected to be made available on a permanent basis
- If mitigation is not possible within or abutting the site, any damage to natural heritage or loss of green space shall be offset by restoration of natural heritage or replacement of green space elsewhere in the village. The replacement must be similar in terms of scale, character and quality, accepting some natural attributes will take time to accrue

The developer will be expected to provide evidence with their planning application that their proposal meets conforms to this policy.

OE2: Enhancement of our Natural Heritage and Countryside

Proposals which have an overall net benefit for the natural environmental heritage, either through increasing the natural heritage resource, improving its condition or its quality, or by making it more accessible for local people, will be supported. The benefit can arise directly, from proposals whose intent is natural heritage improvement, or indirectly, from development that provides suitable mitigation or funding that improves natural heritage. Proposals that link fragmented green space, change land use from intensive practises to uses more sympathetic to natural heritage or restore areas that have been destroyed or damaged in the past, will be welcomed.

OE3: Protecting Our Dark Night Skies

Development proposals should include provisions for conserving dark skies, which is a highly valued feature within the village. Proposals for street lighting will be avoided unless required by the Highway Authority where the need can be justified, given the value attached to the village's dark skies.

OE4: Managing Land Use Change

Development which provides additional recreational or environmental assets, including allotments, sports fields, village green or public open space, while also maintaining the quality of the village landscape, will be supported. Changes of use to these uses from commercial uses will be supported where the benefit outweighs the loss of business activity or there is no realistic prospect of employment uses. Changes of use from agriculture to these uses will be supported where it does not involve the loss of the best and most versatile land or the benefits outweigh this loss and there is no alternative site available.

OE5: Promoting Improved Connectedness in the Parish

The Neighbourhood plan encourages developments which improve foot and cycle connections between village assets, subject to the provisions of Policy OE1. Developers will be encouraged to improve connectedness where opportunity allows.

OE6: Promoting a Safer Village

Development proposals which reduce conflict between pedestrians, cyclists and motorised traffic, or proposals which directly improve safety in the village, will be supported.

POLICIES FOR EMPLOYMENT

CONTEXT AND JUSTIFICATION

Business outlets in Salhouse have been very limited, largely for historic reasons as the village grew from a predominantly agricultural environment. A few businesses have built up within an old granary complex adjacent to the railway line on the Parish fringe and, over the last 20-30 years, this area at Wood Green has expanded to form a small industrial estate.

There are two public houses and a garden centre. Smaller businesses range from a care home (Milestones), office premises, a village shop, ladies hairdresser, to Bed & Breakfast and roadside stalls operating from domestic properties. In total there just over 20 businesses within the Parish.

The Parish Plan showed that there was generally support for limited expansion of business but this to be in keeping with the character of the village. This support has been confirmed from consultations for the Neighbourhood Plan.

There seems to be little scope for bringing business into the village but some would inevitably follow if, for example, a sheltered home or environmental centre near to the broad were to be forthcoming.

INTENT

The policies relating to Business and Employment seek to protect and enhance the provision of small traditional retail business within the village and ensure that any small scale employment sites are developed in an appropriate way to give a mix of employment and not in any way be detrimental to the attractiveness of the village.

POLICIES

EMP1: Existing facilities

Proposals for the expansion of existing businesses or the development of starter units in the Wood Green commercial area will be supported where they do not result in harm to the living conditions of neighbouring residents, have a harmful visual impact in views from the surrounding countryside or generate traffic that would clearly be harmful to road safety.

Existing businesses and commercial uses will be retained in that use unless the existing use is not viable; there are environmental or community benefits that outweigh the loss; or, alternative provision is provided elsewhere within the village in an appropriate location.

EMP2: New facilities

The Neighbourhood Plan encourages small scale employment uses provided they are appropriate to a rural area and do not have a significant adverse impact on the character of the area or the amenity of residents.



POLICIES FOR HOUSING

CONTEXT AND JUSTIFICATION

Salhouse has, for many years, seen a number of individual houses and relatively modest housing schemes constructed in the village. This has averaged out at around five new houses in the parish per year since 1974. This figure excludes the large schemes of the 1960s and 1970s, such as the building of the Cheney Avenue estate. If these schemes are included the average over the same period is approximately seven per year.

Some 25.8% of the population of Salhouse is over 65, which is higher than the average across the Broadland District Council area.

RECENT DEVELOPMENTS

The new development on the former Salhouse Service Station garage site has added 15 new dwellings. The current Ingram Homes development at Barn Piece on Norwich Road will add a further 19 new houses figure when completed.

This latter housing development is allocated in the District Local Plan to meet the requirement for additional houses in Salhouse.

FUTURE DEVELOPMENTS

It is accepted that to attempt to 'preserve the village in aspic' and prevent all new developments is both unrealistic and ultimately detrimental to the future health of the village, its community and its facilities, such as its popular school, well used Jubilee Hall, shops, garden centre, hairdresser, pub and other outlets. In fact, with an ageing population, new houses will attract people to the village, or enable the next generation of residents to remain here and maintain a thriving community.

However, this should be balanced with the view that any future developments should be appropriate to the size of the village and the maintenance of its character as a small, rural Broadland community.

This is said against the background of the imminent building of the Norwich Northern Distributor Road (NDR), which will pass through the neighbouring parish of Rackheath and major 'infill' housing developments on land inside and outside the NDR, to meet the requirement for new homes in the Broadland District Council area, as identified in the District Local Plan.

With such a growth of population and housing density within the whole north east Norwich quadrant, it is the view of the Parish Council and Neighbourhood Planning Group that the conservation and preservation of the outlying villages is absolutely vital to prevent creeping urbanisation, the loss of villages and the destruction of their communities, increased traffic, strain on local infrastructure, increase in crime and anti-social behaviour and loss of the beauty and character of the Broads.

INTENT

These policies place the common interest at the heart of any village growth. This underpins high quality place making, a generous landscape framework and high quality design. It balances the maintenance of the village's character, landscapes, streetscapes and movement of people and traffic with the optimisation of land use.

The policies optimise existing investment in infrastructure by maintaining the shape and form of the village and eliminating concentrations of additional vehicle and pedestrian traffic.

The policies encourage any new housing to dovetail in with existing local services and layouts that encourage walking / cycling where possible for local trips and avoids the generation of significant additional traffic throughout the village or any new concentration of additional traffic caused by a larger singular development. They allow everyone within the village good access to local facilities, services, amenities and maintains the existing community. They also encourage the maintenance of accessibility to essential services, facilities and jobs and maintains and enhances the quality of landscapes, streetscapes and the historic environment.

New or improved infrastructure will generally be funded / delivered through CIL and/or S106 / S128 agreements (including use of planning conditions) having regard to the Greater Norwich Growth Board (GNGB) and the Greater Norwich Infrastructure Plan (GNIP).

POLICIES FOR HOUSING

By avoiding larger developments the policies improve environmental amenity, including air quality. The policies reduce the effect of traffic on the environment and build and maintain community identity, maintain and improve social welfare and work to maintain the current very low level of crime and anti-social activity. They maintain and improve accessibility to essential services, facilities and jobs.

With a higher than average population over 65 years old the development of sheltered housing will enable older people and whole families to remain in the village and use its services and facilities. This will assist in freeing up of existing housing stock and will enable the maintenance of the village's character, keeping the need for new housing development in check.

This policy will generate a number of local jobs e.g. warden, cleaner, carers, gardener etc.

POLICIES

H1: New Housing Development

New housing development will be within the defined settlement limits for Salhouse unless it is consistent with other development plan or national policies for housing in the countryside. Development proposals will be small in scale and expected to demonstrate a high quality of design which will maintain and contribute to local distinctiveness by respecting the character of neighbouring development and the village as a whole in terms of height and density.

In the context of this policy 'small scale' will reflect the organic growth the village has been subject to since records are available from 1974, being circa 5 new houses per annum this being the average rate of annual development.

H2: Housing Mix

A mix of house types that suits differing life stages and economic positions will be supported, along with self-build and custom-build houses in order to encourage a greater diversity of house types and smaller developments.

H3: Provision of Sheltered Housing within the village

The development of new sheltered housing will be encouraged. Sheltered housing will be permitted where it is compatible with the local surrounding area, is of an appropriate size and respects the amenities of neighbouring uses.

Proposals outside the settlement limit will be acceptable if they are justified by meeting a specific need of the parish.

PROJECTS TO SUPPORT THE NEIGHBOURHOOD PLAN

THE INFORMATION BASE

Salhouse Parish Council will develop an improved information base to better inform decision making and to enable sustainable management of the village. This will include survey and mapping of environmental features of the village. The information resource will be available to any interested parties.

Part of this information base will be a register of village assets that are important to the well being of the village, and will include the village ponds and waiting room at Salhouse railway station.

DEVELOPING AN INTEGRATED VILLAGE PATH NETWORK

We will identify new permissive paths that contribute to the development of a village path network which links the village core and its gateways with the rural hinterland and our natural and built heritage features. Infrastructure needed for the path may include path surfacing, signs, path-side furniture and structures such as footbridges and gates. These should be located and designed in sympathy with the village landscape. We will use opportunities arising from development or other land use and planning changes to further this project.

This specifically will include consideration of a foot and cycle path directly to Salhouse Station via Howletts Loke avoiding the railway bridge which is narrow, has no footpath and is prone to flooding, from Bell Corner.

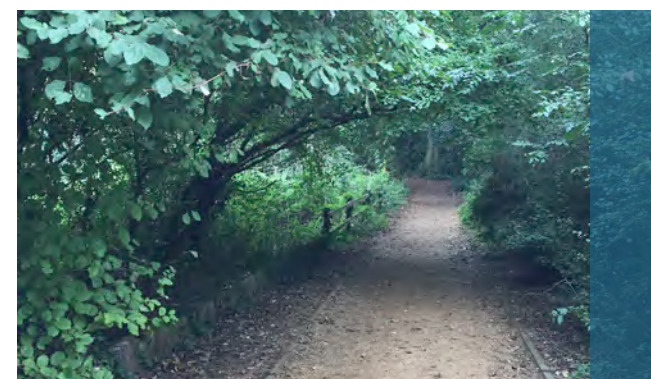
ENHANCEMENT OF THE PLAYING FIELD

There is demand for making the playing field more of a community asset.

Planning permission has already been granted for the replacement of the current changing rooms and, following a recent consultation the Parish Council are investigating the possibility of re-siting the changing rooms elsewhere on the field, increasing the size of the car park, enabling more access and planting and the installation of a multi-use games area and telephone mast. This is an ongoing project and at the time of preparing the Neighbourhood Plan, firm plans are not available. The enhancement of the playing field is important to the village and has been regularly raised at consultations.

SHELTERED HOUSING

Efforts will be made to find a suitable site for such a development.





Implementation and Monitoring


The implementation of the Salhouse Neighbourhood Plan will require co-ordinated input and cooperation of a number of statutory and non-statutory agencies, private sector organisations and the local community. It is intended as a starting point to ensure the continuation of the rural identity of Salhouse and implement positive physical change within the village.

Salhouse Parish Council will monitor the implementation of the Neighbourhood Plan. Subject to available resources the Parish Council will prepare regular monitoring reports, which will be published on the village website and issued to Broadland District Council and the Broads Authority.



SALHOUSE **2020+**

A vision for a thriving village

 @Salhouse2020 | salhouse2020@gmail.com

Consultation Documents Update and Proposed Responses
Report by Planning Policy Officer

Summary:	This report informs the Committee of the Officers' proposed response to planning policy consultations recently received, and invites any comments or guidance the Committee may have.
Recommendation:	That the report be noted and the nature of proposed response be endorsed.

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 endorsement, comments or guidance are invited.

2 Financial Implications

- 2.1 There are no financial implications.

Background papers: None

Author: Natalie Beal
Date of report: 06 July 2017

Appendices: APPENDIX 1 – Schedule of Planning Policy Consultations Received

Planning Policy Consultations Received

ORGANISATION:	South Norfolk District Council
DOCUMENT:	Guidelines for recreation provision in new residential developments - SPD
LINK	https://www.south-norfolk.gov.uk/sites/default/files/Guidelines%20for%20Recreation%20Provision%20in%20New%20Developments%20SPD%20-%20Consultation%20Draft%20%28June%202017%29.pdf
DUE DATE:	4 August 2017
STATUS:	Consultation
PROPOSED LEVEL:	Planning Committee Endorsed
NOTES:	<p>This Supplementary Planning Document (SPD) outlines guidelines for the provision, adoption and future maintenance of outdoor recreational facilities directly needed as a result of new residential developments, including children's play space and formal/informal recreational open space for older children/adults, across South Norfolk. The purpose of the SPD is to supplement the Council's Development Management Policy DM 3.15: 'Outdoor play facilities and recreational space'. It provides clear guidelines to developers as to the local requirements of South Norfolk Council when submitting planning applications for new housing developments and also gives information regarding the Council's approach to the adoption and maintenance of play facilities and recreational spaces.</p>
PROPOSED RESPONSE:	<p>As SNDC are aware, we are intending to have regard to policies and relevant documents relating to play and open space of our constituent district councils. As such, for any future development in the Broads part of South Norfolk which triggers the need for open space and play, this SPD will be of relevance.</p> <p>Please see our minor comments on the SPD below.</p> <p>6.4 – suggest reference is given to Section 10 on maintenance. At the start of the document you state the Council will not take on responsibility of maintenance and management and it is section 10 where this is discussed in detail. The commuted sum section relating to maintenance sits with none of the qualification elsewhere in the document.</p> <p>Appendix 3, page 26 – design:</p> <ul style="list-style-type: none"> • Request that reference is made to lighting to require schemes to be designed to minimise light pollution. The Broads Authority Executive Area has some areas of very good dark skies which we intend to protect through our Local Plan. Our constituent districts can assist with that aim. • There is no mention of cycle or scooter parking. Children and parents may cycle or scoot to the park and somewhere safe to leave their scooters or cycles would be welcomed. • In the signage section, there could be merits in referring to no smoking signs. We are aware of the campaign in Norwich which might be something that could be captured in this SPD. • Under safety and security, there does not seem to be reference to loitering of those not using the play area. Is this something that needs to be addressed when designing new play areas?

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

Summary: This report sets out the position regarding appeals against the Authority since April 2017.

Recommendation: That the report be noted.

1 Introduction

- 1.1 The attached table at Appendix 1 shows an update of the position on appeals to the Secretary of State against the Authority since April 2017.

2 Financial Implications

- 2.1 There are no financial implications.

Background papers: BA appeal and application files

Author: Sandra A Beckett
Date of report: 07 July 2017

Appendices: APPENDIX 1 – Schedule of Outstanding Appeals to the Secretary of State since April 2017

APPENDIX 1

Schedule of Outstanding Appeals to the Secretary of State since April 2017

Start Date of Appeal	Location	Nature of Appeal/ Description of Development	Decision and Date
3 April 2017	APP/E9505/W/17/3169091 BA/2016/0284/CU Violet Cottage, Irstead Road, Neatishead Mr Simon Ciappara	Appeal against refusal Retrospective application to use annexe building as holiday accommodation	Delegated Decision 3 October 2016 Questionnaire and Notification Letters sent 4 April 2017 Statement of Case sent by 8 May 2017 ALLOWED with conditions 6-6-17
18 May 2017	APP/E9505/W/17/3170595 BA/2016/0343/FUL The Workshop Yarmouth Road LUDHAM NR29 5QF Dr Rupert Gabriel	Appeal against refusal Change of use of outbuilding (MT Shed) to residential dwelling	Delegated Decision 20 January 2017 Questionnaire and Notification letters sent by 25 May 2017 Statement of Case due by 22 June 2017
22 May 2017	APP/E9505/C/17/3173753 APP/E9505/C/17/3173754 BA/2015/0026/UNAUP2 Burghwood Barnes Burghwood Road, Ormesby St Michael Mr D Tucker Miss S Burton	Appeal against Enforcement Unauthorised development of agricultural land as residential curtilage	Committee Decision 3 March 2017 Notification Letters and Questionnaire by 5 June 2017 Statement of case due by 3 July 2017
Awaited	APP/E9505/W/17/3174937 BA/2016/0356/COND Waveney Inn and River Centre Staithe Road Burgh St Peter Waveney River Centre	Appeal against conditions 1 and 6 (Temporary approval and passing bay signs) of permission BA/2016/0064/CON D (April 2016)	Committee Decision 9 December 2016 re BA/2016/0356/COND (<i>condition re passing bay signs removed under this application.</i>)
Awaited	App/E9505/W/17/3176423 BA/2017/0060/CU	Appeal against refusal	Committee Decision 28 April 2017

Start Date of Appeal	Location	Nature of Appeal/ Description of Development	Decision and Date
	Eagles Nest, Ferry Road, Horning Mr Robert King	Change of use of first floor of boathouse to residential managers accommodation (Class C3) associated with the adjacent King Line Cottages	(2 May 2017 Decision notice)

Decisions made by Officers under Delegated Powers

Report by Director of Planning and Resources

**Broads Authority
Planning Committee**

21 July 2017

Agenda Item No 16

Summary:	This report sets out the delegated decisions made by officers on planning applications from 08 June 2017	to 04 July 2017
Recommendation:	That the report be noted.	

Application	Site	Applicant	Proposal	Decision
Bungay Town Council				
BA/2017/0142/HOUSEH	The Dell Staithe Road Bungay Suffolk NR35 1ET	Mrs Frances Poston	Polytunnel.	Approve Subject to Conditions
Chedgrave Parish Council				
BA/2017/0140/FUL	Greenway Marine Riverside Boatyard Riverside Chedgrave Norfolk NR14 6HA	Mr Jonathan Greenway	Extend boat storage area	Approve Subject to Conditions
Fleggburgh Parish Council				
BA/2017/0114/FUL	Electrical Testing Main Road A1064 Acle Bridge Fleggburgh Norfolk NR13 3AT	Electrical Testing Ltd	Erection of new storage building	Approve Subject to Conditions
Geldeston Parish Council				
BA/2017/0112/FUL	Land South Of Dunburgh Hill Dunburgh Road Geldeston Norfolk	Mr Ian Moore	Renovation of 16 fishing pegs and construction of parking area.	Approve Subject to Conditions
Horning Parish Council				
BA/2017/0126/HOUSEH	Whitegates 32 Lower Street Horning Norfolk NR12 8AA	Mr And Mrs Peter Boshier	Replacement doors and windows.	Approve Subject to Conditions

Application	Site	Applicant	Proposal	Decision
Oulton Broad				
BA/2017/0151/FUL	Trumans Yard Caldecott Road Lowestoft NR32 3PH	Mrs Anna Toulson	Single storey dwelling and associated garden and walls.	Approve Subject to Conditions
Stalham Parish Council				
BA/2017/0153/HOUSEH	Riverside The Staithe Stalham NR12 9DA	Mr Pat Simpson	Replacement of Tin Shed with New Garden Room	Approve Subject to Conditions
Woodbastwick Parish Council				
BA/2017/0134/HOUSEH	Fen Lodge Broad Road Ranworth Norwich NR13 6HS	Mr & Mrs Chalk	Single storey extensions and external alterations to existing dwelling	Approve Subject to Conditions
Wroxham Parish Council				
BA/2017/0128/COND	Barnes Brinkcraft Formerly Moore & Co Staitheway Road Wroxham Norwich Norfolk NR12 8TH	Barnes Brinkcraft	Variation of conditions 2: approved plans, and 7: parking details of permission BA/2015/0381/FUL.	Approve Subject to Conditions